



## **Statement in Opposition to HB 3337**

The Oregon Landscape Contractors Association (OLCA), the trade association for landscape professionals in Oregon, opposes HB 3337 which would eliminate the licensure requirements for landscape construction professionals. The Oregon Landscape Contractors Board (LCB) was established in 1972 to enhance industry professional and to provide consumer protection. Central to that mission has been the LCB's licensure program which ensures a minimum level of professional knowledge and qualifications. OLCA has been a longtime advocate for professionalism within the landscape industry and has been supportive of the LCB's licensure program which ensures a minimum level of knowledge and qualifications.

Knowledge in pesticides, soils, plants, irrigation and drainage systems, water conservation, low-voltage lighting, ornamental water features, retaining walls, decks, patios and fencing is critical as the landscape industry continues to grow in Oregon's changing environment. It's important to note that as opposed to landscape maintenance which involves mowing and edging lawns, bed work and light pruning, the landscape construction professional builds living dynamic landscapes, irrigation and drainage systems, water features, patios and decks, outdoor kitchens, fences and more. Because much of this does not get inspected as is the case with other construction industries, the examination and qualifications requirements for licensure have served as a proactive means to enhance a higher level of work for consumers.

HB 3337 creates a new limited landscape construction professional license that would allow the licensee to perform up to \$8,000 of work per project during a 12-month period. This limited license would permit the licensee to perform all phases of landscape construction work (except the installation of a back-flow device) without any knowledge or experience in landscape contracting as the bill eliminates both the license examination and the education and experience requirements.

Not only would the elimination of the examination, education and experience requirements jeopardize the state's commitment to protect consumers but it would also endanger the current exemptions provided to licensed landscape professionals by the Electrical and Elevator Board for low voltage lighting and irrigation control and the Construction Contractors Board for work on trees. The landscape construction industry was able to secure approval from those boards for inclusion of this work in the scope of "landscape contracting" because of LCB's licensure examination and knowledge requirements. Withdrawal of these agreements would result in overall higher costs to the public if lighting and irrigation functions require a licensed electrician or plumber.

In the 2015 legislative session, the recommendations of a work group convened by Senator Chuck Thomsen to address issues with the Oregon Landscape Contractors Board (LCB) and its regulations were unanimously adopted by both chambers in the form of SB 580. The work group included representatives from OCLA, other landscape organizations, LCB and the CCB, water purveyors and the League of Cities. While many streamlining recommendations were addressed in SB 580 including significantly reducing the continuing

education requirements for renewing licensees, elimination of the examination or other qualification requirements was not ever a serious consideration.

Also in 2015, the Legislature approved legislation allowing a practical skill examination as an alternative to the written examination. OLCA, the LCB and others expended a great deal of time and effort to implementing that legislation which provides an alternative path for license applicants though one not frequently followed.

*OLCA believes that professional licensure enhances both consumer protection and the landscape contractors' ability to better serve their consumer by ensuring that they have a minimum level of knowledge and competency in the landscape profession. **We urge your opposition to HB 3337.***

