

Senate Bill 94

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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**.

Changes design requirement for practical skills tests offered by State Landscape Contractors Board. Deletes requirement that board provide physical location for practical skills testing. Deletes requirement that board conduct practical skills test within eight-hour period on single day.

Requires that board class on landscape contracting business practices be offered at least once every 12 months.

A BILL FOR AN ACT

1
2 Relating to the State Landscape Contractors Board; amending ORS 671.561.

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

4 **SECTION 1.** ORS 671.561 is amended to read:

5 671.561. (1) The State Landscape Contractors Board shall establish a practical skills test for at
6 least two of the types of limited or specialty licenses offered by the board under ORS 671.560. The
7 board may establish a practical skills test for additional types of licenses offered under ORS 671.560
8 or 671.570. If the board establishes a practical skills test for a type of license, the board shall allow
9 an applicant for the license the option of satisfying all or parts of any examination requirement for
10 the license either by:

11 (a) Passing a written examination; or

12 (b) Passing the practical skills test and attending the business practices class described in this
13 section.

14 (2) If the board establishes a practical skills test for a type of license, the board must offer the
15 practical skills test at least once every 12 months.

16 (3) The board shall design a practical skills test to determine whether the applicant has the
17 *[ability]* **minimum knowledge required** to perform the tasks most commonly required of a licensee
18 in a manner meeting or exceeding practice standards established by board rule. A practical skills
19 test may include, but may not be limited to, the use of written multiple choice questions. The board
20 shall design a test to have a reasonable expected completion time that is less than eight hours. The
21 board may not test the ability of an applicant for a limited or specialty license to perform a task
22 that is not authorized by the type of limited or specialty license sought. If the board establishes a
23 practical skills test option for licensing under ORS 671.570, the board may not test the ability of an
24 applicant to make an installation described in ORS 671.615.

25 *[(4) The board shall supply a site for practical skills testing that has adequate lighting and is free*
26 *from extreme temperatures, falling or blowing snow, ice, high winds and heavy rainfall. The practical*
27 *skills test must be conducted within an eight-hour period on a single day.]*

28 *[(5)]* (4) The board shall evaluate task performance during a practical skills test by use of a

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 standardized scoring checklist. If the evaluator determines that an item on the checklist was not
2 performed in a manner meeting or exceeding practice standards established by board rule, the board
3 shall provide written comments explaining in detail why the performance was unsatisfactory. The
4 board shall establish the minimum score for passage of a practical skills test to be 70 percent of the
5 maximum possible score. If an applicant does not pass a practical skills test, the board shall allow
6 the applicant to review the checklist and written comments.

7 [(6)] (5) The board shall offer or approve a class on landscape contracting business practices,
8 not to exceed six hours in length. The class shall be offered to applicants who choose the option
9 of taking a practical skills test and be made available to those applicants **at least once every 12**
10 **months** on a schedule that facilitates taking the class in conjunction with taking the practical skills
11 test. The board may test applicants on the class content but may not consider the test results for
12 purposes of conditioning, limiting or refusing a license.

13 [(7)] (6) The board shall establish fees for applicants described in this section in amounts rea-
14 sonably calculated to offset the full program cost of conducting the practical skills test and business
15 practices class described in this section.

16 [(8)] (7) The board may subcontract or otherwise arrange for a third party to carry out any duty
17 or function of the board regarding practical skills testing or the class on landscape contracting
18 business practices.

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