

By: Janus

To: Agriculture

HOUSE BILL NO. 411

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  
18 or prescriptions for the control or eradication of any plant  
19 disease. Receiving fees for actual spraying or any other methods  
20 used for the control or eradication of any plant disease. When  
21 the 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  
26 fees 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  
29 book, newspaper, newsletter, bulletin or other prominently  
30 displayed sign as a \* \* \* tree surgeon and receiving compensation  
31 for any work or consultation relative to the care, pruning,  
32 cabling, bracing, topping, trimming, fertilizing, cavity work and  
33 removal 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, 2000.