

UNOFFICIAL COPY OF SENATE BILL 123
EMERGENCY BILL

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6lr0078

By: **Chair, Education, Health, and Environmental Affairs Committee (By
Request - Departmental - Natural Resources)**

Introduced and read first time: January 16, 2006

Rules suspended

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Natural Resources - Tree Experts - Licensing**

3 FOR the purpose of altering the qualifications for licensure as a tree expert; making
4 this Act an emergency measure; providing for the termination of this Act; and
5 generally relating to the licensure of tree experts.

6 BY repealing and reenacting, with amendments,
7 Article - Natural Resources
8 Section 5-418
9 Annotated Code of Maryland
10 (2005 Replacement Volume and 2005 Supplement)

11 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
12 MARYLAND, That the Laws of Maryland read as follows:

13 **Article - Natural Resources**

14 5-418.

15 (a) The Department may examine an applicant for license as a tree expert and
16 pass upon the competence of the applicant. It shall issue a "tree expert" license to any
17 applicant, who:

18 (1) Pays the fee provided in § 5-419 of this subtitle;

19 (2) Has attained 18 years of age;

20 (3) (i) Has had 2 years of approved college education in forestry,
21 arboriculture, horticulture, applied agricultural sciences, or the equivalent education
22 and a minimum of 1 year of experience with a licensed tree expert in Maryland or
23 with an acceptable tree expert company in another state; or

24 (ii) For at least [5] 3 years immediately preceding the date of
25 application has been engaged continuously in practice WITH OR as a tree expert [with

1 a licensed tree expert] in Maryland or [with an acceptable tree expert company] in
2 another state; [and] OR

3 (III) IS ABLE TO PROVIDE PROOF OF THE REQUIRED EXPERIENCE BY
4 SUBMISSION OF ANY TWO OF THE FOLLOWING ITEMS FOR THE TREE EXPERT
5 BUSINESS:

- 6 1. A LIABILITY INSURANCE CERTIFICATE;
- 7 2. A BUSINESS REGISTRATION FILING;
- 8 3. AN INCOME TAX RETURN;
- 9 4. A BINDER OR CERTIFICATE OF INSURANCE FOR WORKERS'
10 COMPENSATION;
- 11 5. A WORKERS' COMPENSATION COMMISSION CERTIFICATE
12 OF COMPLIANCE; AND

13 (4) Has passed the examination given by the Department.

14 (b) Every licensee shall carry and show proof of liability and property damage
15 insurance, in the form and amount required by the Department at the time it issues
16 the license. The licensee shall maintain the insurance protection for the period the
17 license is in effect.

18 SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an
19 emergency measure, is necessary for the immediate preservation of the public health
20 or safety, has been passed by a yea and nay vote supported by three-fifths of all the
21 members elected to each of the two Houses of the General Assembly, and shall take
22 effect from the date it is enacted. It shall remain effective through May 31, 2009, and,
23 at the end of May 31, 2009, with no further action required by the General Assembly,
24 this Act shall be abrogated and of no further force and effect.