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Statement of
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Before the General Law Committee

Supporting Legislation to License Landscapers

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Following many years of research and consultation within our industry, CNLA strongly believes it's time for a state license for landscapers.

Today, most of the state's landscapers are already "licensed" as home improvement contractors. We propose a new license specific for landscapers be established to *take the place* of this requirement. While the contractor license serves mostly a vehicle to collect complaints, our proposal would elevate the landscaper profession and better protect consumers by raising standards and requiring more education and training for this important business.

We estimate there are between 1,200-1,800 companies installing landscaping across the state. Their annual sales are several hundreds of millions of dollars annually. Their services are subject to the state sales tax. The landscaper license would better insure that all who practice the craft are competent and complying with state law.

Licensure of landscapers is a logical next step in the 50-year history of their business. In that time period, the state has adopted licensing for landscape architects. Treatment of trees now is conducted by licensed arborists. Landscape lighting is done by licensed electricians. Landscape irrigation is in the hands of licensed plumbing/irrigation professionals.

Recent major storms have shown the public just how important landscapers are, and how critical the proper planting and placement of trees and landscape plants are to public safety. Professional landscapers practice right tree/right place methods, for example, to minimize dangers of oversized trees near power lines.

We have submitted to this Committee a detailed proposal that places the licensing authority for landscapers in the Consumer Protection Department. To summarize our plan:

- **How the License Would Be Administered.** A state board of landscapers would be created to assist the Commissioner of Consumer Protection in procedures for administering the license, including examinations, best practices, qualifications for the levels of licensing, etc. The Governor would appoint the five-member Board from lists of candidates proposed by “relevant nonprofit trade associations serving the industry”. The Commissioner would have legal responsibility to issue regulations for the details of the license.

- **How the License Would Work.** Each company in the state that does at least \$5,000 worth of landscape business annually would be required to get the license. Landscapers would be required to carry a sufficient amount of liability insurance, and display their license number wherever they go. Consumer protection would have the power to suspend a license for bad business practices. The term of the license would be five years.

- **Grandfather Clause.** Landscapers who can prove they have been in the business for three years prior to the start of the licensing, could get the license without having to take an examination.

- **Cost to the State.** The cost to administer the license would be paid for by the licensing and application fees, so there should be no fiscal impact to the state budget. CNLA estimates there are approximately 1,200-1,800 companies that would fall under this license.

- **Recertification Required.** Landscapers would be required to take continuing education courses to maintain their license, which would be done by trade associations, colleges, and other industry suppliers.

- **Penalties.** A person or company could face fines of \$500 per day for violating the license requirements.

- **Extended Effective Date.** The law would take effect at least one year or more after passage by the legislature to give the industry time to be educated and prepared for it. The Landscape Examining Board would be started 90 days after passage to start work on exam standards, license standards, etc.

We hope the General Law Committee will endorse this important legislation and send it to the House and Senate for full consideration.