

1 H.355

2 Senators Bray, Benning, Campion, 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 or acting as an
19 expert consultant on work related to forestry, such as forest certification audits
20 or the study of hydrology or wildlife biology, when that individual is working
21 under the general supervision of a forester.

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; and

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