

SENATE AMENDMENTS TO RESOLVE CONFLICTS TO HOUSE BILL 2538

By COMMITTEE ON BUSINESS, TRANSPORTATION AND WORKFORCE DEVELOPMENT

May 29

1 On page 1 of the printed bill, line 3, after the semicolon insert “repealing section 34, chapter
2 _____, Oregon Laws 2007 (Enrolled House Bill 2117);”.

3 On page 2, after line 20, insert:

4 “**SECTION 5.** If House Bill 2117 becomes law, section 2 of this 2007 Act is amended to read:

5 “**Sec. 2.** (1) The State Landscape Contractors Board shall adopt rules establishing continuing
6 education requirements for landscape [*contractors*] **construction professionals**. The board may not
7 require landscape [*contractors*] **construction professionals** to take more than 10 hours of continu-
8 ing education every year.

9 “(2) The board may approve programs for purposes of [*landscape contractor*] continuing educa-
10 tion **for landscape construction professionals** and determine the number of hours to be credited
11 to the programs. The board shall ensure that continuing education opportunities for landscape
12 [*contractors*] **construction professionals** are readily available.

13 “(3) Programs approved by the board for continuing education purposes must be designed to di-
14 rectly contribute to [*landscape contractor*] **the** professional competency **of landscape construction**
15 **professionals**. Approved programs may include, but need not be limited to:

16 “(a) Professional development programs and technical meetings of professional associations for
17 [*landscaping*] **landscape contracting** businesses or for related industries such as pesticide applica-
18 tion or irrigation auditing;

19 “(b) University or college courses related to [*landscape contracting*] **landscaping** or horticulture;

20 “(c) Professional staff training programs by [*landscape contractor*] associations **of landscape**
21 **construction professionals**; and

22 “(d) Online or other forms of educational programs.

23 “(4) The board may adopt rules establishing grounds for obtaining a waiver of [*landscape con-*
24 *tractor*] **the** continuing education requirements **for landscape construction professionals**. The
25 board may not allow a waiver for more than two consecutive years except for a waiver due to mil-
26 itary service, retirement, disability, absence from the state, inactive status or extreme hardship.

27 “**SECTION 6.** If House Bill 2117 becomes law, section 34, chapter _____, Oregon Laws
28 **2007 (amending ORS 671.660) is repealed and ORS 671.660, as amended by section 3 of this 2007**
29 **Act, is amended to read:**

30 “671.660. (1) The fee for renewal of a license issued under ORS 671.510 to 671.710 shall be paid
31 annually on or before the last day of the month of the anniversary of issuance.

32 “(2) The State Landscape Contractors Board may not issue a new license to a person who has
33 been previously licensed under ORS 671.510 to 671.710 and whose license has expired, unless the
34 person makes written application on a form approved by the board and pays the required annual fee.
35 The board may require the person to also pay a penalty fee.

1 “(3) If a license lapses for two years or more, the [*individual or business*] **person** must reapply
2 as for initial issuance of the license.

3 “(4) When a **landscape contracting** business renews its license, the business must submit the
4 names of all employees who are licensed landscape [*contractors*] **construction professionals**.

5 “(5) When a person renews a landscape [*contractor*] **construction professional** license, the
6 person must:

7 “(a) Submit the name of the employer if the person is currently performing landscaping work;
8 and

9 “(b) Demonstrate that the person has complied with the continuing education requirement
10 adopted by the board.

11 “**SECTION 7.** If House Bill 2117 becomes law, section 4 of this 2007 Act is amended to read:

12 “**Sec. 4.** (1) The State Landscape Contractors Board shall establish an initial continuing educa-
13 tion requirement and a continuing education program approval process no later than March 1, 2008.

14 “(2) The amendments to ORS 671.660 by [*section 3*] **sections 3 and 6** of this 2007 Act apply to
15 the renewal of landscape [*contractor*] **construction professional** licenses that expire on or after
16 January 1, 2009.

17 “**SECTION 8.** If House Bill 2117 becomes law, the amendments to sections 2 and 4 of this
18 **2007 Act and ORS 671.660 by sections 5 to 7 of this 2007 Act become operative on January 1,**
19 **2008.”.**

20 In line 21, delete “5” and insert “9”.

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