

SENATE No. 6

To accompany the petition of P. Eugene Casey for legislation relative to the licensing and regulating of persons employed in the business of improving, protecting and preserving shade, forest or ornamental trees. Conservation.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Thirty-Eight.

AN ACT RELATIVE TO THE LICENSING AND REGULATING
OF PERSONS EMPLOYED IN THE BUSINESS OF IMPROVING,
PROTECTING AND PRESERVING SHADE,
FOREST OR ORNAMENTAL TREES.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter eighty-seven of the General Laws, as
2 appearing in the Tercentenary Edition, is hereby
3 amended by adding at the end thereof the follow-
4 ing new sections: —
5 *Section 14.* No person, firm or corporation
6 shall advertise, solicit, contract or supervise work
7 purporting to improve the condition of shade,
8 forest or ornamental trees, or to protect such
9 trees from damage by insects or disease either
10 by spraying or any other method, without having
11 secured a certificate as specified in section fifteen;
12 provided any person may improve or protect any
13 trees on his own premises or on the property of

14 his employer without securing such a certificate.

15 *Section 15.* The chief forester of the depart-
16 ment of conservation, the director of division
17 of plant pest control, the plant pathologist at the
18 market garden field station of the Massachusetts
19 state college, in the city of Waltham, shall con-
20 stitute a board which shall, upon application
21 from any person, firm, or corporation, determine
22 the qualifications of the applicant to improve,
23 protect or preserve shade, ornamental, or forest
24 trees, and if satisfied that the applicant is qualified,
25 may issue a certificate, or limited certificates so
26 stating. Said certificate shall be valid for one
27 year from the date of its issue, unless sooner
28 revoked as provided in section sixteen, and may
29 be renewed by the board for one succeeding
30 year, with or without further examination, upon
31 payment of the fee hereinafter required, pro-
32 vided any person, firm, or corporation receiving
33 such certificate shall be responsible for the acts
34 of all employees in the performance of such work.

35 *Section 16.* Said board shall prepare all neces-
36 sary forms and prescribe all rules and regulations
37 governing examinations, and any certificate issued
38 under the provisions of section fifteen may be
39 revoked by the board upon proof that improper
40 methods have been used or for other sufficient
41 cause.

42 *Section 17.* Each applicant for an examina-
43 tion shall pay a fee of five dollars in advance, and
44 a fee of two dollars for each certificate of renewal
45 issued.

46 *Section 18.* Sections fourteen to nineteen shall
47 not apply to state, county, or municipal employees
48 while engaged in their regular performance of
49 duty.

50 *Section 19.* Any person, firm or corporation
51 failing to comply with the terms of sections
52 fourteen to sixteen, inclusive, shall be punished
53 for the first offense by a fine of not more than one
54 hundred dollars, and for a subsequent offense
55 by a fine of not less than three hundred dollars,
56 nor more than five hundred dollars.

