

House Bill 2074

Ordered printed by the Speaker pursuant to House Rule 12.00A (5). Pre-session filed (at the request of Governor Theodore R. Kulongoski for State Landscape Contractors Board)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Requires landscaping business license applicant to have at least one owner licensed as landscape contractor or have managing owner complete courses and pass examination required by State Landscape Contractors Board. Applies to applicants for initial landscaping business licenses issued on or after January 1, 2009.

Requires board to establish list of approved course and examination providers.

Requires landscaping business that has no licensed landscape contractors as owners and that was initially licensed on or after January 1, 2008, but before January 1, 2009, to have managing owner complete courses and pass examination before business license renewal.

A BILL FOR AN ACT

1
2 Relating to landscaping.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1. Section 2 of this 2007 Act is added to and made a part of ORS 671.510 to**
5 **671.710.**

6 **SECTION 2. (1) If an applicant for a landscaping business license does not have at least**
7 **one owner who is licensed as a landscape contractor under ORS 671.560, the applicant shall**
8 **provide the State Landscape Contractors Board with proof that an owner who will manage**
9 **or share in the management of the landscaping business has completed required courses**
10 **described in subsection (2) of this section and passed an examination on the subject of those**
11 **courses.**

12 **(2) The board shall adopt rules establishing required courses for a business owner who**
13 **seeks to qualify the business for a landscaping business license, but who is not licensed as**
14 **a landscape contractor. The courses required by the board shall be designed to educate the**
15 **owner regarding business practices and Oregon laws affecting landscaping businesses. The**
16 **board may not require an applicant to take a total of more than 16 hours of instruction.**

17 **(3) When adopting rules to carry out the provisions of this section, the board shall con-**
18 **sider the availability of courses in the regions of this state. The board shall encourage course**
19 **providers to use the most up-to-date technology to make courses widely available.**

20 **(4) A course provider may submit information regarding course materials, examinations**
21 **and instructor qualifications to the board for approval. The board shall approve courses if**
22 **the course materials, examinations and instructors meet board requirements. The board**
23 **shall periodically review approved courses to ensure continuing compliance with board re-**
24 **quirements. The board shall develop and make available a list of providers that offer courses**
25 **that will enable an owner to comply with the requirements of subsection (1) of this section.**

26 **SECTION 3. (1) The State Landscape Contractors Board shall make an initial list of**
27 **courses approved under section 2 of this 2007 Act available to the public on or before March**

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 1, 2008.

2 (2) Section 2 of this 2007 Act applies to landscaping business licenses that are initially
3 issued on or after January 1, 2009.

4 SECTION 4. If a licensed landscaping business does not have at least one owner who is
5 licensed as a landscape contractor under ORS 671.560, and the landscaping business license
6 was initially issued by the State Landscape Contractors Board on or after January 1, 2008,
7 and before January 1, 2009, upon applying to renew that license the applicant shall provide
8 the board with proof that an owner who manages or shares in the management of the land-
9 scaping business has completed required courses described in section 2 of this 2007 Act and
10 passed an examination on the subject of those courses.

11 SECTION 5. Section 4 of this 2007 Act is repealed January 2, 2012.

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