



Connecticut Chapter, American Society of Landscape Architects Testimony

Provided by: Aris W. Stalis, ASLA
Aris Land Studio, LLC
1450 Barnum Avenue, Suite 201
Bridgeport, CT 06610
203.606.3130 ; email: Aris@ArisLS.com

February 28, 2013 – Environmental Committee

RE: SB 238 - An Act Establishing A Landscape Contractor License

As the current bill is written, the Connecticut Chapter of the American Society of Landscape Architects **OPPOSES** SB 238, “An Act Establishing a Landscape Contractor License.”

Licensure is one of the highest levels of credentialing that can be granted to any group to help protect the health and safety and welfare of the public. From examination of the bill, we have not identified language to provide for such protection of the public.

Nationally, licensure of landscape contractors is not common; we are aware of at least one example in in North Carolina. The majority of states provide certifications through private industry groups (examples include Massachusetts, Pennsylvania, Maryland, Ohio, Rhode Island, New York and New Jersey). This, we believe, is a more appropriate strategy for contractors, which provides an opportunity to highlight the importance of their abilities, knowledge and skills.

Language in the bill also leads to ambiguities and challenges for the State of Connecticut to test requirements of the bill. “Art” for example (line no. 4) is ambiguous, and is not an aspect to provide for the protection of the health, safety, and welfare of the public. We should note that most contractor regulatory laws focus on business issues and not competence of practice. The proposed bill does not elaborate on the measurement of the competency of practice.

As we mentioned at the beginning, a key provision of licensure is the protection of the health, safety, and welfare of the public. The bill identifies “licensure levels” (line 47) that is possible for employees to achieve as a part of a landscape contractors company. Our concern is that consumers would be expected to understand the varying levels of a landscape contractor’s licensing under this bill, and what this implies for services provided. Connecticut’s Department of Energy

CONNECTICUT
CHAPTER

AMERICAN
SOCIETY OF
LANDSCAPE
ARCHITECTS

370 JAMES STREET
SUITE 402
NEW HAVEN
CONNECTICUT
06513

800 878-1474
WWW.CTASLA.ORG

and Environmental Protection already provides certificates for the application of pesticides, and licensure for arboricultural work. With multiple licenses and certifications to seek, we believe we are placing undue burden upon the public to understand how to best protect themselves in terms of whom they hire for home improvements.

We believe the bill as written provides for potential confusion of the public. The inclusion of “landscape designers” will confuse the public that they are receiving services from a licensed professional that protects their health, safety and welfare. In our opinion this bill would lead to serious confusion with the practice of landscape architecture — a profession, like architecture and engineering, that DOES have educational and exam requirements. A ‘landscape designer’ license in no way provides for protection of the public. Additionally, the Research Report (2014-R-0042) from the Office of Legislative Research does not include any states that license landscape designers.

The proposed bill would require only one landscape contractor license for each sole proprietorship, corporation, partnership, company or limited liability company that performs work of a landscape contractor. If we strive to provide greater protections for the public, we are unclear of the value provided if a corporation is licensed as a landscape contractor, but lacks the requirement for supervision of work by a qualified individual. The education and knowledge of a licensed company is negated — as is consumer protection — if licensed individuals are not directly supervising the work in the field.

Furthermore, a contractor’s duties in site work are often blurred. A general contractor (GC) may grade and finish a site before a landscape contractor completes the installation of plant material. During such construction projects, is the GC in violation of the law? Are both to be considered “landscape contractors”? This highlights the many challenges to develop a law for the licensing of “landscape contractors”.

As a profession that often develops site plans for implementation by contractors, we believe it is appropriate that at least two (2) Licensed Landscape Architects are a part of the Examination Board if such a law were to pass.

In conclusion, our concern is for the protection of the health, safety, and welfare of the public, and in our opinion, this law as written does not provide these protections. We urge you to not support this bill.

Thank you.