

DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION
OFFICE OF PROFESSIONAL AND OCCUPATIONAL REGULATION
76 Northern Avenue, Gardiner, Maine

BOARD OF LICENSURE OF FORESTERS
MINUTES OF BOARD MEETING
January 21, 2016

MEMBERS PRESENT

John Ackley
Sarah Medina, Chair
Theodore Shina
Maxwell McCormack, Jr.
Steve Pelletier

OTHERS PRESENT

Karen Bivins, Administrator
Katie Johnson, Assistant Attorney General
Deborah Fales, Office Specialist I
Kim Baker, Office Specialist I

MEMBERS ABSENT

None

Location: Central Conference Room

Start: 9:00 a.m.

Adjourn: 11:00 a.m.

CALL TO ORDER

The meeting was called to order by the Chair, Sarah Medina at 9:00 a.m.

AGENDA MODIFICATIONS

None

OLD BUSINESS

Action on Minutes of June 25, 2015 Meeting

A motion was made by Shina and seconded by Ackley to approve the minutes of the June 25, 2015 meeting as amended. Unanimous.

NEW BUSINESS

Election of Officers

A motion was made by Pelletier and seconded by McCormack to elect Medina as Chair and Shina as Complaint Officer. Unanimous.

Administrator's Report

1. Society of American Foresters Certified Forester Credential (SAFCF) – The Board discussed whether a person with a certified forester credential would be qualified to sit for the Maine specific exam and become licensed in Maine with no further credentialing. The Board reviewed current statute and rules regarding licensing requirements and compared them with the requirements for the SAFCF and it appears that in

most scenarios an applicant for licensure with the Board who has a SAFCF credential would be eligible to sit for Part 1 of the exam via one of the existing pathways without further credentialing.

2. The Board discussed an email from Donald J. Mansius dated 08/12/2015 regarding advertising forestry services by an “unlicensed person” who is registered with the Board. The Board directed the administrator to respond to Mr. Mansius and refer him to Board Statute 32 MRS §5502 and that a formal complaint could be filed in order for a more complete review of a specific instance to take place.
3. The Administrator asked the Board to reconsider a consent agreement approved at the 06/25/2015 meeting regarding a continuing education matter for William Hayes. Due to clerical error the consent agreement did not get sent out in a timely manner causing the due dates to be unreasonable. A motion was made by Pelletier and seconded by Ackley to extend the due dates in the original consent agreement to 06/30/2016. Shina opposed; Medina, Ackley, Pelletier and McCormack voted in the affirmative. Motion carried.
4. The administrator asked the Board to adopt a procedural policy regarding first offense disclosures of discipline or criminal convictions not made within 10 days as required by 10 MRS §8003-G(2). A motion was made by Shina and seconded by McCormack to adopt the following Board Policy: When a licensee discloses discipline or criminal conviction(s) beyond the 10 day requirement set forth in 10 MRS §8003-G(2), the Board authorizes staff to issue a letter of guidance without further review by the Board, but will be signed by the Chair. Such letters of guidance only to be issued for a first offense. Unanimous.
5. The recent DPFR/OPOR fee rule that went into effect on January 16, 2016 has created an unanticipated conflict within the Forester Board’s statute regarding exam application fees. A clean-up bill will be pursued with the legislature to address this issue to correct and align the Board’s statute with Department Fee Rule.
6. The administrator asked the Board to adopt a new policy for continuing education review to facilitate more timely responses to licensees’ requests. A motion was made by Shina and seconded by Ackley to adopt the following Board policy: Staff will forward continuing education requests to the designated Board Member for review. Upon approval/denial from the designee, staff will then notify licensees. No further action will be required by the Board. Unanimous.
7. The administrator has corresponded with the testing company regarding concerns the Board had about the location of the testing center for the exam.

Complaint Officer’s Report

2015-FOR-11297 – A motion was made by Pelletier and seconded by Ackley to dismiss the complaint. Ackley, Medina and Pelletier voted in the affirmative; McCormack and Shina abstained. Motion carried.

Correspondence

The Board reviewed monthly reports for June through December 2015 and the year to date licensing report.

Review and Action on Continuing Education

A motion was made by Medina and seconded by McCormack to approve continuing education requests as noted in the table below. Unanimous.

PROGRAM NAME	SPONSOR	DATE(S)	HOURS APPROVED	CAT.
Annual Meeting	Seven Islands Land Company	May 27, 2015	2 hours 1 hour	1 2
GIS Training Learn to Use ArcMap 10.2	Penobscot Nation	May 8, 2015	6.5 hours	1
Plum Creek Silviculture Workshop	Plum Creek	Oct 1, 2, 2015	1.5 3.5	1 2
Maine Stream Regulations (Greenville)		Sept 15, 2015	4	1
Maine Stream Regulations (Bingham)		Sept 15, 2015	2.5	1
NEFCo Fall Foresters Meeting	NEFCo	Nov 12, 2015 Nov 13, 2015	4 5.5 3	1 1 2
FRA <u>MAINE</u> Forestry Forum	Forest Resources Association Inc	Dec 3, 2015	1	1
2016 Winter Ag School	SASWCD	March 24, 2016 March 31, 2016	2 3	1 1

ADJOURN

Being no further board business to discuss, the meeting was adjourned at 11:00 a.m.

Respectfully submitted,
Kim Baker, Office Specialist I