



Oregon State Legislature
House Committee on Business and Labor
Representative Jeff Barker, Chair
900 Court St., NE
Salem, Oregon 97301

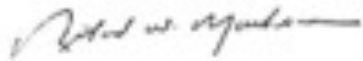
Re: SB 935

Dear House Committee on Business and Labor,

I'm writing to express my concern about Senate Bill 935, sponsored by Senator Heard and Representative Hernandez. The apparent intent of the Bill is to improve access to licensure under the Landscape Contractors Board (LCB) as a landscape construction professional in the State of Oregon. The intent is honorable, however the lack of an educational component required of all other licensees under the LCB reduces the professionalism of the landscaping industry and fails to protect consumers from improper or inadequate work. A general decline in the professionalism of the landscaping industry due to the wide range of license types currently available under the LCB is suggested by the significant increase in litigation filed with the State. A direct correlation appears to exist between increased options for modified licenses and complaints filed by consumers. Adding an additional modified license, especially one lacking any assessment of knowledge or proficiency, will result in a decline of professionalism in the landscaping industry in Oregon, and simply increase complaints and raise legal fees and costs for the State and the LCB.

Senate Bill 395 as written raises additional concerns over enforcement. Limits on the quantity of landscaping and irrigation work that can be completed under the new revised license are unenforceable. Homeowners hiring landscape professionals operating under the new license will not know the limitations of the license, and will assume they are hiring a fully licensed professional. A licensee is unlikely to voluntarily limit the scope of work on a project to be fully compliant with limits of the modified license, and will likely complete any and all work requested by the customer. This creates an unenforceable situation. Field inspectors operating under the LCB are already unable to keep up with the increased work load from homeowner complaints and the growing number of limited licensees. The addition of another limited license, specifically a limited license lacking a means to assess competence and with unenforceable conditions, will further stretch the ability of state inspectors and the LCB to adequately address the expected increase in complaints and litigation resulting from the issuance of a license granted under the standards of SB 935.

As an educator, contractor, and business owner working to increase the professionalism of the landscape industry in Oregon, I strongly urge you to deny granting licensure under the conditions outlined in Senate Bill 395. Thank you.



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