

WEST VIRGINIA LEGISLATURE

2016 REGULAR SESSION

Introduced

House Bill 4460

BY DELEGATES HOWELL, ARVON, IHLE, J. NELSON,
MOFFATT, FAIRCLOTH, HILL, CADLE, LYNCH, HAMRICK
AND BLAIR

[Introduced February 9, 2016; Referred
to the Committee on Government Organization.]

1 A BILL to amend and reenact §30-19-4 of the Code of West Virginia, 1931, as amended, relating
 2 to the Board of Registration of Foresters; changing qualifications for membership on the
 3 board; providing for continued service of qualifying board members; and providing for the
 4 disqualification of certain members who become licensees.

Be it enacted by the Legislature of West Virginia:

1 That §30-19-4 of the Code of West Virginia, 1931, as amended, be amended and
 2 reenacted, to read as follows:

ARTICLE 19. FORESTERS.

§30-19-4. State Board of Registration of Foresters.

1 (a) The State Board of Registration of Foresters is continued. The members of the board
 2 in office on July 1, ~~2009~~ 2016, shall, unless sooner removed, continue to serve until their
 3 respective terms expire and until their successors have been appointed and qualified.

4 ~~(b) To be effective on July 1, 2009, the Governor shall appoint, by and with the advise and~~
 5 ~~consent of the Senate, a registered forestry technician to replace the board member whose term~~
 6 ~~ends on June 30, 2009.~~

7 ~~(e)~~ (b) Commencing July 1, ~~2009~~ 2016, the board shall consist of the following five
 8 members:

9 (1) ~~Four~~ One registered ~~foresters~~ forester; and

10 (2) One registered forestry technician; and

11 (3) Three citizen members who are not licensed under the provisions of this article.

12 ~~(d)~~ (c) Each member shall be appointed by the Governor, by and with the consent of the
 13 Senate, from five nominees recommended by the West Virginia Division of the Society of
 14 American Foresters. The term is for five years.

15 ~~(e)~~ (d) A member may not serve more than two consecutive full terms. A member having
 16 served two consecutive full terms may not be appointed for one year after completion of his or
 17 her second full term. A member may continue to serve until a successor has been appointed and

18 qualified.

19 ~~(f)~~ (e) Each member of the board shall be a resident of West Virginia during the
20 appointment term.

21 ~~(g)~~ (f) Each licensed member must have been certified in this state for a period of not less
22 than three years prior to his or her appointment and must have engaged in the practice of forestry
23 for at least ten years.

24 ~~(h)~~ (g) Each licensed member shall maintain an active certification with the board.

25 ~~(i)~~ (h) The Governor may remove any member from the board for neglect of duty,
26 incompetency or official misconduct.

27 ~~(j)~~ (i) A licensed member of the board immediately and automatically forfeits his or her
28 membership to the board if his or her certification has been suspended or revoked, is convicted
29 of a felony under the laws of any jurisdiction, or becomes a nonresident of this state.

30 (j) An unlicensed member of the board immediately and automatically forfeits his or her
31 membership on the board if he or she obtains a license that would permit him or her to practice
32 under the provisions of this article, obtains a similar license from another jurisdiction, or becomes
33 a nonresident of this state.

34 (k) The board shall elect annually one of its members as chairperson and one member as
35 secretary who shall serve at the will and pleasure of the board.

36 (l) Each member of the board is entitled to compensation and expense reimbursement in
37 accordance with article one of this chapter.

38 (m) A majority of the members serving on the board constitutes a quorum.

39 (n) The board shall hold at least two meetings annually. Other meetings shall be held at
40 the call of the chairperson or upon the written request of two members, at such time and place as
41 designated in the call or request.

42 (o) Prior to commencing his or her duties as a member of the board, each member shall
43 take and subscribe to the oath required by section five, article four of the Constitution of this state.

44 (p) Members of the board as of the effective date of this section shall continue to serve
45 their term without regarding to the status of their license until a successor is appointed by the
46 Governor.

NOTE: The purpose of this bill is to remove three licensed forester members and add three citizen members to the board and to provide for their removal upon obtaining an active license.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.