

## CHAPTER 53

# Department of Labor, Licensing and Regulation— State Board of Registration for Foresters

(Statutory Authority: 1976 Code § 48-27-80)

### **53-1. Headquarters.**

Headquarters of the Board shall be located at Columbia, South Carolina.

### **53-2. Officers.**

The Board will elect officers each year at the regular spring meeting to serve for one year commencing at the following regular fall meeting. The following officers will be elected:

a. Chairman—whose duties shall be to:

- (1) Preside at meetings of the Board.
- (2) Appoint all committees.
- (3) Sign all certificates and other official documents.
- (4) Call special meetings as required.
- (5) Notify all other State Boards of Registration for Foresters of the reciprocity provision of the Act.

(6) Perform all duties pertaining to the office of the Chairman.

b. Vice Chairman—Whose duties shall be:

- (1) Perform duties of the Chairman during his absence.
- (2) Publicize action, policy purpose and principles of the Board.

c. Secretary—Whose duties shall be:

- (1) Keep a record of the proceedings of the Board.
- (2) Attest all Certificates of Registration.
- (3) Notify members of meetings.
- (4) Perform other duties required by law or that may be assigned by the Board.

**HISTORY:** Amended by State Register Volume 36, Issue No. 6, eff June 22, 2012.

### **53-3. Meetings.**

Regular meetings of the Board for examining applicants or reviewing applications, and for other business will be held in Columbia twice each year on dates designated by the Board.

Special meetings of the Board will be called by the Chairman by giving ten (10) days' notice of the meeting to members.

### **53-4. Quorum.**

Four (4) members of the Board shall constitute a quorum but no action may be taken without a majority vote in accord.

### **53-5. Seals.**

The Seal of the Board was adopted at the meeting on October 13, 1961. It shall be used on all official papers, registration certificates and other formal documents of the Board.

Each registered forester may use an impression seal or stamp on his plans, maps, specifications and reports. The seal shall be circular, 1 and  $\frac{5}{8}$  inches in diameter and the stamp shall be 1 and  $\frac{3}{4}$  inches in diameter both of which are standard size. Both designs shall be similar to the following:

SOUTH CAROLINA  
Registered Forester No. 3  
W. J. BARKER

SOUTH CAROLINA  
Registered Forester No. 3  
W. J. BARKER

### **53-6. Committees.**

The Chairman shall appoint committees as needed by the Board.

### **53-7. Application for Registration.**

Requests for registration will be made to the Department of Labor, Licensing and Regulation, State Board of Registration for Foresters. Application forms will be supplied upon request.

Applicants shall supply all information requested on the forms or otherwise required. In each case, the applicant must provide proof, satisfactory to the Board, that he meets requirements for registration. Failure to follow the instructions will necessitate rejection of the application or its return for completion.

Applications will be accompanied by check or money order in an amount as set by the Board. The application fee will be non-refundable.

**HISTORY:** Amended by State Register Volume 36, Issue No. 6, eff June 22, 2012.

### **53-8. Requirements for Registration.**

The following shall be considered as minimum evidence satisfactory to the Board that the applicant is qualified for registration as a registered forester:

(1) Graduation from a curriculum in forestry of four years or more in a department, school or college approved by the Board and a specific record of an additional two years or more experience in forestry of a character satisfactory to the Board and indicating that the applicant is competent to practice forestry; or

(2) Successfully passing a written examination designed to show knowledge and skill approximating that obtained through graduation from an approved four-year curriculum in forestry, and a specific record of six years or more of practice in forestry of a character satisfactory to the Board and indicating that the applicant is competent to practice forestry.

The Board shall issue licenses only to those applicants who meet the requirements of this section; provided, that no person shall be eligible for registration as a registered forester who is not of good character and reputation. The completion of the junior year of a curriculum in forestry in a school of college approved by the Board shall be considered as equivalent to two years of practice; the completion of the senior year of a curriculum in forestry, without graduation, in a school or college approved by the Board shall be considered as equivalent to three years of practice.

Beginning June 1, 1991, all applicants shall take the examination for registration.

### **53-9. Expiration and Renewal.**

Licenses shall expire on June 30<sup>th</sup>, every two years on the odd numbered year, and shall become invalid on that date unless renewed. At least one month prior to expiration date of any license, the Department will notify each registrant of the date of expiration of his license and the fee required for its renewal for two years. Renewal payment must be made during the month of June every two years, or within the ensuing 3 months, by payment of an additional fee set by the Board for each month or fraction thereof beyond the month of June. The Board will make an exception to the foregoing renewal provisions in the case of a person who is in the Armed Services of the United States.

**HISTORY:** Amended by State Register Volume 36, Issue No. 6, eff June 22, 2012.

### **53-10. Registration Determination.**

Registration will be determined on a basis of individual, personal qualifications and no firm, company, partnership, or corporations shall be licensed. That is, only natural persons shall be licensed to practice forestry in this state.

### **53-11. Reciprocity.**

Any person licensed to practice forestry by any other state or country whose requirements are determined by the Board to be commensurate with the requirements of this state and upon satisfactory review of the applicant's record in the state or country of licensure may upon payment of a fee set by the Board be registered to practice forestry in this state.

Any applicant, a resident of another state who wishes to be registered in South Carolina, must first be registered in the state of residence provided there is a State Board of Registration in that state except in unusual cases as determined by unanimous consent of the Board.

### **53-12. Address Requirement.**

Each registrant shall notify the Board of his current mailing address. The registrant shall notify the Board of any change of address within 10 days of such change. Service or notice by mail shall be sufficient notice for purposes of this act and regulation.

### **53-13. Statement of Guiding Definitions.**

For other forestry definitions the board will be guided by the most current version of the Dictionary of Forestry, published by the Society of American Foresters.

**HISTORY: Amended by State Register Volume 36, Issue No. 6, eff June 22, 2012.**

### **53-14. Exceptions.**

Exceptions to the prohibited acts stated in Section 48-27-120 of the 1976 Code shall be:

(a) Marking timber as a member of a crew, under the supervision of a registered forester, without responsibility for determination of objectives, volumes, values or other purposes for which the timber is being marked.

(b) Scaling of severed forest products.

(c) Management of woodyards, and the duties incident thereto.

(d) Cutting, hauling, loading, storing and processing forest products.

(e) Forest workers or forest fire fighters, including tractor plow operators, fire or crew bosses, dispatchers, lookouts, scouts, crew foremen, forest pest control workers, and the similar workers as determined by the Board.

(f) Silvicultural practices such as reforestation and timber stand improvements unless the individual has responsibility for any technical determinations and not just physical labor involved in applying the practices.

(g) The buying and selling of timber or woodlands unless engaged in the practice of forestry in connection with the transaction.

(h) Compassmen and tallymen in timber cruising parties supervised by a registered forester.

(i) Regular employees of persons owning lands on which forestry practices are being conducted by the landowner.

### **53-15. Code of Ethics.**

The most current version of the Code of Ethics as recommended by the Society of American Foresters is hereby adopted as the standards of professional conduct for all foresters in this state.

**HISTORY: Amended by State Register Volume 36, Issue No. 6, eff June 22, 2012.**

### **53-16. Licensure Fees.**

The Board's fees are as follows:

(1) Application	\$ 50.00
(2) Registration (biennial)	\$130.00
(3) Initial License (including application and licensure fee)	\$180.00
(4) Biennial renewal	\$130.00
(5) Late fee (after June 30 through September 30)	\$ 50.00

(6) Reinstatement	\$100.00 + past renewal fees and late fees
(7) Examination fee (payable to Society of American Foresters)	\$325.00
(8) Licensee list (Diskette/CD)	\$ 10.00
(9) Duplicate license/wallet card	\$ 3.00
(10) License verification	\$ 5.00
(11) Name or address change with new license card issued	\$ 3.00

There is no charge for address or name changes made to the Board's record only.

Initial registration fees are prorated for applications received after April 1st of the year prior to renewal (even years, 2016, 2018, etc.) and approved by the Board. The prorated fee is \$65.00.

**HISTORY: Amended by State Register Volume 40, Issue No. 5, Doc. No. 4627, eff May 27, 2016.**

### **53–20. Continuing Education Requirements.**

(1) Continuing Forestry Education: Each registered forester is required to meet the Continuing Education Requirements of the Board of Registration prior to registration renewal each year.

(2) Annual Requirements: A total of 10 Continuing Forestry Education credits is required annually, of which a minimum of 5 must be in Category 1.

(3) CFE Credit Categories:

Category 1—Organized course work or activities in forestry or forestry related subject matter. Each hour of actual lecture or program will qualify for one CFE credit with three hours of tour or field session equal to one CFE credit.

Category 2—Other organized course work or activities not specifically forestry or forestry related, but which are beneficial to the individual in carrying out the practice of forestry. Credit is allowed at the same rate as for Category 1.

Category 3—The development preparation and presentation of course work described in Category 1 or 2 which is beyond the scope of an individual's normal job requirements. Two hours credit is allowed for each hour of presentation.

Category 4—The preparation, writing and publication of forestry or forestry related subject matter, which is beyond the scope of the individual's normal job requirements, two credit hours will be allowed for material of substantial nature in magazines, newspapers or similar publications. Five hours will be allowed by the Board of Registration for Foresters for any book or technical article requiring technical review.

Category 5—Self improvement in forestry or related subjects includes self improvement through publications, audio visual presentations, or participation in meetings of forestry related committees (i.e., Foresters Council, State Board of Registration for Foresters, etc.). One credit hour allowed for each hour of activity.

Category 6—Holding elected or appointed office or position in forestry or forestry related organization. One credit allowed per year for each position.

(4) Reports and Records: Each registrant shall report on a form provided by the Board, the activities undertaken to meet the requirements for Continuing Forestry Education.

The registrant shall maintain a file of documentation for activities for a period of 5 years after the date of the program. Such documentation shall be provided to the Board of Registration upon request.

(5) Approval of Activities:

(a) Any activity approved for CFE credit by the Society of American Foresters Continuing Forestry Education Program.

(b) An activity documentation may be submitted to the Board of Registration for Foresters for approval. The Board may rely on a committee of registered foresters chosen by the Board for determination or may rely on credit granted by other organizations. In any case the decision by the Board will be final.

(6) Non Compliance: An individual who does not meet the CFE requirements shall be placed on a probationary status for 6 months. Failure to complete the requirements during that period will result in cancellation of registration and prohibition from practicing forestry in South Carolina.

(7) Reinstatement to Active Registration: An individual wishing to have registration restored must complete the following requirements for continuing Forestry Registration in addition to other requirements required by the Board.

(a) Registration lapse of 1–3 years: Complete the CFE requirements for a minimum of one year prior to application for registration.

(b) Registration lapse of 4–10 years: Complete the current CFE requirements for a minimum of two years credits during the 18 months preceding the application for reinstatement.

(c) Registration lapse of 11 or more years: Completion of the examination required for initial licensing.

(8) Waivers: Any individual may request in writing a waiver of the requirements by the Board. If, in the judgement of the Board, the waiver is justified, it may be granted on a yearly basis.

(9) New Registrants: An individual registered during a year will be required to meet CFE requirements for renewal following the first renewal after initial registration.

(10) Carry-over Credits: A maximum of 5 credits in categories 2-6 may be carried over for one year, except that award of a CFE certificate by the Society of American Foresters may qualify for the individual's CFE requirement for two following years.

(11) Exemptions:

(a) Individuals registered to practice forestry in another state and who meet Continuing Forestry Education requirements for that state equal to or greater than those in South Carolina.

(b) Periods of time the individual is serving on active duty in the Armed Forces of the United States for periods longer than 180 consecutive days.

This regulation became effective March 23, 1990.