

WEST VIRGINIA
SECRETARY OF STATE
KEN HECHLER
ADMINISTRATIVE LAW DIVISION

Form #2

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JUN 30 8 42 AM '99

OFFICE OF THE SECRETARY OF STATE
WEST VIRGINIA

NOTICE OF A COMMENT PERIOD ON A PROPOSED RULE

AGENCY: State Board of Registration for Foresters TITLE NUMBER: 200

RULE TYPE: Interpretive; CITE AUTHORITY: WV Code 30-19-6

AMENDMENT TO AN EXISTING RULE: YES NO

IF YES, SERIES NUMBER OF RULE BEING AMENDED: _____

TITLE OF RULE BEING AMENDED: _____

IF NO, SERIES NUMBER OF NEW RULE BEING PROPOSED: 2000 2

TITLE OF RULE BEING PROPOSED: Job Titles and Qualifications

IN LIEU OF A PUBLIC HEARING, A COMMENT PERIOD HAS BEEN ESTABLISHED DURING WHICH ANY INTERESTED PERSON MAY SEND COMMENTS CONCERNING THESE PROPOSED RULES. THIS COMMENT PERIOD WILL END ON August 2, 1999 AT 8:30 a.m.

ONLY WRITTEN COMMENTS WILL BE ACCEPTED AND ARE TO BE MAILED TO THE FOLLOWING ADDRESS.

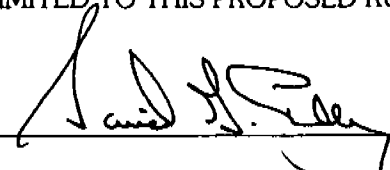
David G. Lilly

WV Board of Registration for Foresters

8 Kepner Street

Buckhannon, WV 26201

THE ISSUES TO BE HEARD SHALL BE LIMITED TO THIS PROPOSED RULE.



ATTACH A **BRIEF** SUMMARY OF YOUR PROPOSAL

\$3.00

22CSR4

**TITLE 22
INTERPRETIVE RULE
STATE BOARD OF REGISTRATION FOR FORESTERS**

**SERIES 4
JOB TITLES AND QUALIFICATIONS**

Scope and Purpose. -- This rule provides guidance to prospective applicants for licensure and the public regarding the qualifying experience acceptable to the board for candidates for licensure as registered professional foresters and registered forestry technicians, and the approved job titles that may be used by persons obtaining qualifying experience.

APPENDIX B

FISCAL NOTE FOR PROPOSED RULES

Rule Title: Job Titles and Qualifications

Type of Rule: Legislative Interpretive Procedural

Agency State Board of Registration for Foresters

Address 8 Kepner Street

Buckhannon, WV 26201

1. Effect of Proposed Rule

	ANNUAL FISCAL YEAR				
	INCREASE	DECREASE	CURRENT	NEXT	THEREAFTER
<u>ESTIMATED TOTAL COST</u>	\$	\$	\$	\$	\$
PERSONAL SERVICES					
CURRENT EXPENSE		(Not Applicable)			
REPAIRS & ALTERATIONS					
EQUIPMENT					
OTHER					

2. Explanation of above estimates:

Not Applicable.

3. Objectives of these rules:

The rules provide guidance to prospective applicants for licensure and the public regarding the qualifying experience acceptable to the board for candidates for licensure as registered professional foresters and forestry technicians, and the approved job titles that may be used by persons obtaining qualifying experience.

Rule Title: Job Titles and Qualifications

4. Explanation of Overall Economic Impact of Proposed Rule.

A. Economic Impact on State Government.

Better management and protection of the state's forest resources by licensing only qualified, professional forest resource managers.

B. Economic Impact on Political Subdivisions; Specific Industries; Specific groups of Citizens.


Professional management of the state's forest resources to ensure the perpetuation of this renewable resource for timber products, wildlife, recreation, water quality and aesthetics.

C. Economic Impact on Citizens/Public at Large.

Stewardship of the forest resource safeguards the many facets of the forest to provide the wood products for homes, the recreation for leisure time, the water quality for life and the scenic beauty of the state.

Date: June 30, 1999

Signature of Agency Head or Authorized Representative



TITLE 22
INTERPRETIVE RULE
STATE BOARD OF REGISTRATION FOR FORESTERS

SERIES 4
JOB TITLES AND QUALIFICATIONS

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§22-4-1. General.

1.1. Scope and Purpose. -- This rule provides guidance to prospective applicants for licensure and the public regarding the qualifying experience acceptable to the board for candidates for licensure as registered professional foresters and registered forestry technicians, and the approved job titles that may be used by persons obtaining qualifying experience.

1.2. Authority. -- W. Va. Code §30-19-6.

1.3. Filing Date. --

1.4. Effective Date. --

§22-4-2. Qualifying experience.

2.1. Registered professional forester - - An applicant for registration relating to the qualification and registration of professional foresters must have (1) a bachelor's degree in forestry from a four-year school, college or university accredited by the society of American foresters and/or approved by the board and at least two year's of full-time equivalent work experience as a professional forester within the ten years preceding the date of filing an application for registration; or (2) a master's degree in forestry, which is expressly found to fulfill or exceed the requirement of a bachelor's degree, fulfilling course work required for accreditation by the society of American foresters from a school, college or university accredited by the society of American forester and/or approved by the board and at least two years of full-time equivalent work experience as a professional forester within the ten years preceding the date of filing an application for registration; or (3) an associate's degree from a two-year technical forestry program recognized by the society of American foresters, in conjunction with a recognized two (2) plus two (2) program from an accredited college or university, and at least four years of full-time equivalent work experience in the field of forestry acceptable to the board within the ten years preceding the date of filing an application for registration; or (4) an associate's degree from a two-year technical forestry program recognized by the society of American foresters plus a bachelor's degree in another natural science or related field and at least four years of full-time equivalent work experience in the field of forestry acceptable to the board within the ten years preceding the date of filing an application for registration.

Registered forestry technician - - An applicant for registration relating to the qualifications and registration of professional forestry technician must have an associate's degree from a two (2) year technical forestry program recognized by the society of American foresters and at least four (4) years of full-time equivalent work experience in the field of forestry acceptable to the board within the ten years preceding the date of filing an application for registration.

2.1.a. Qualifying experience acceptable to the board is employment that includes both of the following: Employment on a full-time salaried basis, or, at the discretion of the board, equivalent part-time experience, with (1)a business that provides professional forestry services, that is in good standing with respect to all lawful obligations imposed by state and federal law, that employs at least one registered professional forester

or (2) a unit of the state or federal government that employs at least one registered professional forester; and

2.1.b. Actual job responsibilities, under the supervision of or in consultation with a registered professional forester, that include, on a regular basis, at least four of the following:

2.1.b.1. Consultation with respect to forestry activities;

2.1.b.2. Investigation of forestry activities;

2.1.b.3. Planning of forestry activities, which may include the laying out of roads, developing prescriptions, and selecting acreage or individual trees for present or future timber harvesting and/or timber resource preservation and management;

2.1.b.4. Evaluation of forestry activities; and

2.1.b.5 Responsible supervision of forestry activities.

2.2. Forms of Proof. -- Proof of qualifying experience includes:

2.2.a. Verification on a form provided by the board, signed by the employer or employers, of the dates of all qualifying experience; or verification from the employer by signed letter containing the same information. Letter verification must contain sufficient employer identifying information to permit a check on the employer's standing with respect to lawful state and federal obligations.

2.2.b. Verification on a form provided by the board, signed by at least three (3) professional foresters who has knowledge of the applicant's actual job duties, indicating the actual job duties performed by the applicant, or the equivalent information provided in a signed letter.

§22-4-3. Approved job titles.

3.1. A candidate for licensure as a registered professional forester who has completed the minimum educational requirements may file an application pending completion of the experience requirements. Upon receipt of the application and license fee and acceptance by the board, an identification card will be issued certifying that the applicant is a graduate forester who is working toward eligibility for licensing as a registered professional forester in West Virginia. Final action leading to the issuing of a license and certificate of registration will be taken at the first regular board meeting following completion of the minimum experience requirements. A graduate forester employed in the classified service of the state and classified as a Forester I or a forester trainee, who is obtaining qualifying experience for licensure as a registered professional forester may use the title Forester I or forester trainee.

3.2. A candidate for licensure as a registered forestry technician who has completed the minimum educational requirements may file an application pending completion of the experience requirements. Upon receipt of the application and license fee and acceptance by the board, an identification card will be issued certifying that the applicant is a graduate forestry technician who is working toward eligibility for licensing as a registered forestry technician in West Virginia. Final action leading to the issuing of a license and certificate of registration will be taken at the first regular board meeting following completion of the minimum experience requirements. A graduate forestry technician employed in the classified service of the state and classified as a forest ranger who is obtaining qualifying experience for licensure as a registered forestry technician may use the title forest ranger.

3.3. Except as specifically permitted in this section, no person other than a person duly licensed as a

registered professional forester may use the job titles registered professional forester, professional forester, forester or any other title connoting to the general public that the applicant is a registered forester qualified to perform professional forestry services, and no person other than a duly licensed registered forestry technician may use the job titles registered forestry technician or forestry technician. The board may in its discretion issue a warning letter when cases of inappropriate use of job titles are brought to its attention and may at any time refer cases for prosecution under W. Va. Code §30-19-10 or apply for injunctive relief as authorized under W. Va. Code §30-1-5.