HOUSE BILL 1140

By: Delegates Adams, Ghrist, Hartman, and McKay
Introduced and read first time: February 11, 2022
Assigned to: Environment and Transportation

Committee Report: Favorable
House action: Adopted
Read second time: March 14, 2022

CHAPTER ______

1 AN ACT concerning

2 Natural Resources – Voluntary Firewood Treatment Certification Program
   – Establishment

3 FOR the purpose of establishing the Voluntary Firewood Treatment Certification Program
   in the Department of Natural Resources to certify forest product operators who
   export firewood to other states and use certain treatments to prevent the presence
   of certain pests and pathogens in the firewood products; and generally relating to
   firewood products.

4 BY adding to
5   Article – Natural Resources
6   Section 5–608.1
7   Annotated Code of Maryland
8   (2018 Replacement Volume and 2021 Supplement)

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

11   Article – Natural Resources

12 5–608.1.

13 (A) IN THIS SECTION, “FOREST PRODUCT OPERATOR” MEANS A PERSON
14 ENGAGED IN A FOREST PRODUCTS BUSINESS WHO IS LICENSED UNDER § 5–608 OF
15 THIS SUBTITLE.

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.
(B) There is a Voluntary Firewood Treatment Certification Program in the Department.

(C) The purpose of the program is to certify forest product operators who export firewood to other states and use heat treatment and other procedures to prevent the presence of wood boring pest infestations, wood inhabiting pests, and plant disease pathogens in the firewood products.

(D) The Department may issue a certification to a forest product operator if:

(1) The forest product operator submits a complete application for the certification on a form provided by the Department; and

(2) The Department determines, on inspection, that the facility, equipment, and treatment methods used by the forest product operator meet the criteria for certification established by the Department by regulation.

(E) A certification issued under this section:

(1) Shall have a term of 1 year;

(2) May include any conditions the Department considers necessary;

(3) May be renewed in accordance with regulations adopted by the Department;

(4) May not be transferred; and

(5) May be suspended or revoked by the Department for failure to comply with:

(i) The provisions of this section;

(ii) A regulation adopted by the Department under this section; or

(iii) A condition or requirement of the certification.
(F) (1) AT LEAST ONCE ANNUALLY AND AT ANY OTHER TIME THAT THE
DEPARTMENT CONSIDERS NECESSARY, THE DEPARTMENT MAY INSPECT THE
FACILITY AND EQUIPMENT USED BY A FOREST PRODUCT OPERATOR CERTIFIED
UNDER THIS SECTION.

(2) THE DEPARTMENT SHALL KEEP A REPORT OF EACH INSPECTION
CONDUCTED UNDER THIS SUBSECTION.

(G) THE DEPARTMENT, IN CONSULTATION WITH THE DEPARTMENT OF
AGRICULTURE, SHALL ADOPT REGULATIONS TO IMPLEMENT THE PROVISIONS OF
THIS SECTION, INCLUDING REGULATIONS THAT ESTABLISH:

(1) THE CRITERIA FOR CERTIFICATION UNDER THIS SECTION; AND

(2) THE PROCEDURES FOR SUSPENSION AND REVOCATION OF A
CERTIFICATION ISSUED UNDER THIS SECTION.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
1, 2022.

Approved:

_________________________________________  Governor.

_________________________________________  Speaker of the House of Delegates.

_________________________________________  President of the Senate.