

## ARTICLE 19.

### FORESTERS

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#### **§ 30-19-1. Use of descriptive title restricted.**

No person shall use in connection with his name or otherwise assume, use or advertise any title or description tending to convey the impression that he is a registered forester unless he shall be licensed as hereinafter provided. Nothing contained in this article shall be construed as preventing any person, firm, partnership, or corporation from practicing forestry, or managing woodlands or forests, or from removing any products therefrom, or planting trees on any land, in any manner desired. (1963, c. 141.)

#### **§ 30-19-2. Definitions**

As used in this article:

(1) The term “forester” means a person who, by reason of his knowledge of the natural sciences, mathematics, silviculture, forest protection, forest management, forest economics and forest utilization, acquired by professional forestry education and/or practical experience, is qualified to engage in the practice of professional forestry as hereinafter defined;

(2) The term “registered forester” means a person who has been licensed pursuant to this article;

(3) The term “practice of professional forestry” means professional forestry services, including but no limited to consultation, investigation, evaluation, planning, or responsible supervision of any forestry activities when such professional service requires the application of forestry principles and techniques; and

(4) The term “board” means the state board of registration for foresters, provided for by this article. (1963, c. 141.)

#### **§ 30-19-3. Board of registration – Creation; appointment and terms of members.**

A state board of registration for foresters is hereby created whose duty it shall be to administer the provisions of this article. The board shall consist of five foresters who shall be appointed by the governor of West Virginia within thirty days after the effective date of this article [July 1, 1963], from among ten nominees recommended by the West Virginia Chapter, Society of American Foresters, by and with the consent of the senate, and who shall possess the qualifications set forth under section four [§ 30-19-4] of this article. The five members of the initial board shall be appointed for terms of one, two, three, four, and five years, respectively. On the expiration of the term of any member of the board, the governor, with the

consent of the senate, shall appoint in the manner among five nominees recommended by the West Virginia Chapter, society of American Foresters, and having the qualifications set forth in section four of this article. If the governor fails to make appointment in ninety days after expiration of any term, the board shall make the necessary appointment. Each member shall hold office until the expiration of the term for which such member is appointed and until a successor shall have been duly appointed and qualified. (1963, c. 141).

#### **§ 30-19-4. Same – Qualification of members.**

Each member of the initial board shall be a citizen of the United State sand a resident of this State, possessing the qualifications to become a registered forester under the terms of this article, and shall have been engaged in the practice of professional forestry for at least ten years. Each member hereafter shall be a citizen of the United States and a resident of this State, shall be a registered forester under the terms of this article, and shall have been engaged in the practice of professional forestry for at least ten years. (1663, c. 141.)

#### **§ 30-19-5. Same – Removal of members; vacancies**

The governor may remove any member of the board for official misconduct or habitual or willful neglect of duty. Vacancies in the membership of the board shall be filled for the unexpired term in the same manner as for an appointment for a full term. (1963, c. 141)

#### **§ 30-19-6. General 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 approved by the board from a university or college approved by the board. Evidence of college graduation and completion of required courses shall be presented by means of an official college transcript which shall be filed permanently with the board; or (2) successfully passing a written examination designed to show knowledge approximating that obtained through graduation from a curriculum in forestry approved by the board from a university or college approved by the board, and a record of eight years or more of active practice in forestry work of a character satisfactory to the board, and indicating that the applicant is competent to practice professional forestry: Provided, that any citizen of this State who has engaged in the practice of professional forestry for eight years preceding the effective date of this section [July 1, 1963] shall not be required to take an examination for registration. Upon filing with the board an application for registration, in such form as the board shall prescribe, and submitting therewith satisfactory information as to good character, such person shall be issued a certificate of registration: And provided further, that after eight years from the effective date of this article [July 1, 1963] no person shall qualify as a registered forester unless such person shall have graduated from a curriculum in forestry approved by the board from a university or college approved by the board.

Applicants who have not graduated from a college or university may make the following substitution: The completion of the junior year in a forestry curriculum approved by the board in a university or college approved by the board shall be considered as equivalent to two years of the practice of professional forestry; the completion of the senior year without graduation in a forestry curriculum approved by the board in a university or college approved by the board shall be considered as equivalent to three years of the practice of professional forestry. (1963, c. 141.)

### **§ 30-19-7. Expiration and renewal of license; fee**

Licenses shall expire on the last day of the month of June following their issuance or renewal and shall become invalid on that date unless renewed. It shall be the duty of the secretary of the board to notify every person registered under this article, at his last registered address, of the date of the expiration of his license and the amount of the fee that shall be required for its renewal for one year; such notice shall be mailed at least sixty days in advance of the date of the expiration of said license. The fee for the renewal of licenses shall be five dollars per year. (1963, c. 141; 1972, c. 124.)

### **§ 30-19-8. Determination of qualifications for registration; firms, partnerships, etc., not to be registered.**

Registration shall be determined upon the basis of individual personal qualifications. No firm, company, partnership, corporation or public agency shall be licensed as a registered forester. (1963, c. 141.)

### **§ 30-19-9. Reciprocity**

A person not a resident of and having no established place of business in West Virginia may use the title of registered forester in West Virginia provided: (1) Such person is legally licensed as a registered forester in his own state or county and has submitted evidence to the board that he is so licensed and that the requirements for registration therein are equivalent to the requirements of this article; and (2) the state or county in which he is so licensed observes these same rules of reciprocity in regard to persons originally licensed under the provisions of this article. (1963, c. 141.)

### **§ 30-19-10. Violations; penalties; enforcement of article; attorney general as legal advisor of board.**

Any person who shall practice or offer to practice the profession of forestry as a registered forester in this State without being registered in accordance with the provisions of this article, or any person who shall use in connection with his name or otherwise assume, use or advertise any title or description tending to convey the impression that he is a registered forester, without being registered in accordance with the provisions of this article, or any person who shall present or attempt to use as his own the license of another, or any person who shall give any false or forged evidence of any kind to the board or any member thereof in obtaining a license, or any person who shall attempt to use an expired or revoked license, or any person, firm, partnership or corporation who shall violate any of the provisions of this article, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be fined not more than one hundred dollars. It shall be the duty of all duly constituted officers of the law of this State to enforce the provisions of this article and to prosecute any persons, firms, partnerships, or corporations violating same. The attorney general of the State shall act as legal advisor of the board and render such assistance as may be necessary in carrying out the provisions of this article. (1963, c. 141.)