

**FISCAL NOTE**  
**SENATE, No. 2503**  
**STATE OF NEW JERSEY**  
**213th LEGISLATURE**

DATED: DECEMBER 9, 2009

**SUMMARY**

**Synopsis:** "Tree Experts and Tree Care Operators Licensing Act."

**Type of Impact:** Offsetting increases in revenues and expenditures from the General Fund.

**Agencies Affected:** Department of Environmental Protection and the New Jersey Board of Tree Experts.

**Executive Estimate**

<b>Fiscal Impact</b>	<b><u>Year 1</u></b>	<b><u>Year 2</u></b>	<b><u>Year 3</u></b>
<b>State Cost</b>	\$230,100	\$278,000	\$288,900
<b>State Revenue</b>	\$216,000	\$283,000	\$283,000

- The Office of Legislative Services **concurs** with the Executive estimates provided for the Fiscal Note to Assembly Bill No. 2872 (2R) of 2008, which is identical to the subject bill.
- The bill repeals P.L.1940, c.100 (the "tree expert act"), establishes a nine-member New Jersey Board of Tree Experts to replace the current three-member board, and provides a new licensing system and eligibility criteria for persons providing tree care services.
- The bill establishes the title "licensed tree expert," replacing the existing title "certified tree expert," and creates a new license for "tree care operators."
- The bill directs the board and the Department of Environmental Protection (DEP) to administer the licensing program and authorizes the establishment of license fees to cover all program expenses.

**BILL DESCRIPTION**

Senate Bill No. 2503 of 2009 repeals P.L.1940, c.100 and provides an entirely new licensing scheme and eligibility criteria for persons providing tree care services. The bill establishes the title "licensed tree expert," instead of the title of "certified tree expert," as used in the current law, and creates a new license for "tree care operators," which encompasses tree pruning, repairing, brush cutting or removal, tree removal, and stump grinding or removal.

The bill also stipulates that every business engaged in providing tree expert or tree care operator services shall register with the board and provide instruction and training for employees on use, inspection and maintenance of tools, and shall require that safe working practices are observed in accordance with the appropriate standards of the American National Standards Institute (ANSI), as well as any additional standards designated by the board by regulation. Further, it exempts from its provisions any public utility employee, any employer under contract with a public utility who is engaged in tree trimming or any other utility vegetation management practice, and any municipal or county employee engaged in activities subject to the bill.

Last, the bill establishes a nine-member New Jersey Board of Tree Experts within the DEP, replacing the current three-member board. The board and the DEP are charged with administering the licensing program and are authorized to establish license fees to cover all administrative expenses incurred in the discharge of their official duties.

## **FISCAL ANALYSIS**

### ***EXECUTIVE BRANCH***

In a Fiscal Note prepared for the subject bill's Assembly counterpart, Assembly Bill No. 2872 (2R) of 2008, the DEP provided estimates of revenues and costs that could be generated under the amended bill. These figures, as listed on the preceding page, were based on the salary costs of three new forester positions plus related non-salary expenses. One of these positions was not expected to begin until the second year of the program (as reflected by the lower cost estimate for Year 1).

The anticipated revenues were calculated by multiplying the projected license and registration fee rates, at \$200 per business and \$50 per individual, and the testing fee, at \$40 per individual, by the number of potential fee payers: 1,000 individual licensees in Year 1 followed by 1,500 licensees in both Years 2 and 3; 150 individuals tested in Year 1 followed by 200 tested in both Years 2 and 3; and 800 business registrations in Year 1 followed by 1,000 registrations in both Years 2 and 3.

### ***OFFICE OF LEGISLATIVE SERVICES***

The Office of Legislative Services concurred with the Executive branch estimates provided for the Assembly bill and believes these estimates still apply to the subject bill.

*Section: Environment, Agriculture, Energy and Natural Resources*

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This fiscal note has been prepared pursuant to P.L. 1980, c.67 (C. 52:13B-6 et seq.).