



**House
Legislative
Analysis
Section**

Manufacturer's Bank Building, 12th Floor
Lansing, Michigan 48909
Phone: 517/373-6466

LICENSING OF FORESTERS

MAY 16 1990

House Bills 5408 and 5409
Sponsor: Rep. Richard A. Sofio
Committee: Forestry and Minerals

Complete to 4-23-90

A SUMMARY OF HOUSE BILLS 5408 AND 5409 AS INTRODUCED 1-23-90

House Bill 5408 would amend the Occupational Code to prohibit a person from engaging in or offering to engage in the practice of professional forestry unless he or she was licensed or exempt from licensure under the code. A person could not use or imply the use of the title of forester without being licensed, nor could a person advertise that a business or other legal entity could offer professional forestry services unless a licensed forester was the principal or owner of the firm and was available to supervise all professional forestry activities. The bill would provide for licensing of individuals and would prohibit licensing of businesses. Licensing provisions would not apply to employees of the federal government when practicing on federal land, or state employees when practicing on state land. Nor would the provisions apply to employees of a forest industry when practicing professional forestry on lands owned by the individual's employer, or to employees or subcontractors of forester licensed under the bill. Contractors who offered services to home owners for the care and maintenance of individual trees and tree growth on the owner's property would not be considered to be engaging in the practice of forestry for purposes of the bill, nor would property owners engaged in forestry activities, or individuals engaged in estimating the value of timber or engaged in purchasing or brokering timber for a forest industry employer. Individuals who were in possession of a valid registration issued under the code on the effective date of the bill would be considered to be licensed under the bill and would be issued a license upon the expiration of the registration. The Board of Foresters could develop rules requiring the completion of a continuing professional education program as a condition for the renewal of a license. The act of practicing or offering to practice professional forestry or using or implying the use of a prohibited title would be a violation of the bill.

Qualifications. The bill would require foresters to be at least 18 years of age and of good moral character. In addition, applicants would have to provide proof of completion of at least a baccalaureate degree from an accredited college or university and a forestry curriculum acceptable to the Board of Foresters. Applicants would also have to provide documentation of the equivalent of at least two years of full-time experience in the practice of professional forestry acceptable to the Board of Foresters and completed under the supervision of a registered or licensed forester.

MCL 339.2101 et al.

House Bill 5409 would make technical amendments to the State License Fee Act to delete references to the registration of foresters.

MCL 338.2229

House Bills 5408 & 5409 (4-23-90)