**02-333**

**BOARD OF LICENSURE OF PROFESSIONAL FORESTERS**

2014 – 2015 Regulatory Agenda

July 14, 2014

*(including November 6, 2014 amendments)*

AGENCY UMBRELLA-UNIT NUMBER: **02-333**

AGENCY NAME: Department of Professional & Financial Regulation, Office of Professional & Occupational Regulation, **Board of Licensure of Professional Foresters**

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**EMERGENCY RULES ADOPTED SINCE THE LAST REGULATORY AGENDA**: None

**EXPECTED 2014-2015 RULE-MAKING ACTIVITY:**

**CHAPTER 10**: Definitions

STATUTORY AUTHORITY: 32 MRSA §5506

PURPOSE: This chapter defines specialized terms that are used in the Board’s rules. The Board will propose to repeal this chapter because the Board does not use the dictionary referenced therein and there is no longer a print version of the dictionary. The Board does not plan to use consensus-based rule development in proposing any changes.

ANTICIPATED SCHEDULE: Within 1 year if necessary.

AFFECTED PARTIES: Licensees.

**CHAPTER 40**: Educational Qualifications for Issuance of an Intern Forester License

STATUTORY AUTHORITY: 32 MRSA §5506

PURPOSE: This chapter establishes standards for approval of educational programs that qualify graduates to apply for intern forester licenses. The reference to approved educational programs may need to be amended to update contact information. Additionally, the Board may repeal Chapter 40 and replace with one “intern forester license qualification” chapter. The Board does not plan to use consensus-based rule development in proposing the repeal.

ANTICIPATED SCHEDULE: Prior to April 1, 2015.

AFFECTED PARTIES: Licensees and the public.

**CHAPTER 50**: Variance from Educational Qualifications for Issuance of an Intern Forester License

STATUTORY AUTHORITY: 32 MRSA §5506

PURPOSE: This chapter establishes standards for an applicant who does not have a forestry degree to qualify for an intern forester license. The forestry work experience as set out in Chapter 50 may be amended to conform with any changes to forestry experience proposed by the Board to comply with changes that may be necessary to implement the changes to a forester license consistent with the provisions of PL 527 enacted by the 2nd Regular Session of the 126th Legislature. Additionally, the Board may repeal Chapter 50 and replace with one “intern forester license qualification” chapter. The Board does not plan to use consensus-based rule development in proposing the repeal.

ANTICIPATED SCHEDULE: Prior to April 1, 2015.

AFFECTED PARTIES: Licensees and the public.

**CHAPTER 60**: Sponsorship of Intern Foresters

STATUTORY AUTHORITY: 32 MRSA §5506

PURPOSE: This Chapter establishes the responsibility of intern foresters and their sponsors. The forestry work experience as set out in Chapter 60 may be amended to conform with any changes to forestry experience proposed by the Board to comply with changes that may be necessary to implement the changes to a forester license consistent with the provisions of PL 527 enacted by the 2nd Regular Session of the 126th Legislature. Additionally, the Board may repeal Chapter 60 and replace with one “forester license qualification” chapter because Chapter 60 outlines what is required during the internship in order for a licensed intern forester to qualify for a forester license. The Board does not plan to use consensus-based rule development in proposing the repeal.

ANTICIPATED SCHEDULE: Prior to April 1, 2015.

AFFECTED PARTIES: Licensees and the public.

**CHAPTER 70**: Licensure as Forester

STATUTORY AUTHORITY: 32 MRSA §5506

PURPOSE: This chapter describes the qualifications to be licensed as a forester. Due to statutory changes to forester licensing requirements enacted with the passage of PL 527, effective on April 1, 2015, the Board will propose to repeal and replace Chapter 70 with one “forester license qualification” chapter that will eliminate the consideration of three references, implement changes to the forester examination, and adopt qualification standards for foresters licensed in another jurisdiction, applicants with lawful forestry experience in another jurisdiction, and federal employees with lawful forestry experience. The Board does not plan to use consensus-based rule development in proposing changes.

ANTICIPATED SCHEDULE: Prior to April 1, 2015.

AFFECTED PARTIES: Licensees and the public.

**CHAPTER 80**: Continuing Forestry Education

STATUTORY AUTHORITY: 32 MRSA §5506

PURPOSE: This chapter establishes the minimum continuing education required for license renewal. The Board will propose amending this chapter by changing the current biennial continuing education cycle to coincide with the annual license renewal cycle, by adopting the auditing process set forth in Chapter 13 of the rules of the Office of Professional and Occupational Regulation, and by removing the continuing education requirement for a licensee’s first license renewal. The Board does not plan to use consensus-based rule development in proposing changes.

ANTICIPATED SCHEDULE: Prior to April 1, 2015.

AFFECTED PARTIES: Licensees.

**CHAPTER 100**: Code of Ethics

STATUTORY AUTHORITY: 32 MRSA §5506

PURPOSE: This chapter defines unprofessional practice as failure to comply with the Code of Ethics adopted by the Board in this chapter. This chapter may be amended as necessary to address unprofessional conduct resulting from Board complaints and changes in forestry practice. The Board does not plan to use consensus-based rule development in proposing changes.

ANTICIPATED SCHEDULE: Within 1 year if necessary.

AFFECTED PARTIES: Licensees and the public.

**CHAPTER 110**: Transition Provisions

STATUTORY AUTHORITY: 32 MRSA §5506

PURPOSE: This chapter implements the transition provisions of PL 2001, c. 261, §6. The Board will propose to repeal this chapter because it is no longer applicable. The Board does not plan to use consensus-based rule development in proposing changes.

ANTICIPATED SCHEDULE: Prior to April 1, 2015

AFFECTED PARTIES: Licensees and the public.