

1 H.355

2 Senators Bray, Benning, Collamore, Pollina, and White move that the report
3 of the Committee on Government Operations be amended as follows:

4 First: In Sec. 2, 26 V.S.A. § 4903 (prohibitions; offenses), by adding a
5 subsection (c) to read:

6 (c) When considering a violation of this chapter, the Director shall
7 recognize that, in appropriate circumstances, loggers and log buyers may make
8 investigations, consultations, timber inventories, and appraisals and may
9 responsibly conduct harvesting activities on private land.

10 Second: In Sec. 2, 26 V.S.A. § 4904 (exemptions), by striking out
11 subdivision (1) in its entirety and inserting in lieu thereof the following:

12 (1) An individual, college or university, family, family trust, or business
13 from practicing forestry on his, her, or its own lands, provided that a business
14 may only practice forestry on an aggregate of not more than 40 acres of its own
15 lands.

16 Third: In Sec. 2, 26 V.S.A. § 4904 (exemptions), by striking out
17 subdivision (3) in its entirety and inserting in lieu thereof the following:

18 (3)(A) An individual from carrying out forest practices when acting
19 under the general supervision of a forester or acting as an expert consultant on
20 work related to forestry, such as forest certification audits or the study of
21 hydrology or wildlife biology.

1 (B) As used in subdivision (A) of this subdivision (3), “general
2 supervision” means the forester need not be on-site when the individual
3 performs the work described in subdivision (A), but shall maintain continued
4 involvement in and accept professional responsibility for that work.

5 Fourth: In Sec. 2, 26 V.S.A. § 4926 (unprofessional conduct), in
6 subdivision (a)(8), preceding “violation of the statutes and rules of the
7 Vermont Department of Forests, Parks and Recreation” by inserting substantial

8 Fifth: In Sec. 3, (transitional provisions), by striking out subdivision (b)(1)
9 in its entirety and inserting in lieu thereof the following:

10 (1) The Director of the Office of Professional Regulation shall establish
11 a procedure whereby:

12 (A) an individual who can demonstrate a record of full-time forestry
13 practice for at least eight of the ten years immediately preceding the effective
14 date of Sec. 2 of this act may become licensed as a forester:

15 (i) without examination, if he or she possesses one of the degrees
16 described in 26 V.S.A. § 4921(1)–(3) (qualifications for licensure) in Sec. 2 of
17 this act; or

18 (ii) without possessing a degree described in 26 V.S.A.
19 § 4921(1)–(3) in Sec. 2 of this act, if he or she passes the Society of American
20 Foresters (SAF) Certified Forester Examination, which may include a State
21 portion if required by the Director by rule; or

1 (B) an individual may become licensed as a forester without
2 examination or possession of one of the degrees described in 26 V.S.A. §
3 4921(1)–(3) in Sec. 2 of this act, if he or she is determined by the Director,
4 after due consultation with the advisor appointees, to have demonstrated
5 through a peer-review process and production of such documentation as the
6 Director may require, that he or she possesses both significant experience and
7 forestry competencies commensurate to those of an individual eligible for
8 licensure pursuant to Sec. 2 of this act.

9 Sixth: In Sec. 3 (transitional provisions), in subdivision (b)(4), following
10 “shall expire on” by striking out “January 1, 2018” and inserting in lieu thereof
11 January 1, 2019