



Maryland Arborist Association, Inc.

Danielle Bauer Farace
Executive Director

SB 0586 – Natural Resources – Licensed Tree Experts – Alterations

Committee: Education, Energy, and the Environment
MAA Position: **OPPOSED**

Date: March 1, 2023

The Maryland Arborist Association, Inc. (MAA) works to promote education in the field of arboriculture, support the success of arborists and promote the importance of proper tree care. As the trade association representing Maryland Licensed Tree Experts, MAA has significant concerns about unintended consequences that SB 0586 would have on Maryland's tree care industry.

MAA has met with bill sponsors from both the Senate and House regarding this bill and understand that amendments are forthcoming. However, the scenarios being cited as the catalyst for changes to the Maryland Licensed Tree Expert law are already illegal under current law, and would not be addressed through this legislation. Instead, the legislation will make it more difficult for individuals to become Maryland Licensed Tree Experts and will lead to more companies operating unlawfully.

We routinely hear from our membership about the difficulties to become a Licensed Tree Expert. Currently, a situation where a Licensed Tree Expert retires or sells their company and would like to mentor a savvy young tree and landscape professional who wants to become a Licensed Tree Expert so that they can start a tree company is allowable and is common practice. The proposed legislation and further amendments would not allow for this situation and would negatively impact small and minority-owned businesses. A valid Licensed Tree Expert should be able to provide legitimate supervision and guidance for a fee without become an "employer" or "employee" of the new company.

Additionally, the requirements for Workers Compensation insurance in this bill are onerous as the state of Maryland already requires by law that employers carry Workers Compensation insurance. Workers compensation insurance requirements should be negotiated between the purchaser and the service provider. The Department of Natural Resources does not have the expertise to determine the form and amount of workers compensation insurance that is required by each company or for the job. Furthermore, this bill does not allocate any additional funds for the additional responsibilities expected of the Department of Natural Resources.

Due to its negative impact on minorities, small businesses, and Maryland's tree care industry, MAA requests your unfavorable report on SB 0586.

Sincerely,

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