

Regulation of the  
**Department of Energy and Environmental  
Protection**

Concerning  
**Forest Practices**

Regulations adopted after July 1, 2013, become effective upon posting to the website of the Secretary of the State, or at a later date specified within the regulation.

Website posted on  
**November 5, 2013**

Effective Date  
***November 5, 2013***

Approved by the Attorney General on  
**August 14, 2013**

Approved by the Legislative Regulation Review  
Committee on  
**October 22, 2013**

Received and filed in the Office of the  
Secretary of the State on  
**November 4, 2013**

Electronic copy with agency head certification statement  
submitted to the Office of the  
Secretary of the State on  
**November 4, 2013**

Published in the Connecticut Law Journal on

## Electronic Copy Certification Statement

I, **Daniel C. Esty**, Commissioner of the **Department of Energy and Environmental Protection**, in accordance with the provisions of Section 4-172 of the *General Statutes of the State of Connecticut*, do hereby certify:

That the electronic copy of a regulation concerning **Forest Practitioner Certification**, which was approved by the Legislative Regulation Review Committee on **October 22, 2013**, and which shall be submitted electronically for filing to the Secretary of the State by **Christopher Martin** of this agency on **Monday November 4, 2013**, is a true and accurate copy of the original regulation approved in accordance with Sections 4-169 and 4-170 of the *General Statutes of the State of Connecticut*.

**In testimony whereof**, I have hereunto set my hand on **Thursday October 31, 2013**.



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(Signature of agency head)

REGULATION  
of

NAME OF AGENCY

**Department of Energy and Environmental Protection**

**Concerning**

SUBJECT MATTER OF REGULATION

**Forest Practices Regulations**

The Regulations of Connecticut State Agencies are amended as follows:

Section 1. Subsection (o) of Section 23-65h-1 of the Regulations of Connecticut State Agencies is amended to read as follows.

**Continuing Education Standards for Renewal of Certification**

(o) In accordance with section 23-65i of the general statutes, all certified forest practitioners shall participate biennially in a relevant program of professional education to improve or maintain professional forestry skills that is sponsored by the [department of environmental protection,] Department of Energy and Environmental Protection, the New England Society of American Foresters, the University of Connecticut, Yale University, the Connecticut Cooperative Extension System, or any university having a forest management or forest products harvesting curriculum accredited by the Society of American Foresters.

Sect. 2. Subsection (r) to Subsection (s), inclusive, of Section 23-65h-1 of the Regulations of Connecticut State Agencies are amended to read as follows.

**Fees**

(r) The fee for applying for certification or renewal of certification shall be [~~\$76.00~~] \$235.00. The fee shall be submitted simultaneously with the application for certification or renewal of certification and certification shall not be granted or renewed prior to payment of the fee. The fee provided in this section shall be non-refundable. The application fee required by this section shall be paid by [certified] check or money order payable to [department of environmental protection] Department of Energy and Environmental Protection. The [certified] check or money order shall state on its face, "Forest Practitioner Certification Application Fee". [" On July 1, 1995, and every July 1 thereafter, the fee provided in this section shall increase by three percent, rounded down to the nearest whole dollar.]

(s) An applicant for forest practitioner certification or renewal of certification shall, if required by this section to take an examination, pay an examination fee of [~~\$13.00~~] \$65.00 for each examination. The fee provided in this section shall be non-refundable. The fee required by this section shall be paid by [certified] check or money order payable to the [department of environmental protection] Department of Energy and Environmental Protection. The [certified] check or money order shall state on its face, "Forest Practitioner Certification Examination Fee". [" On July 1, 1995, and every July 1

thereafter, the fee provided in this section shall increase by three percent, rounded up to the nearest whole dollar.]

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(Statement of Purpose page)

### **Statement of Purpose**

*Pursuant to CGS Section 4-170(b)(3), "Each proposed regulation shall have a statement of its purpose following the final section of the regulation." Enter the statement here.*

**Statement of purpose:** Section 23-65h-1(o) specifies the sponsors of relevant programs of professional education required of certified forest practitioners to maintain or improve professional forestry skills. The proposed amendment will change the name of the sponsoring agency "department of environmental protection" to the name of the successor agency "department of energy and environmental protection" as sponsor.

Section 23-65h-1(r) and Section 23-65h-1(s) specify the required form of payment and annual rate of increase for the application fee and examination fee for certification as a forest practitioner or renewal of certification. The proposed amendments to the existing regulations will eliminate the requirement for checks to be "certified" thereby allowing applicants to submit personal or business checks. With the tendency of the industry to work in remote areas six days a week, the amendment will enable forest practitioners to stay in the woods longer without interruption of daily work schedules and the resulting limitation to daily earnings. Proposed amendment to Section 23-65h-1(r) and Section 23-65h-1(s) will also establish fixed fees for applications and examinations for certification as a forest practitioner or renewal of certification and eliminate the three percent annual increases in fees.

The proposed amendments will not affect any other existing laws or regulations.

### CERTIFICATION

*This certification statement must be completed in full, including items 3 and 4, if they are applicable.*

- 1) I hereby certify that the above (check one)  Regulations  Emergency Regulations
- 2) are (check all that apply)  adopted  amended  repealed **by this agency pursuant to the following authority(ies):** (complete all that apply)
- a. Connecticut General Statutes section(s) \_\_\_\_\_.
- b. Public Act Number(s) \_\_\_\_\_.  
(Provide public act number(s) if the act has not yet been codified in the Connecticut General Statutes.)
- 3) **And I further certify that notice of intent to adopt, amend or repeal said regulations was published in the Connecticut Law Journal on \_\_\_\_\_;**  
(Insert date of notice publication if publication was required by CGS Section 4-168.)
- 4) **And that a public hearing regarding the proposed regulations was held on \_\_\_\_\_;**  
(Insert date(s) of public hearing(s) held pursuant to CGS Section 4-168(a)(7), if any, or pursuant to other applicable statute.)
- 5) **And that said regulations are EFFECTIVE** (check one, and complete as applicable)
- When filed with the Secretary of the State
- OR**  on (insert date) \_\_\_\_\_

DATE	SIGNED (Head of Board, Agency or Commission)	OFFICIAL TITLE, DULY AUTHORIZED
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**APPROVED by the Attorney General as to legal sufficiency in accordance with CGS Section 4-169, as amended**

DATE	SIGNED (Attorney General or AG's designated representative)	OFFICIAL TITLE, DULY AUTHORIZED
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*Proposed regulations are **DEEMED APPROVED** by the Attorney General in accordance with CGS Section 4-169, as amended, if the attorney General fails to give notice to the agency of any legal insufficiency within thirty (30) days of the receipt of the proposed regulation.*

*(For Regulation Review Committee Use ONLY)*

- Approved  Rejected without prejudice
- Approved with technical corrections  Disapproved in part, (Indicate Section Numbers disapproved only)
- Deemed approved pursuant to CGS Section 4-170(c)

By the Legislative Regulation Review Committee in accordance with CGS Section 4-170, as amended	DATE	SIGNED (Administrator, Legislative Regulation Review Committee)
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**Two certified copies received and filed and one such copy forwarded to the Commission on Official Legal Publications in accordance with CGS Section 4-172, as amended.**

DATE	SIGNED (Secretary of the State)	BY
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*(For Secretary of the State Use ONLY)*

**GENERAL INSTRUCTIONS**

1. All regulations proposed for adoption, amendment or repeal, *except* emergency regulations, must be presented to the Attorney General for his/her determination of legal sufficiency. (See CGS Section 4-169.)
2. After approval by the Attorney General, the original and one electronic copy (in Word format) of all regulations proposed for adoption, amendment or repeal must be presented to the Legislative Regulation Review Committee for its action. (See CGS Sections 4-168 and 4-170 as amended by Public Act 11-150, Sections 18 and 19.)
3. Each proposed regulation section must include the appropriate regulation section number and a section heading. (See CGS Section 4-172.)
4. New language added to an existing regulation must be in underlining or CAPITAL LETTERS, as determined by the Regulation Review Committee. (See CGS 4-170(b).)
5. Existing language to be deleted must be enclosed in brackets [ ]. (See CGS 4-170(b).)
6. A completely new regulation or a new section of an existing regulation must be preceded by the word "(NEW)" in capital letters. (See CGS Section 4-170(b).)
7. The proposed regulation must have a statement of its purpose following the final section of the regulation. (See CGS Section 4-170(b).)
8. The Certification Statement portion of the form must be completed, including all applicable information regarding *Connecticut Law Journal* notice publication date(s) and public hearing(s). (See more specific instructions below.)
9. Additional information regarding rules and procedures of the Legislative Regulation Review Committee can be found on the Committee's web site: <http://www.cga.ct.gov/rr/>.
10. A copy of the Legislative Commissioners' Regulations Drafting Manual is located on the LCO website at [http://www.cga.ct.gov/lco/pdfs/Regulations\\_Drafting\\_Manual.pdf](http://www.cga.ct.gov/lco/pdfs/Regulations_Drafting_Manual.pdf).

**CERTIFICATION STATEMENT INSTRUCTIONS**

*(Numbers below correspond to the numbered sections of the statement)*

1. Indicate whether the regulation is a regular or an emergency regulation adopted under the provisions of CGS Section 4-168(f).
2.
  - a) Indicate whether the regulations contains newly adopted sections, amendments to existing sections, and/or repeals existing sections. Check all cases that apply.
  - b) Indicate the specific legal authority that authorizes or requires adoption, amendment or repeal of the regulation. If the relevant public act has been codified in the most current biennial edition of the *Connecticut General Statutes*, indicate the relevant statute number(s) instead of the public act number. If the public act has not yet been codified, indicate the relevant public act number.
3. Except for emergency regulations adopted under CGS 4-168(f), and technical amendments to an existing regulation adopted under CGS 4-168(g), an agency must publish notice of its intent to adopt a regulation in the *Connecticut Law Journal*. Enter the date of notice publication.
4. CGS Section 4-168(a)(7) prescribes requirements for the holding of an agency public hearing regarding proposed regulations. Enter the date(s) of the hearing(s) held under that section, if any; also enter the date(s) of any hearing(s) the agency was required to hold under the provisions of any other law.
5. As applicable, enter the effective date of the regulation here, or indicate that it is effective upon filing with the Secretary of the State. Please note the information below.

Regulations are effective upon filing with the Secretary of the State or at a later specified date. See CGS Section 4-172(b) which provides that each regulation is effective upon filing, or, if a later date is required by statute or specified in the regulation, the later date is the effective date. An effective date may not precede the effective date of the public act requiring or permitting the regulation. Emergency regulations are effective immediately upon filing with the Secretary of the State, or at a stated date less than twenty days thereafter.