

1 State of Arkansas
2 88th General Assembly
3 Regular Session, 2011
4

A Bill

HOUSE BILL 1307

5 By: Representative Patterson
6 By: Senator J. Jeffress
7

For An Act To Be Entitled

9 AN ACT REGARDING THE PRACTICE OF FORESTRY IN
10 ARKANSAS; AND FOR OTHER PURPOSES.
11

Subtitle

12
13 REGARDING THE PRACTICE OF FORESTRY IN
14 ARKANSAS.
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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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20 SECTION 1. Arkansas Code § 17-31-201 is amended to read as follows:

21 17-31-201. Creation – Selection and compensation of members.

22 (a) The Arkansas State Board of Registration for Foresters is created
23 to administer the provisions of this chapter.

24 (b)(1) The board shall consist of six (6) members appointed by the
25 Governor, with the advice and consent of the Senate. Each member shall be a
26 citizen of the United States of America and a registered voter and resident
27 of the State of Arkansas.

28 (2)(A) Five (5) members of the board shall be foresters ~~who have~~
29 ~~the qualifications required for registration~~ registered under § 17-31-302 and
30 who have been engaged in forestry for at least twelve (12) years. ~~Each member~~
31 ~~of the board appointed hereunder shall be registered and certified under this~~
32 ~~chapter.~~

33 (B)(i) One (1) member shall be ~~selected from~~ nominated by
34 the Arkansas Forestry Association to represent the forest products industry.

35 (ii) One (1) member shall be ~~selected from~~ nominated
36 by the State Forester to represent the Arkansas Forestry Commission.



1 (iii) One (1) member shall be ~~selected from an~~
 2 ~~agency of the United States Government,~~ nominated by the Provost of the
 3 University of Arkansas at Monticello from the faculty or staff of the
 4 University of Arkansas at Monticello School of Forest Resources.

5 (iv) One (1) member shall be ~~selected from the staff~~
 6 ~~of the school of forestry,~~ nominated by the Arkansas Division of the Ouachita
 7 Society of American Foresters.

8 (v) One (1) member shall be ~~selected from~~ nominated
 9 by the Arkansas Chapter of the Association of Consulting Foresters to
 10 represent private forestry consultants.

11 (C) At least one (1) member shall be a graduate of ~~an~~
 12 ~~approved forestry school within the State of Arkansas,~~ the University of
 13 Arkansas at Monticello School of Forest Resources.

14 (3) One (1) member of the board shall not be actively engaged in
 15 or retired from the forestry profession. That member shall represent
 16 consumers. He or she shall be appointed from the state at large ~~subject to~~
 17 ~~confirmation by the Senate~~ and shall be a full voting member but shall not
 18 participate in the grading of examinations.

19 (c)~~(1)~~ Appointments shall be for a term of five (5) years or, in the
 20 event of vacancies, for the period of the unexpired term of the vacancy being
 21 filled.

22 ~~(2) The chair of the Arkansas Division, Ouachita Society of~~
 23 ~~American Foresters, duly authorized and acting on behalf of the Arkansas~~
 24 ~~division, shall make nominations described in subdivision (b)(2) of this~~
 25 ~~section within thirty (30) days from the receipt of notice from any person of~~
 26 ~~the occurrence of a vacancy on the board.~~

27 (d) Each member of the board shall receive a certificate of
 28 appointment from the Governor and before beginning the term of office shall
 29 file with the Secretary of State a written oath or affirmation relative to
 30 the faithful discharge of the official duty.

31 (e) Each member of the board may receive expense reimbursement and
 32 stipends in accordance with § 25-16-901 et seq.

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 34 SECTION 2. Arkansas Code § 17-31-302 is amended to read as follows:

35 17-31-302. Qualifications.

36 ~~Effective January 1, 2001,~~ The applicant must pass a written examination on

1 basic forestry subjects administered by the Arkansas State Board of
 2 Registration for Foresters with a score established by the board along with
 3 the following shall be considered as minimum evidence satisfactory to the
 4 ~~Arkansas State Board of Registration for Foresters~~ that an applicant is
 5 qualified to be registered as a forester:

6 (1) A bachelor's or advanced degree in forestry from a college
 7 or university program accredited by the Society of American Foresters, ~~The~~
 8 ~~written examination on basic forestry subjects administered by the board~~
 9 ~~shall be passed with a score of at least seventy percent (70%);~~

10 (2) A bachelor's or advanced degree in forestry from a college
 11 or university program not accredited by the Society of American Foresters
 12 and, subject to graduation, three (3) years or more experience in forestry
 13 work of a nature satisfactory to the board, ~~The written examination on basic~~
 14 ~~forestry subjects administered by the board shall be passed with a score of~~
 15 ~~at least seventy percent (70%);~~

16 (3) A bachelor's degree in a natural resources-related field
 17 from a college or university program, including, but not limited to, wildlife
 18 management, with at least twenty (20) semester hours of forestry courses
 19 approved by the board and, subsequent to graduation, three (3) years' or more
 20 experience in forestry work of a nature satisfactory to the board, ~~The~~
 21 ~~written examination on basic forestry subjects administered by the board~~
 22 ~~shall be passed with a score of at least seventy percent (70%);~~

23 (4) A bachelor's degree not related to natural resources from a
 24 college or university program and, subsequent to graduation, six (6) years'
 25 or more experience in forestry work of a nature satisfactory to the board,
 26 ~~The written examination on basic forestry subjects administered by the board~~
 27 ~~shall be passed with a score of at least seventy percent (70%); and; or~~

28 (5) A two-year associate's degree in forestry from a community
 29 college or junior college and, subsequent to graduation, six (6) years' or
 30 more of experience in forestry work of a nature satisfactory to the board.
 31 ~~The written examination on basic forestry subjects administered by the board~~
 32 ~~shall be passed with a score of at least seventy percent (70%).~~

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 34 SECTION 3. Arkansas Code § 17-31-303 is amended to read as follows:

35 17-31-303. Application for registration.

36 (a) Application for registration shall:

1 (1) Be on forms prescribed and furnished by the Arkansas State
2 Board of Registration for Foresters;

3 (2) Contain statements under oath giving a detailed summary of
4 the applicant's education and technical experience; and

5 (3) Contain the names and addresses of not fewer than five (5)
6 references, of whom three (3) or more shall be registered foresters who have
7 personal or professional knowledge of the applicant's forestry experience or
8 his or her character and ability. ~~Not more than one (1) such reference may~~
9 ~~come from persons employed by the same firm or individual as that of the~~
10 ~~applicant, and not more than one (1) reference may come from personnel of the~~
11 ~~school or college attended by the applicant.~~

12 (b) The amount of the application fee and the registration fee shall
13 be set annually by the board.

14 (c) ~~No~~ A person shall not be eligible for registration as a forester
15 who is not of good character and reputation.

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17 SECTION 4. Arkansas Code § 17-31-307 is amended to read as follows:

18 17-31-307. Expiration and renewal.

19 (a) Certificates of registration shall expire on December 31 of the
20 year for which issued or renewed and shall become invalid thereafter unless
21 renewed.

22 (b) The Secretary of the Arkansas State Board of Registration for
23 Foresters shall notify by letter to the last known address every person
24 registered under this chapter of the date of the expiration of the
25 certificate and the amount of the fee required for its renewal of one (1)
26 year. Notice shall be ~~mailed~~ delivered at least one (1) month in advance of
27 the date of the expiration of such a certificate.

28 (c)(1) The board shall require persons who are licensed under this
29 subchapter to complete not fewer than six (6) hours of continuing forestry
30 education during the previous year beginning January 1, 2001, as a condition
31 of license renewal. Continuing forestry education shall be equivalent to the
32 Society of American Foresters Category I for continuing forestry education
33 which includes, but is not limited to, seminars, short courses, and workshops
34 in forestry or a related subject matter as approved by the board.

35 (2) Credit accrues at a rate of one (1) hour for each hour of
36 actual contact. ~~Three (3) hours of tours or field sessions equal one (1)~~

1 ~~contact hour.~~

2 (3) The board may approve continuing forestry education courses
3 offered by professional organizations, institutions of higher learning,
4 qualified individuals, or specialty societies. The board may approve credit
5 hours for meetings, presentations, or other activities considered by the
6 board to be a form of continuing forestry education.

7 (4) A successful applicant for licensure under this subchapter
8 shall have two (2) years from the date the license is issued to complete the
9 first ~~six (6) hours of~~ year's requirements for continuing forestry education.
10 After two (2) years, the registered forester shall complete the continuing
11 forestry education requirements as required by this subsection.

12 (d) The board may waive the continuing forestry education requirements
13 in cases of hardship, illness, or retirement from active forestry practice.

14 (e) The board may promulgate rules and regulations to ensure
15 compliance with the requirements of this section.

16 (f) Renewal of a certificate of registration shall be for ~~an annual~~ a
17 fee set annually by the board.

18 (g) The failure on the part of any registrant to renew the certificate
19 annually in the month of December as required in this section shall not
20 deprive the person of the right of renewal, but the fee to be paid for the
21 renewal of a certificate after December 31 shall be increased ten percent
22 (10%) for each month or fraction of a month that payment of renewal is
23 delayed. However, the maximum fee for delayed renewal shall not exceed two
24 (2) times the annual renewal fee.

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