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James C. Condos, Secretary of State
Christopher D. Winters, Deputy Secretary

MEMORANDUM

April 27, 2016

TO: Senator Tim Ashe
Chair, Senate Committee on Finance

FR: Chris Winters,
Deputy Secretary of State

RE: H.355, Forester Licensing

The Secretary of State's Office of Professional Regulation (OPR) protects the public through licensing and enforcement programs for 47 professions and approximately 60,000 licensees. OPR is completely funded through a Special Fund called the Professional Regulatory Fee Fund created by 3 V.S.A. § 124. This fund is made up entirely of licensing fees paid for by the professions regulated.

H.355, which passed the House last year, proposes to license foresters as a new profession within the Office of Professional Regulation. The fees in H.355 are typical of those professions regulated within the OPR in the Secretary of State's Office. Fees are used solely for the purpose of regulating the profession through the regulatory fee fund, with no impact on general funds. The OPR Director reviews these fees every year to ensure that they accurately reflect the cost of regulating the profession through licensure and enforcement.

OPR professions' ten year fee history: 8 up, 7 down, and 31 unchanged.

This profession would be governed under the advisor model of regulation and fees would be \$100 for an initial application for licensure and then \$200 to renew that license every two years. See 3 V.S.A. § 124. There is no way of knowing how many foresters will apply for licensure, but various estimates place numbers in the 200-250 licensees range.

Like any other profession, forester fees would pay for a small piece of OPR operating costs, as allocated by our formula that takes into account the number of complaints and prosecutions.

It is also worth noting that the annual OPR Bill, H.562, includes a licensing specialist position, fully funded by licensing fees and at no cost to the general fund. Foresters, dental therapists, and the 1500 additional licensees transferred (from Agency of Natural Resources, and Department of Health) in the OPR bill justify this position which is critical for successful administration of these new programs.