

Chapter 620

(House Bill 572)

AN ACT concerning

Natural Resources – Tree Expert License – Qualifications

FOR the purpose of reducing the number of years of a certain apprenticeship period that may qualify an individual for a tree expert license; requiring a licensed tree expert to complete a certain professional development curriculum to qualify for license renewal; providing for the effective date of certain provisions of this Act; providing for the termination of certain provisions of this Act; and generally relating to tree expert license qualifications.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 5–418 and 5–419
Annotated Code of Maryland
(2012 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 5–419
Annotated Code of Maryland
(2012 Replacement Volume)
(As enacted by Chapter 20 of the Acts of the General Assembly of 2011)

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

Article – Natural Resources

5–418.

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

- (1) Pays the fee provided in § 5–419 of this subtitle;
- (2) Has attained 18 years of age;
- (3) (i) Has had 2 years of approved college education in forestry, arboriculture, horticulture, applied agricultural sciences, or the equivalent education

and a minimum of 1 year of experience with a licensed tree expert in Maryland or with an acceptable tree expert company in another state; or

(ii) For at least ~~[5]~~ **3** years immediately preceding the date of application has been engaged continuously in practice as a tree expert with a licensed tree expert in Maryland or with an acceptable tree expert company in another state; and

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

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

~~SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2013.~~

SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Natural Resources

5-419.

(a) An applicant shall pay to the Department at the time of making application, a fee set by the Department by regulation in an amount not to exceed the costs of processing the application.

(b) (1) A tree expert license shall be renewed in accordance with a timetable and procedure established by the Department by regulation.

(2) A person who holds a license and wishes to renew it shall pay a fee set by the Department by regulation in an amount not to exceed the costs of processing the license renewal.

(3) AFTER SEPTEMBER 1, 2017, TO QUALIFY FOR THE RENEWAL OF A TREE EXPERT LICENSE, A LICENSED TREE EXPERT SHALL COMPLETE THE PROFESSIONAL DEVELOPMENT CURRICULUM ESTABLISHED BY THE DEPARTMENT BY REGULATION.

(c) Fees the Department receives shall be paid into the State Treasury for the Department's use. The Secretary shall prepare an annual report on the number of licenses issued and the receipts and expenses under Part III of this subtitle during each fiscal year.

SECTION 3. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Natural Resources

5-419.

(a) An applicant shall pay to the Department at the time of making application, a fee of \$30. An applicant who fails any examination, shall pay an additional fee of \$20 for each subsequent examination the applicant takes.

(b) (1) A tree expert license shall be renewed annually. A person who holds a license and wishes to renew it shall pay a \$10 annual renewal fee.

(2) AFTER SEPTEMBER 1, 2017, TO QUALIFY FOR THE RENEWAL OF A TREE EXPERT LICENSE, A LICENSED TREE EXPERT SHALL COMPLETE THE PROFESSIONAL DEVELOPMENT CURRICULUM ESTABLISHED BY THE DEPARTMENT BY REGULATION.

(c) Fees the Department receives shall be paid into the State Treasury for the Department's use. The Secretary shall prepare an annual report on the number of licenses issued and the receipts and expenses under Part III of this subtitle during each fiscal year.

SECTION 4. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take effect October 1, 2013. It shall remain effective until the taking effect of Section 3 of this Act. If Section 3 of this Act takes effect, Section 2 of this Act shall be abrogated and of no further force and effect.

SECTION 5. AND BE IT FURTHER ENACTED, That Section 3 of this Act shall take effect October 1, 2016, ~~the effective date~~ on the taking effect of the termination of Chapter 20 of the Acts of the General Assembly of 2011. If the effective date of the termination of Chapter 20 is amended, Section 3 of this Act shall take effect on the taking effect of the termination of Chapter 20.

SECTION 6. AND BE IT FURTHER ENACTED, That, subject to the provisions of Sections 4 and 5 of this Act, this Act shall take effect October 1, 2013.

Approved by the Governor, May 16, 2013.