

# HOUSE BILL 572

M1

(3lr1121)

## ENROLLED BILL

— *Environmental Matters/Education, Health, and Environmental Affairs* —

Introduced by **Delegates Beidle and Frush**

Read and Examined by Proofreaders:

\_\_\_\_\_  
Proofreader.

\_\_\_\_\_  
Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

\_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ o'clock, \_\_\_\_\_ M.

\_\_\_\_\_  
Speaker.

CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Natural Resources – Tree Expert License – Qualifications**

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

9 BY repealing and reenacting, with amendments,  
10 Article – Natural Resources  
11 Section 5–418 and 5–419  
12 Annotated Code of Maryland  
13 (2012 Replacement Volume)

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

*Italics indicate opposite chamber/conference committee amendments.*



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

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

9 **Article – Natural Resources**

10 5–418.

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

14 (1) Pays the fee provided in § 5–419 of this subtitle;

15 (2) Has attained 18 years of age;

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

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

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

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

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

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

33 **Article – Natural Resources**

1 5-419.

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

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

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

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

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

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

20 Article – Natural Resources

21 5-419.

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

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

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

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

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

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

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

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.