

New Regulations

New regulations are in effect for the SC Board of Registration for Foresters on May 28, 2021, resulting in the changes listed below:

1. Section 53-2 (Officers) – strike some duties of Chairman and Vice-Chairman, and eliminate the Secretary position.
2. Section 53-3 (Meetings) – clarify that notice of meetings will be given in accordance with the SC Code of Laws, Section 30-4-80.
3. Section 53-6 (Committees) – strike this section
4. Section 53-7 (Application for Registration) – add that payment of the application fee will also be accepted by electronic payment.
5. Section 53-8 (Requirements for Registration) – section updated to detail the current examination, education and experience requirements.
6. Section 53-9 (Expiration and Renewal) – rename this section “Renewal of License, Lapse License, and Reinstatement.”
7. Section 53-11 (Reciprocity) – change the word “person” to “applicant” to read consistently. Also, all reciprocity applicants must pass Part 2 of the South Carolina Specific Examination.
8. Section 53-20 (Continuing Education Requirements) – change “annual” to “biennium” or “biennial,” adjust hours required for biennial renewal cycle, modify categories to match SAF standards, add sections under “Exemptions” to include hardship exemptions and a waiver of CE for individuals who are over sixty years old, and have thirty years of licensed practice.

You can view the updated regulations at https://www.scstatehouse.gov/state_register.php (Click the May 28 link).

Additionally, Regulation 53-20(4) allows licensees who are 60 years of age and older with 30 or more years of licensed experience to request a waiver of the continuing forestry education by submitting a waiver form to the Board. To qualify, please submit [this form](#) to the Board by June 30, 2021.

Questions regarding the regulation changes may be directed to the Board’s office at (803)896-4800 or at Contact.Foresters@lfr.sc.gov

454 FINAL REGULATIONS

Fiscal Impact Statement:

There will be no cost incurred by the State or any of its political subdivisions for these regulations.

Statement of Rationale:

The South Carolina Board of Dentistry proposes to amend: R.39-5(F)(1) regarding obtaining continuing education online; R.39-5(F)(3) regarding continuing education requirements related to CPR; and R.39-6 regarding elections. The Board also proposes to establish standards for the use of lasers in a dental setting.

Document No. 5012
DEPARTMENT OF LABOR, LICENSING AND REGULATION
BOARD OF REGISTRATION FOR FORESTERS
CHAPTER 53
Statutory Authority: 1976 Code Sections 48-27-140 and 48-27-190

- 53-2. Officers.
- 53-3. Meetings.
- 53-6. Committees.
- 53-7. Application for Registration.
- 53-8. Requirements for Registration.
- 53-9. Expiration and Renewal.
- 53-11. Reciprocity.
- 53-14. Exceptions.
- 53-20. Continuing Education Requirements.

Synopsis:

The South Carolina Board of Registration for Foresters proposes to repeal R.53-6. The Board further proposes to amend the following regulations: R.53-2 to delete references to spring and fall meetings, delete the position of secretary, and delete certain duties of the chairman and vice-chairman; R.53-3 regarding regular meetings and notice of meetings; R.53-7 to add that application fees may be paid electronically; R.53-8 to delete a date, add that applicants must pass the examination, add reference to the state examination, and further rewrite requirements; R.53-9 to re-write the section title; R.53-11 to correct scrivener's errors, change the reference from person to applicant, and clarifying requirements for reciprocity; and R.53-20 to change the reference from annual to biennial continuing education requirements, adjust continuing education hours and credits, clarify requirements, correct scrivener's errors, add accommodations for disability, illness and extenuating circumstances, and add an age and/or experience waiver for continuing education.

A Notice of Drafting was published in the *State Register* on August 28, 2020.

Instructions:

Replace regulation as shown below. All other items and sections remain unchanged.

Text:

53-2. Officers.

The Board will elect officers each year. 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) Perform all duties pertaining to the office of the Chairman.
- (B) Vice Chairman—whose duties shall be to perform the duties of the Chairman during his absence.

53-3. Meetings.

Regular meetings of the Board will be held in Columbia at least twice each year.

Special meetings of the Board will be called by the Chairman by giving notice as required by S.C. Code Section 30-4-80.

53-6. Repealed.

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, money order, or electronic payment in an amount as set by the Board. The application fee is non-refundable.

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:

(A) Examination. All applicants shall take and pass the examination for registration. The examination for registration is a two-part examination:

Part One is the Certified Forester (CF) Examination, and Part Two is the South Carolina Specific Examination.

(B) Education and Experience:

(1) Applicants who have graduated from a curriculum in forestry of four years or more in a department, school, or college approved by the board must have 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) Applicants who have not graduated from a curriculum in forestry as provided in (1) above, must have 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.

53-9. Renewal of License, Lapsed License, and Reinstatement.

Licenses shall expire on June 30th, 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.

53-11. Reciprocity.

Any applicant 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 be registered to practice forestry in this state upon payment of a fee set by the Board and passing the Part 2 South Carolina Specific Examination.

456 FINAL REGULATIONS

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.

53-20. Continuing Education Requirements.

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

(B) Biennial Requirements: A total of 20 Continuing Forestry Education credits is required biennially, of which a minimum of 10 must be in Category 1.

(C) CFE Credit Categories:

Category 1 – Core Education

Each Category 1 activity must satisfy all of the following conditions:

It is an organized program of learning conducted in a setting physically suitable to continuing forestry education objectives;

Speakers must be qualified to address their topics and be considered experts in their presentation subject by virtue of special education, training, and/or experience.

The subject matter must directly relate to the approved content area for the appropriate credential. Individual presentations within a workshop or conference may qualify while others do not.

The program content must be of a technical level and nature such that it supplements and builds upon the knowledge necessary to ensure professional competency. Training sessions targeted specifically for landowners do not meet this criterion.

The program content cannot be: specific to protocols of an individual organization, company or agency; about organization-specific procedures and operations, or; employee training in organization-specific practices/policies.

Category 2 – Related Education

Each Category 2 activity must satisfy all of the following conditions:

It is an organized program of learning conducted in a setting physically suitable to continuing forestry education objectives.

Speakers must be qualified to address their topics and be considered experts in their presentation subject by virtue of special education, training, and/or experience.

The program content must be of a technical level and nature such that it supplements and builds upon the knowledge necessary to ensure professional competency and performance.

The program content cannot be: specific to protocols of an individual organization, company, or agency; about organization-specific procedures and operations; or employee training in organization-specific practices/policies.

Category 3 – Professional Development and Volunteer Activities

Each Category 3 activity must satisfy all of the following conditions:

Professional activities undertaken outside of normal job responsibilities.

The subject matter qualifies under category 1, such as presentations in a classroom, field, or lab setting; writing and publishing of forestry or forestry-related subject matter; or, service to the profession through volunteer work.

(D) 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.

(E) Approval of Activities:

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

(2) 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.

(F) 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.

(G) 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.

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

(2) 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.

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

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

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

(J) Carry-over Credits: A maximum of 10 credits in categories 1-3 may be carried over for one renewal cycle, except that award of a CFE certificate by the Society of American Foresters may qualify for the individual's CFE requirement for four following years.

(K) Exemptions:

(1) 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.

(2) 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.

(3) Licensees experiencing physical disability, illness, other extenuating circumstances as reviewed and approved by the board may be exempt. A waiver form that includes supporting documentation must be furnished to the board thirty (30) days in advance of the renewal period.

(4) Individuals who are at least sixty (60) years old and have thirty (30) or more years of licensed experience may request a waiver of the continuing education requirement by submitting a waiver form to the Board.

Fiscal Impact Statement:

There will be no cost incurred by the State or any of its political subdivisions for these regulations.

Statement of Rationale:

These regulations will conform to current law and procedures. The Board proposes to repeal R.53-6. The Board further proposes to amend the following regulations: R.53-2 to delete references to spring and fall meetings, delete the position of secretary, and delete certain duties of the chairman and vice-chairman; R.53-3 regarding regular meetings and notice of meetings; R.53-7 to add that application fees may be paid electronically; R.53-8 to delete a date, add that applicants must pass the examination, add reference to the state

458 FINAL REGULATIONS

examination, and further rewrite requirements; R.53-9 to re-write the section title; R.53-11 to correct scribes' errors, change the reference from person to applicant, and clarify requirements for reciprocity; and R.53-20 to change the reference from annual to biennial continuing education requirements, adjust continuing education hours and credits; clarify requirements, correct scribes' errors, add accommodations for disability, illness and extenuating circumstances, and add an age and/or experience waiver for continuing education.