

# HOUSE BILL ANALYSIS

## HB 1055

**Brief Description:** Creating a State Board of Consulting Foresters.

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**Sponsors:** McMorris

**Hearing:** February 18, 1999

### Brief Summary of Bill

- Creates a State Board of Consulting Foresters.
- Establishes minimum requirements for licensing consulting foresters.
- Provides for persons who are exempt from a licensing requirement.
- Provides for criminal penalties.

### BACKGROUND:

There are no state requirements for the certification or licensing of persons practicing consulting forestry. A person may represent himself or herself as a consulting forester without having any specific qualifications or training in forestry or related fields.

At least 15 states have some form of registration, certification or licensing for persons practicing as foresters.

Licensing programs under the Department of Licensing (DOL) must be self supporting and licensing fees established by the department must defray the cost of administering the program.

### SUMMARY OF BILL:

A person who practices as a consulting forester and who advises private landowners for a fee must obtain a license from the State Board of Consulting Foresters.

State Board of Consulting Foresters

A State Board of Consulting Foresters is established consisting of five members appointed by the Governor. Three board members must be consulting foresters selected from a list of at least three names provided by nationally recognized professional forestry societies and associations. The consulting foresters must have 10 years experience. One board member must be appointed from a list of three names submitted by a statewide organization representing nonindustrial forest landowners. The remaining public member must have no connection to the forestry profession. Members serve for terms of five years and may not serve more than two consecutive terms.

The board establishes standards of practice and a code of ethics, establishes minimum requirements for continuing education, issues and revokes licenses, investigates complaints, and administers an exam.

#### Minimum requirements for a license

Each applicant for a license must meet the following minimum requirements: Graduation in forestry or a related field from a four-year program approved by the board, five years experience as a consulting forester, and successful completion of an exam administered by the board. Seven years experience may substitute for the education requirement. Until January 1, 2002, an applicant may qualify with seven years of experience or successful completion of an exam.

The board may set an examination fee and a license fee. The license fee must be renewed every two years.

#### Persons not subject to license requirements

A license is not required for a person who practices forestry on his or her own land; provides services such as tree planting, timber stand improvement, pesticide application or pest control, site preparation and fire control; practices forestry on government land as a government forester; practices forestry as an employee of a forestry business on the business's land; implements projects directed or designed by an industrial forestry business as a hired independent contractor; or practices forestry under the direction of a supervising consulting forester.

#### Reciprocity with other states

A consulting forester licensed by another state with substantially similar requirements to those in Washington, including reciprocity, may be licensed in Washington without taking an examination as part of the licensing requirement.

Criminal violation

It is a criminal violation punishable as a misdemeanor to practice consulting forestry without a license, use the title without being licensed or endorse documents as a consulting forester if the documents were not prepared by the person endorsing them.

**RULES AUTHORITY:** The bill does contain provisions addressing the rule making powers of an agency.

**FISCAL NOTE:** Requested February 17, 1999.

**EFFECTIVE DATE:** Ninety days after adjournment of a session in which bill is passed.