



TESTIMONY SUMMARY HB 4117

To: Chair Paul Holvey, Vice Chairs Brent Barton and Bill Kennemer and House Committee on Business and Labor Members

From: Elizabeth Boxall, LCB Administrator

Date: February 3, 2016

Background:

Passage of House Bill 3304 in 2015, required our agency to implement a practical skills/hands-on exam as an option for licensure as well as translate the current exam in to Spanish. Our agency met the Spanish translation requirement early on and formed a committee to work on the practical skills development and implementation portion.

The 2015 bill, as passed, posed challenges for our semi-independent agency, specifically in terms of financial and human resources constraints. Based on work of industry committee members, including Representative Dallas Heard, we have come up with the following solution to implement the hands-on requirement:

The Oregon Landscape Contractors Association (OLCA) currently offers a hands-on certification test in July each year and has offered the Landscape Contractors Board (LCB) leverage of this exam -- Certified Landscape Technician (CLT). OLCA is willing to allow LCB candidates to apply and take sections of their exam without modification. The National Association of Landscape Professionals (NALP) owns and governs the CLT exam and is in support of OLCA sharing their current license with the LCB.

The Practical Skills Implementation Committee compared the LCB written exam to OLCA's current certification, identified gap areas and made the following requests to Representative Heard which are now HB 4117:

1. **Amends the numbers of times the practical skills exam is required to be provided from three (3) times per year for two (2) consecutive days to one (1) time per year for one (1) day.** This will allow the LCB to leverage OLCA's existing CLT exam to meet the practical skills requirement. However, when the number of candidates requesting a practical skills exam increases to more than OLCA can accommodate once a year, the number of times offered could increase based on that demand.
2. **Allows a combination of written sections and practical skills sections for licensure.** This allows more flexibility for the candidate and ultimately provides opportunity to get applicants at least partially licensed and working sooner.
3. **Allows candidates to attend the business course at any time through the exam process.** Currently, the law states the candidate may only take the business course *after* passing the practical skills exam. This change allows more flexibility for the candidate.
4. **Allows for partial license only through the practical skills exam, specifically Planting only or Irrigation only.** This leaves the hardscape portion to be covered at a later date, but allows future licensees the opportunity to still obtain licenses and start working.

5. **Permits a small, review-type quiz (test) at the end of the business course.** The intent is to ensure engagement in the critical course review for this section. The test would review class content, but the results would not be considered for licensure.
6. **Adds the allowance of written multiple choice in some sections.** The nature of the CLT test is such that knowledge-based questions have been moved to written sections of that test to remove subjectivity in the judging of candidates' verbal answers. This helps the standardization and defensibility of the exam, minimizing potential applicant appeals for answers recorded by judges if provided verbally while ensuring a candidate for licensure will have adequate basis of knowledge being tested.

We appreciate Representative Heard's time and continued support in helping to advocate for an iterative approach that will allow successful implementation and allow future licensees the opportunities intended.