

By: Representative Janus

To: Agriculture

HOUSE BILL NO. 404

1 AN ACT TO AMEND SECTION 69-19-5, MISSISSIPPI CODE OF 1972, TO
2 REVISE THE DEFINITION OF TREE SURGERY WORK UNDER THE PROFESSIONAL
3 SERVICES LICENSING REQUIREMENTS; AND FOR RELATED PURPOSES.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

5 SECTION 1. Section 69-19-5, Mississippi Code of 1972, is
6 amended as follows:

7 69-19-5. Professional services are defined as follows:

8 (a) Entomological work. Receiving fees for advice or
9 prescriptions for the control or eradication of any insect pest or
10 rodent. Receiving fees for actual spraying, dusting, fumigating
11 or any other methods used for the control or eradication of any
12 insect pest or rodent. When the majority of the income of an
13 operation, business or individual comes from the actual operation
14 of a farm and the sale of crops therefrom and, as a service to
15 other farmers, these services are performed, such services shall
16 not be included in this definition.

17 (b) Plant pathological work. Receiving fees for advice or
18 prescriptions for the control or eradication of any plant disease.
19 Receiving fees for actual spraying or any other methods used for
20 the control or eradication of any plant disease. When the
21 majority of the income of an operation, business or individual
22 comes from the actual operation of a farm and the sale of crops
23 therefrom and, as a service to other farmers, these services are
24 performed, such services shall not be included in this definition.

25 (c) Horticultural and floricultural work. Receiving fees
26 for landscaping and setting of plants or for the sale of any

27 plants for which the seller contracts to render future services.

28 (d) Tree surgery work. Advertising in a local phone book,
29 newspaper, newsletter, bulletin or other prominently displayed
30 sign as a * * * tree surgeon and receiving compensation for any
31 work or consultation relative to the care, pruning, cabling,
32 bracing, topping, trimming, fertilizing, cavity work and removal
33 of ornamental trees and shrubs in any manner. * * *

34 (e) Weed control work. Receiving fees for advice or
35 prescriptions for the control or eradication of any weed.
36 Receiving fees for actual spraying or other methods used for the
37 control or eradication of any plant which grows where not wanted.
38 When the majority of the income of an operation, business or
39 individual comes from the actual operation of a farm and the sale
40 of crops therefrom and, as a service to other farmers, these
41 services are performed, such services shall not be included in
42 this definition.

43 (f) Soil classifying work. Receiving compensation for
44 plotting the boundaries of soil and describing and evaluating the
45 kinds of soil as to their behavior and response to management
46 under various uses.

47 SECTION 2. This act shall take effect and be in force from
48 and after July 1, 1999.