

1 SB145
2 118001-3
3 By Senators Dixon, Barron, Little (T), and Figures
4 RFD: Governmental Affairs
5 First Read: 12-JAN-10

1 SB145

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4 ENROLLED, An Act,

5 Relating to the Alabama Sunset Law; to continue the
6 existence and functioning of the State Board of Registration
7 for Foresters with certain modifications; to amend Sections
8 34-12-4 and 34-12-30, Code of Alabama 1975, so as to require
9 that applicants for licensure be United States citizens or
10 legally present in the United States and to require diversity
11 in the membership of the board.

12 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

13 Section 1. Pursuant to the Alabama Sunset Law, the
14 Sunset Committee recommends the continuance of the State Board
15 of Registration for Foresters, with the additional
16 recommendation for statutory change as set out in Section 3.

17 Section 2. The existence and functioning of the
18 State Board of Registration for Foresters, created and
19 functioning pursuant to Sections 34-12-1 to 34-12-37,
20 inclusive, Code of Alabama 1975, is continued, and those code
21 sections are expressly preserved.

22 Section 3. Sections 34-12-4 and 34-12-30 of the Code
23 of Alabama 1975, are amended to read as follows:

24 "§34-12-4.

1 "(a) The following requirements shall be considered
2 as minimum evidence satisfactory to the board that the
3 applicant is qualified to practice forestry and to be
4 registered and licensed pursuant to this chapter. Each
5 applicant shall:

6 "(1) Hold a bachelors or higher degree from a school
7 approved by the board or accredited by the Society of American
8 Foresters in a forestry curriculum accepted by the board.

9 "(2) Have passed a written or oral examination, or
10 both, designed to show the knowledge and skill obtained
11 through graduation from the school or college.

12 "(3) Have a specific record of two years or more of
13 experience in the practice of forestry of a nature
14 satisfactory to the board and indicating that the applicant is
15 competent to practice forestry.

16 "(4) Be a person of good character and reputation.

17 "(5) Be a citizen of the United States or, if not a
18 citizen of the United States, a person who is legally present
19 in the United States with appropriate documentation from the
20 federal government.

21 "(b) The board shall issue licenses only to those
22 applicants who meet the requirements of this section."

23 "§34-12-30.

24 "(a) A State Board of Registration for Foresters is
25 created whose duty it shall be to administer this chapter. The

1 board shall consist of five foresters, who shall be selected
2 and appointed by the Governor of Alabama from among 10
3 nominees recommended by the Alabama Division of the Society of
4 American Foresters and shall have the qualifications required
5 by Section 34-12-31. Each member of the board shall receive a
6 certificate of his or her appointment from the Governor and
7 before beginning his or her term of office shall file with the
8 Secretary of State his or her written oath of affirmation for
9 the faithful discharge of his or her official duties. The five
10 members of the initial board shall be appointed for terms of
11 one, two, three, four, and five years, respectively, and in
12 making the appointment the Governor shall designate the term
13 for which each of the members is appointed as provided for
14 above. At the expiration of the term of any member of the
15 initial board, the Governor shall, from a list of three
16 nominees recommended by the Alabama Division of the Society of
17 American Foresters, appoint for a term of five years a
18 registered forester having the qualifications required by
19 Section 34-12-31 to succeed the member whose term on the board
20 is expiring. Nothing contained in this chapter shall prohibit
21 any member whose term expires to be reappointed to succeed
22 himself or herself on the board. After March 7, 1990, no
23 member shall serve more than two full consecutive terms of
24 office. If the Governor fails to make appointment in 90 days
25 after expiration of any term, the board shall make the

1 necessary appointment from nominees submitted as hereinabove
2 provided and who meet the qualifications set out by Section
3 34-12-31. Each member of the board shall hold office until the
4 expiration of the term for which such member is appointed or
5 until a successor shall have been duly appointed and shall
6 have qualified.

7 "(b) The membership of the board shall be inclusive
8 and reflect the racial, gender, geographic, urban/rural, and
9 economic diversity of the state. The board shall annually
10 report to the Legislature by the second legislative day of
11 each regular session the extent to which the board has
12 complied with the diversity provisions of this subsection."

13 Section 4. The Legislature concurs in the
14 recommendations of the Sunset Committee as provided in
15 Sections 1, 2, and 3.

16 Section 5. This act shall become effective
17 immediately upon its passage and approval by the Governor, or
18 its otherwise becoming law.

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President and Presiding Officer of the Senate

Speaker of the House of Representatives

SB145

Senate 11-FEB-10

I hereby certify that the within Act originated in and passed the Senate, as amended.

McDowell Lee
Secretary

House of Representatives
Amended and passed 23-FEB-10

Senate concurred in House amendment 23-MAR-10

By: Senator Dixon