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**Shelley Sneed, Administrator of Landscape Contractors Board**  
**March 4, 2012 Testimony on House Bill 2619**

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Good morning Chair Doherty and honorable committee members. Thank you for allowing us to testify today on House Bill 2619. This bill would require any business performing landscape maintenance work in Oregon be registered with the Landscape Contractors Board. This bill was not introduced by the agency; it was presented by Representative Clem after a request by Mark Kemper.

Our agency has worked with Mr. Kemper on the drafts of this legislation. At the board's January 17<sup>th</sup> meeting, the board directed me to request approval from the Governor's office for the agency to support the bill. We have worked with the Governor's office and Representative Clem, the bill's sponsor, and support this bill along with the amendments.

In past legislative sessions the agency had requested similar legislation that would have required licensure for maintenance businesses. This bill has less onerous requirements, but ensures that Oregonians purchasing landscape maintenance services have insurance and worker's compensation insurance that protects the property owner in the event that damage occurs to their property.

Since the landscape maintenance industry is currently unregulated there is little documentation about existing consumer damage.

There are two agencies exempted from this bill in the amendment. As written, any licensees of our agency and the Construction Contractors Board would not be required to register as a maintenance business.

If this legislation is passed, the agency intends to collect a minor fee for registration; the intent isn't to overburden individuals or businesses that may be performing this work as a means of supporting a family that otherwise may have little resources. We are aware that many of these businesses are individuals who have mowers, edgers, rakes and other simple lawn equipment. They may have formerly been employed and now have resorted to doing this work after a job loss. That's not every landscape maintenance business. There are others that are long standing businesses with a greater investment in equipment, business systems and materials.

This registration builds a system of monitoring this industry to ensure that consumers have some level of recourse in the event of damage to their property. A secondary benefit is having a database of what has been an unregulated industry that the agency can communicate with to ensure that they understand how to operate a business in Oregon. Many of the business may not be aware of pesticide licensing requirements. Many aren't aware of the need to register their business name with the Secretary of State. This registration isn't intended to be a challenge or impediment to business

ownership—it's intended to educate and inform a set of business operators that may not be aware of the legal requirements of operating a business in Oregon.