

SENATE AMENDMENTS TO RESOLVE CONFLICTS TO HOUSE BILL 2075

By COMMITTEE ON BUSINESS, TRANSPORTATION AND WORKFORCE DEVELOPMENT

May 24

1 On page 1 of the printed bill, line 2, before the period insert “and section 2, chapter 111, Oregon
2 Laws 2007 (Enrolled House Bill 2076)”.

3 On page 3, after line 13, insert:

4 “**SECTION 5.** Section 2, chapter 111, Oregon Laws 2007 (Enrolled House Bill 2076), is amended
5 to read:

6 “**Sec. 2.** (1) Notwithstanding ORS 671.570, the State Landscape Contractors Board may issue a
7 probationary landscape contractor license to a person who does not meet the training and experi-
8 ence qualifications set forth in ORS 671.570. To obtain a probationary landscape contractor license,
9 the person must:

10 “(a) Pay a nonrefundable application fee;

11 “(b) Pay an examination fee;

12 “(c) Pay to the board the landscape [*contractor’s*] **contractor** license fee required by ORS
13 671.650; and

14 “(d) Pass all sections of the examination described in ORS 671.570 within 12 months after first
15 taking the examination.

16 “(2) Two or more years after receiving a probationary landscape contractor license, a
17 probationary landscape contractor may obtain removal from probationary status and issuance of a
18 landscape [*contractor’s*] **contractor** license if the probationary landscape contractor presents the
19 board with proof that the probationary landscape contractor has done any of the following:

20 “(a) Completed at least 24 months of employment with a licensed landscaping business under the
21 direct supervision of a landscape contractor.

22 “(b) Provided supervision described in ORS 671.540 (15) or 671.565 (1)(b) for at least 24 months
23 as the owner or employee of a licensed landscaping business that, during that period:

24 “(A) Filed and maintained with the board a bond, letter of credit or deposit in the amount of
25 \$15,000; and

26 “(B) Performed landscaping work only on landscaping projects where the amount charged by the
27 landscaping business for work on the project during any 12-month period did not exceed \$15,000.

28 “(c) Actively operated for at least 24 months as a construction contractor licensed under ORS
29 chapter 701.

30 “(3) Except as provided in this section and ORS 671.560 and as the board may provide by rule,
31 a probationary landscape contractor licensed under this section is for all purposes a landscape
32 contractor licensed under ORS 671.560.

33 “**SECTION 6.** If House Bill 2076 becomes law, section 4 of this 2007 Act (amending ORS
34 671.570) is repealed and ORS 671.570, as amended by section 4, chapter 111, Oregon Laws 2007
35 (Enrolled House Bill 2076), is amended to read:

1 “671.570. (1) Each person applying for a landscape [*contractor’s*] **contractor** license must:
2 “(a) Pay a nonrefundable application fee.
3 “(b) Pay an examination fee.
4 “(c) Pay to the State Landscape Contractors Board the landscape [*contractor’s*] **contractor** li-
5 cense fee required by ORS 671.650.
6 “(d) Pass an examination, which the board shall offer at least once each six months, to deter-
7 mine the fitness of the applicant for licensing and within 10 years before the day the application for
8 a license is made:
9 “(A) Have at least 24 months of employment with a [*landscape contracting*] **landscaping** busi-
10 ness; or
11 “(B) Have at least 12 months of employment with a [*landscape contracting*] **landscaping** business
12 and one full year of training in an area related to landscaping at an accredited school or college.
13 “(e) Be employed by, or own, a landscaping business if performing landscaping work.
14 “(2) Notwithstanding subsection (1) of this section, the board may adopt rules allowing a person
15 who does not meet the education and experience requirements in subsection (1)(d) of this section to
16 substitute other education and experience that demonstrate the fitness of the person for licensing
17 as a landscape contractor.”.
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