



ASLA  
OREGON

April 30, 2019

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

**RE: Opinion Against SB 935: Creates modified landscape construction professional license**

Dear Chair Barker and members of the Committee,

The Oregon Chapter of the American Society of Landscape Architects (ASLA Oregon) offers this opinion against SB 935, which would create a modified landscape construction professional license.

Representing over 250 members working in the landscape architecture profession, ASLA Oregon is the industry voice on a range of topics that affect the practice of landscape architecture throughout the state. Landscape architecture encompasses the analysis, planning, design, management, and stewardship of the natural and built environment through science and design. Well-known examples in Oregon include the Ira Keller Fountain in downtown Portland, Willamette National Cemetery, Alton Baker Park in Eugene, Riley Ranch Nature Reserve in Bend, The Oregon Garden in Silverton, and Lithia Park in Ashland. Landscape architecture includes both iconic and everyday places, including commercial developments, downtown streetscapes, green roofs, parks, and residential communities. **Landscape architects rely upon the competency of licensed landscape contractors to deliver the products and projects that landscape architects design.**

**Landscape architects share unified voice to protect licensure in the landscape industry.** We recognize licensure as the only effective regulatory measure, by which to protect the public health, safety and welfare. This legislation would create a path for individuals to avoid licensure requirements currently included in ORS 671.571 and is outside the bounds of a recent rulemaking by the Oregon Landscape Contractors Board that created a new limited landscape contractor license (OAR 808-003-0035). The new rules went into effect on February 1, 2019, increasing accessibility to licensure while also including important restrictions on areas of practice, including irrigation systems. These new rules represent an effort to build wealth and capacity in the landscape construction community, which we wholeheartedly support. But this proposed legislation goes too far.

**The inclusion of language to allow modified license holders to install irrigation systems under any circumstances has the potential for harm to people or property.** Irrigation installation requires technical expertise and current licensure requirements ensure that contractors demonstrate their knowledge and skills. A holder of the modified license would not be required to demonstrate minimal competence. As stated in the bill's FIS, "it could lead to more homeowner complaints, requiring LCB to investigate, review, and prepare for mediations and, if appealed, administrative hearings."

Licensed landscape contractors are hired to provide a quality work product and construct sites that are safe for public use, while protecting the health and safety of their employees. Please give this legislation your careful consideration and ensure that landscape contractor licensure continues to protect consumers and the public's health, safety and welfare. **ASLA Oregon urges your opposition to SB 935.**

If you have any questions, please contact me at [trustee@aslaoregon.org](mailto:trustee@aslaoregon.org).

Sincerely,

A handwritten signature in blue ink that reads "Jean Senechal Biggs". The signature is written in a cursive style with a large, stylized initial "B" at the end.

Jean Senechal Biggs, ASLA  
Trustee, Oregon Chapter of the American Society of Landscape Architects