

Georgia Occupational Regulation  
Review Council

House Bill 1479

*Foresters*

LC 51 0166S

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A Review of the Proposed Legislation

**DECEMBER 2022**

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# Executive Summary

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As provided in O.C.G.A. § 43-1A, the Georgia Occupational Regulation Review Council (Council) reviews all bills proposing licensure of a profession or business referred to by the chair of the legislative committee of reference. Accordingly, the Council, at the request of the chair of the House Natural Resources & Environment Committee, has reviewed House Bill 1479, which provides that the State Board of Registration for Foresters becomes an independent agency attached to the State Forestry Commission for administrative purposes.

During the course of this review, Council staff obtained information from the applicant group, the Georgia Forestry Association. The Council also obtained information from the Georgia State Board of Registration for Foresters, the Georgia Forestry Commission, and the Office of the Secretary of State. Time was also set aside for public comment at meetings.

O.C.G.A. § 43-1A-6 requires the Council to consider certain criteria when determining the need for the regulation of a business or profession. For this review, the Council used these criteria to guide the development of findings related to the licensure and regulation of foresters. The Council, with assistance from staff, developed the following findings during this review:

❖ **The practice of forestry requires specialized training.**

Foresters must meet certain education requirements, accumulate a specific level of experience dedicated to forestry, and pass an examination designed specifically for the profession of forestry to be eligible for registration. Due to the specialization of this field of work, foresters should continue to be regulated in the State of Georgia.

❖ **The State Board of Registration for Foresters, as currently operated within the Office of the Secretary of State, does not present a potential for harm.**

Due to the current cooperation between the Georgia Forestry Commission (GFC) and the Professional Licensing Board (PLB) on the low number of complaints investigated annually on behalf of the State Board of Registration for Foresters, the potential for harm is not apparent. The two entities should continue to work together to address bad actors in the industry.

❖ **The economic impact of removing the Georgia State Board of Registration for Foresters from within the Secretary of State's Office to be an independent budgetary unit would increase costs to do business for Georgians.**

Additional funds are needed to establish Georgia State Board of Registration for Foresters as an independent agency. This cost would be passed along to foresters through increased renewal fees or to the citizen through increased general fund appropriations. Additionally, removing the Georgia State Board of Registration for Foresters would hinder the economies of scale provided by the PLB. A trend that, if continued, would raise the cost of doing business in the state for many professions.

Based on these findings, the Council does not recommend HB 1479, LC 51 0166S pass as currently written. The vote was 4-3, with 2 members absent.

# Georgia Occupational Regulation Review Council Membership

2022

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## **Standing Members**

## **Representing**

Meaghan Carver, Chairwoman

Office of Planning and Budget

Kelly Dudley

State Accounting Office

Ashley Short

Department of Agriculture

Georgia Steele

Department of Revenue

Kate Iannuzzi

Department of Natural Resources

Megan Andrews

Department of Public Health

Sam Teasley

Office of the Secretary of State

## **Legislative Members**

Representative Steven Meeks

Georgia House of Representatives

Senator Larry Walker

Georgia State Senate

## Introduction

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House Bill (HB) 1479, sponsored by Representatives Corbett, Watson, Houston, Burns, and Dickey, amends Part 2 of Article 1 of Chapter 6 of Title 12 of the Official Code of Georgia Annotated, relating to the practice of professional forestry. This report focuses on providing information concerning the nature of the legislation and presents an assessment on the need for these proposed changes.

In conducting this review, the Georgia Occupational Regulation Review Council, referred to as the Council for the remainder of this report, solicited input from any interested party that wished to submit information or participate in the process. The applicant group, the Georgia Forestry Association, submitted a questionnaire in conjunction with the Georgia State Board of Registration for Foresters. This board is held within the Office of the Secretary of State's Professional Licensing Boards Division and oversees the regulation of the profession of forestry.

In addition, the Council reached out to other potentially interested groups, including the National Association of State Foresters, the University of Georgia School of Forestry & Natural Resources, and the Abraham Baldwin Agricultural College Department for Forest Resources. Council staff also performed additional analysis comparing the proposed changes in HB 1479 to the current licensure requirements for foresters and the location of forestry licensing boards in all fifty states.

The Council provided representatives from interested parties with the opportunity to present information during Council meetings, either by verbal presentation and/or through written material. The Council posted meeting dates, times, and locations to the Office of Planning and Budget website (<https://opb.georgia.gov/planning-and-evaluation/georgia-occupational-regulation-review-council>).

## Description of Proposed Legislation

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HB 1479 amends Part 2 of Article 1 of Chapter 6 of Title 12 of the Official Code of Georgia Annotated. The bill provides for the following:

- ❖ Provides that board members of the State Board of Registration for Foresters must also be confirmed by the Senate after being appointed by the Governor.
- ❖ Provides that the board will become a separate and distinct budget unit while being an attached agency for administrative purposes to the State Forestry Commission. The board shall not be under the jurisdiction of the Secretary of State, the State Forestry Commission, nor the director of the Professional Licensing Boards Division of the Secretary of State.
- ❖ Provides that the director of the State Forestry Commission shall serve as the secretary of the board for administrative purposes only.
- ❖ Adds a new section 3 which provides that the board may issue cease and desist orders prohibiting any person from violating the provisions of this respective title.

A summary of the bill can be found in Appendix A and a complete copy of the bill is located in Appendix B.

## Current Practices

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### *Definition of Foresters*

O.C.G.A. § 12-6-41 defines a “registered forester” as a person who has registered and is qualified to engage in professional forestry practices as defined in this Code section. “Professional forestry” refers to any professional service relating to forestry, such as investigation, evaluation, development of forest management plans or responsible supervision of forest management, forest protection, silviculture, forest utilization, forest economics, or other forestry activities in connection with any public or private lands<sup>1</sup>.

### *Education Requirements*

The minimum qualifications and requirements for registration as a licensed forester outlined in O.C.G.A. § 12-6-49 are as follows: Graduation with a baccalaureate degree from a school, college, or department of forestry approved by the board, passage of a board approved examination after graduation, and a specific record of an additional two years or more experience in forestry work of a character satisfactory to the board indicating that the applicant is competent to practice forestry. Such two years' experience need not be obtained on lands owned, leased, rented, or held by the applicant or by any person, corporation, agency, entity, or institution by which such applicant is employed, so long as the applicant works under supervision of a registered forester or under other supervision acceptable to the board; or graduation from a school of forestry not approved by the board or completion of a curriculum approved by the board in which the applicant has acquired a minimum of 40 quarter hours' credit, or its equivalent, in forestry subjects, provided that such applicant may be licensed only after acquiring two years' experience of a character satisfactory to the board and under the supervision of a registered forester or under other supervision acceptable to the board, and only after passing a board approved examination; provided, however, that an applicant who graduates on or after July 1, 1993, from a school of forestry not approved by the board or who, on or after July 1, 1993, completes a curriculum approved by the board in which the applicant has acquired a minimum of 40 quarter hours' credit, or its equivalent, in forestry subjects, may be licensed only after completing three years' experience of a character satisfactory to the board and under the supervision of a registered forester or under other supervision acceptable to the board and only after passing a board approved examination.

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<sup>1</sup> O.C.G.A. § 12-6-41(2)

## *The Georgia State Board of Registration for Foresters*

The Georgia State Board of Registration for Foresters was created in 1951 by the Georgia General Assembly for the purpose of regulating professional forestry. The Office of the Secretary of State's Professional Licensing Boards Division is the host agency of this board. Each of the members of the board are appointed by the Governor to terms which last for five years. The composition of the board is five members and one at-large member from the public. Each non-at-large member of the board shall be a citizen of the United States and a resident of Georgia and shall have been engaged in the practice of forestry for at least ten years. The board has the authority to enforce all fines issued by the board, address specific complaints, investigate, and administer disciplinary actions. Under HB 1479, the composition of the board remains unchanged, but its confirmation process, housing, and powers are altered. HB 1479 provides that: appointees by the Governor to the Georgia State Board of Registration for Foresters must now also be confirmed by the Senate; the board is removed from the Secretary of State's Office to become an independent state agency attached to the State Forestry Commission; and the board can now issue cease and desist orders and issue additional penalties for violations of this Code section. As of December 7, 2022, the Georgia State Board of Registration for Foresters currently has 891 foresters with active licenses.

## The Issue and Potential for Harm

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The concern that brought forth the pending legislation is that the applicant group, the Georgia Forestry Association (GFA), believes that the customer service currently provided by the Professional Licensing Boards Division (PLB) of the Secretary of State's Office is not adequately meeting the needs of the Georgia State Board of Registration for Foresters. GFA asserts that the primary reason for seeking to have the Georgia State Board of Registration for Foresters relocated to the Georgia Forestry Commission is to *"improve customer services and timely investigations of complaints"*<sup>2</sup>. GFA has contended that the Georgia Forestry Commission is better suited to handle the administrative oversight of the Board because it believes that the Georgia Forestry Commission will place its registration responsibilities in a higher priority.

The PLB Division manages 42 different licensing boards with a total of 186 different license types.<sup>3</sup> The Board of Registration for Foresters is part of the Trades 1 group which also includes the Georgia State Board of Architects and Interior Designers, the Georgia State Board of Registration for Professional Geologists, the Georgia State Board of Landscape Architects, the Georgia State Board of Chiropractic Examiners, and the Professional Engineers and Land Surveyors (PELS) Board. The boards held within the Trades 1 group share the same staff for their respective administrative functions. Table 1 includes the

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<sup>2</sup> GFA Applicant Survey Response

<sup>3</sup> Office of the Secretary of State's Website



active number of licenses provided by the boards who are held within the Trades 1 group of the PLB Division.

**Table 1: Active Licenses as of December 7, 2022<sup>4</sup>**

Boards	Licenses
Board of Architects and Interior Designers	5,512
Board of Registration for Foresters	891
Bord of Registration for Professional Geologists	1,054
Board of Landscape Architects	829
Board of Chiropractic Examiners	3,378
Professional Engineers and Land Surveyors Board	44,058*

\* Professional Engineers and Land Surveyors Board separated from SOS PLB as a result of HB 476 (2021 Session). PLB staff are continuing to oversee licensing until the Board receives funding.

HB 476 was passed during the 2021 legislative session establishing the PELS Board as an independent agency attached to the Secretary of State’s Office. SOS’s PLB staff are continuing to oversee licensing for PELS until the board is fully established as an attached agency. In the fiscal note for HB 476, it is anticipated that staffing costs for SOS will decline as a result of reduced workload. Two licensing analysts are devoted entirely to the work of PELS, with other SOS employees supporting multiple licensing boards. The two analysts have a total annual cost of approximately \$96,000. The remaining staff are estimated to allocate approximately \$89,000 of their total cost to PELS<sup>5</sup>. It is expected that once the PELS Board has been fully established, the remaining staff will have increased time to dedicate to the other boards, including the Georgia Board of Registration for Foresters.

The Georgia Board of Registration for Foresters and the PLB currently utilize some assistance from the GFC to facilitate their investigations. The PLB asks GFC investigators about what specific questions should be used to guide certain investigations involving foresters.<sup>6</sup> The existing GFC investigatory unit focuses mainly on various forestry-related crimes and wildland fires while also providing this aforementioned assistance to PLB’s investigations<sup>7</sup>. GFA asserts that the quality of the investigations administered by the PLB has suffered due to “*limitations in subject matter expertise*” of the PLB investigators<sup>8</sup>. The Board of Registration for Foresters provided testimony that they are receiving about one to two complaints annually regarding investigations. OPB research found that the Board of Registration for Foresters had three complaints submitted to the PLB investigations team in Fiscal Year 2022. These three investigations resulted in two board orders from the Attorney General of Georgia and one letter of concern respectively. Under the provisions of HB 1479, the GFC will assume responsibility for these investigations currently being administered by the PLB. GFC confirmed that the

<sup>4</sup> Office of the Secretary of State’s Website

<sup>5</sup> Fiscal Note for HB 476 LC 36 4701S – March 24, 2021

<sup>6</sup> GORRC Meeting Testimony December 9, 2022

<sup>7</sup> Georgia Forestry Commission’s Website

<sup>8</sup> GFA Applicant Survey Response

same investigators that are currently utilized for the various investigations regarding forestry-related crimes and wildland fires will administer these investigations for the board<sup>9</sup>.

GFC investigators have full arrest and enforcement authority in the State of Georgia<sup>10</sup>. These investigators are certified from the Georgia Peace Officers Standards and Training Council (POST) and are required to undergo specialized training to be able to conduct investigations relating to forestry. Currently, GFC investigators evaluate complaints related to timber transactions, suspected arson, crimes involving GFC properties, and other forestry-related crimes. The PLB's investigators are required to be POST certified but do not have specialized training related to forestry. With the specialized training aside, investigators of both agencies have the same POST certifications and the rights and privileges obtained through this certification. Including both agencies in forestry license related investigations provides an assurance that no preferential treatment is given. If the board is established as an administratively attached agency to GFC, documented operating and investigating procedures should be in place to address possible or perceived conflict of interest.

### *Fiscal Impact*

A fiscal note was requested for HB 1479, LC 51 0166S at the request of the council by Representative Corbett. Fiscal notes are requested by committee chairs during the legislative session and by members of the General Assembly when out of legislative session. Fiscal notes are written jointly by the Department of Audits & Accounts and the Office of Planning and Budget. It was estimated that there would be an annual cost of approximately \$90,000 for the newly attached agency<sup>11</sup>. This cost includes one full-time employee and any additional administrative costs. Since investigations will be covered by existing GFC investigators, no additional costs are added to the state. It is also estimated that one-time administrative costs of less than \$10,000 will be covered with existing GFC funds. These one-time administrative costs include rolling-over the SOS licensing website to GFC and branding.

With professions grouped together under the administration of the SOS PLB Division, the occupational licensing boards benefit from cost-savings through economies of scale. In effect, the state saves on contracts to service large quantities of boards. Separating the Georgia State Board of Registration for Foresters from the SOS would increase costs to do business in Georgia. Currently, foresters pay a biannual licensure renewal fee of \$80, resulting in approximately \$72,000 remitted to treasury every two years. To cover the added annual cost of \$90,000 to establish the board as an independent agency, additional appropriations would need to be made. Renewal fees would need to be increased by \$120 to be considered budget neutral and cover personnel costs.

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<sup>9</sup> GORRC Meeting Testimony November 30, 2022

<sup>10</sup> Georgia Forestry Commission's Website

<sup>11</sup> Fiscal Note for HB 1479 LC 51 0166S

### *Host Agencies in Other States for Forestry Regulation*

HB 1479 provides for the relocation of the Georgia State Board of Registration for Foresters from the Office of the Secretary of State’s Professional Licensing Boards Division to the State Forestry Commission. The Board would operate as a separate and distinct budget unit but would be attached to the Commission for administrative purposes. OPB staff conducted research to assess the general trends in the administrative housing of the forestry licensing boards across the country. Out of the 18 states that license forestry as a profession, only 16 have boards that oversee the licensure of foresters. These states are: Alabama, Arkansas, California, Georgia, Maine, Maryland, Massachusetts, Michigan, Mississippi, New Hampshire, New Jersey, North Carolina, Oklahoma, South Carolina, Virginia, and West Virginia. In these 16 states, 6 states host their board in a forestry related agency, 4 states in the Secretary of State or licensing agency, 4 states in an agriculture agency, and 2 states in their Department of Labor. Connecticut and Vermont both license foresters, but they do not have a formal board that oversees the process. The breakdown for the 16 states that have boards who license forestry as a profession is shown in the table below.

**Table 2: Host Agencies for State Licensing Boards of Foresters**

<b>State</b>	<b>Host Agency</b>
Alabama	Alabama State Board of Registration for Foresters
Arkansas	Department of Agriculture
California	Department of Forestry and Fire Protection
Georgia	Office of Secretary of State
Maine	Department of Professional and Financial Regulation
Maryland	Department of Labor
Massachusetts	Department of Conservation
Michigan	Department of Natural Resources
Mississippi	Mississippi Board of Registration for Foresters
New Hampshire	Office of Licensing
New Jersey	Department of Environmental Protection
North Carolina	Office of Secretary of State
Oklahoma	Department of Agriculture, Food, and Forestry
South Carolina	Department of Labor
Virginia	Department of Forestry
West Virginia	West Virginia Board of Registration for Foresters

## Findings

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Pursuant to O.C.G.A. § 43-1A-6, the Georgia Occupational Regulation Review Council must review bills under their consideration according to the following criteria:

- ❖ Whether the unregulated practice of the occupation may harm or endanger the health, safety, and welfare of citizens of this state and whether the potential for harm is recognizable and not remote;
- ❖ Whether the practice of the occupation requires specialized skill or training and whether the public needs and will benefit by assurances of initial and continuing occupational ability;
- ❖ Whether the citizens of this state are or may be effectively protected by other means;
- ❖ Whether the overall cost effectiveness and economic impact would be positive for citizens of this state; and
- ❖ Whether there are means other than state regulation to protect the interests of the state.

Based on this set of criteria, the Council has reviewed HB 1479, which makes the State Board of Registration for Foresters an independent agency attached to the State Forestry Commission for administrative purposes only. In doing so, the Council developed the following findings:

❖ **The practice of forestry requires specialized training.**

Foresters must meet certain education requirements, accumulate a specific level of experience dedicated to forestry, and pass an examination designed specifically for the profession of forestry to be eligible for registration. Due to the specialization of this field of work, foresters should continue to be regulated in the State of Georgia.

❖ **The State Board of Registration for Foresters, as currently operated within the Office of the Secretary of State, does not present a potential for harm.**

Due to the current cooperation between the Georgia Forestry Commission (GFC) and the Professional Licensing Board (PLB) on the low number of complaints investigated annually on behalf of the State Board of Registration for Foresters, the potential for harm is not apparent. The two entities should continue to work together to address bad actors in the industry.

❖ **The economic impact of removing the Georgia State Board of Registration for Foresters from within the Secretary of State's Office to be an independent budgetary unit would increase costs to do business for Georgians.**

Additional funds are needed to establish Georgia State Board of Registration for Foresters as an independent agency. This cost would be passed along to foresters through increased

renewal fees or to the citizen through increased general fund appropriations. Additionally, removing the Georgia State Board of Registration for Foresters would hinder the economies of scale provided by the PLB. A trend that, if continued, would raise the cost of doing business in the state for many professions.

## Recommendation

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Based on these findings, the Council does not recommend HB 1479, LC 51 0166S pass as currently written. The vote was 4-3, with 2 members absent.

## Appendix A: Summary of Proposed Legislation

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### **Summary of HB 1479**

- This bill would amend Part 2 of Article 1 of Chapter 6 of Title 12 of the Official Code of Georgia Annotated.
- The bill adds that board members of the State Board of Registration for Foresters must also be confirmed by the Senate after being appointed by the Governor.
- The bill changes the recipient of each board members' written oath or affirmation from the Secretary of State to the director of the State Forestry Commission.
- The bill provides that the board will become a separate and distinct budget unit while being an attached agency for administrative purposes to the State Forestry Commission. The board shall not be under the jurisdiction of the Secretary of State, the State Forestry Commission, nor the director of the professional licensing boards division of the Secretary of State.
- The bill provides that the director of the State Forestry Commission shall serve as the secretary of the board for administrative purposes only.
- The bill adds a new section 3 which provides that the board may issue cease and desist orders prohibiting any person from violating the provisions of this respective title.

## Appendix B: Complete Text of House Bill 1479 (LC 51 0166S)

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### A BILL TO BE ENTITLED

### AN ACT

1 To amend Part 2 of Article 1 of Chapter 6 of Title 12 of the Official Code of Georgia  
2 Annotated, relating to the practice of professional forestry, so as to provide that the State  
3 Board of Registration for Foresters is an independent state agency attached to the State  
4 Forestry Commission for administrative purposes only; to require confirmation of the Senate  
5 for members of the State Board of Registration for Foresters appointed by the Governor; to  
6 authorize the board to issue cease and desist orders and issue additional penalties for  
7 violations; to provide for related matters; to repeal conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 SECTION 1.

10 Part 2 of Article 1 of Chapter 6 of Title 12 of the Official Code of Georgia Annotated, relating  
11 to the practice of professional forestry, is amended by revising Code Section 12-6-42, relating  
12 to creation, appointment of members, certificate of appointment, oath, and term of office of  
13 the State Board of Registration for Foresters, as follows:

14 "12-6-42.

15 (a) A State Board of Registration for Foresters is created whose duty it shall be to  
16 administer this part.

17 (b) The board shall consist of five foresters who shall be selected and appointed by the  
18 Governor and confirmed by the Senate and who shall have the qualifications required by  
19 Code Section 12-6-43.

20 (c) In addition to the five members provided for in subsection (b) of this Code section, the  
21 board shall consist of a sixth member who shall be appointed for terms of five years by the

22 Governor from the public at large and who shall have no connection whatsoever with the  
23 practice of professional forestry. ~~The initial term of appointment for the additional member~~  
24 ~~provided for by this subsection shall expire June 30, 1985; thereafter, the Governor shall~~  
25 ~~appoint successors for terms of five years each.~~

26 (d) Every member of the board shall receive a certificate of his or her appointment from the  
27 Governor and before beginning his or her term of office shall file with the ~~Secretary of State~~  
28 director of the State Forestry Commission his or her written oath or affirmation for the  
29 faithful discharge of his or her official duty.

30 (e) The five members of the board shall be appointed for terms of five years. On the  
31 expiration of the term of any member of the board, the Governor shall in the manner  
32 provided in this Code section appoint for a term of five years a registered forester having  
33 the qualifications required by Code Section 12-6-43 to take the place of the member whose  
34 term on the board is expiring. Each member shall hold office until the expiration of the term  
35 for which that member is appointed or until a successor shall have been duly appointed and  
36 shall have qualified.

37 (f) On and after January 1, 2023, the board shall be a separate and distinct budget unit as  
38 defined in Part 1 of Article 4 of Chapter 12 of Title 45, the 'Budget Act'; provided, however,  
39 that the board shall be an attached agency for administrative purposes only to the State  
40 Forestry Commission as provided in Code Section 50-4-3 and shall not be considered a  
41 division as that term is defined in Code Section 43-1-1. The board shall neither be under  
42 the jurisdiction of the Secretary of State or the State Forestry Commission nor be under the  
43 direction of the director of the professional licensing boards division of the Secretary of  
44 State.

45 (g) The responsibility for enforcement of the provisions of this chapter shall be vested in  
46 the board, and the board shall have all of the duties, powers, and authority granted by or  
47 necessary for the administration and enforcement of this chapter.



48 (h) The venue of any action involving members of the board shall be the county in which  
49 is found the primary office of the board."

50 SECTION 2.

51 Said part is further amended by revising Code Section 12-6-46, relating to meetings of the  
52 State Board of Registration for Foresters, as follows:

53 "12-6-46.

54 The board shall hold meetings as necessary. The board shall elect or appoint annually a  
55 ~~chairman and a vice-chairman~~ chairperson and a vice-chairperson. ~~The division director of~~  
56 ~~the professional licensing boards division, as provided in Chapter 1 of Title 43, director of~~  
57 ~~the State Forestry Commission,~~ shall serve as secretary of the board in the same manner as  
58 provided by Code Sections 43-1-1 and 43-1-2 for administrative purposes only."

59 SECTION 3.

60 Said part is further amended by adding a new Code section to read as follows:

61 "12-6-60.1.

62 (a) Notwithstanding any other provisions of the law to the contrary, after notice and  
63 hearing, the board may issue a cease and desist order prohibiting any person from violating  
64 the provisions of this title by engaging in the practice of professional forestry without a  
65 license.

66 (b) The violation of any cease and desist order issued under subsection (a) of this Code  
67 section shall subject the person violating the order to further proceedings before the board,  
68 and the board shall be authorized to impose a fine not to exceed \$500.00 for each  
69 transaction constituting a violation thereof. Each day that a person practices in violation of  
70 this title shall constitute a separate violation.

71 (c) Initial judicial review of the decision of the board entered pursuant to this Code section  
72 shall be available solely in the superior court of the county of domicile of the board.

73 (d) Nothing in this Code section shall be construed to prohibit the board from seeking

74 remedies otherwise available by statute without first seeking a cease and desist order in  
75 accordance with the provisions of this Code section."

76 SECTION 4.

77 All laws and parts of laws in conflict with this Act are repealed.

## Appendix C: Fiscal Note for House Bill 1479 (LC 51 0166S)

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**DOAA**  
Georgia Department  
of Audits & Accounts

Greg S. Griffin  
State Auditor

December 15, 2022

Honorable John Corbett  
Chairman, Motor Vehicles  
131-B State Capitol  
Atlanta, Georgia 30334

SUBJECT: Fiscal Note  
House Bill 1479 (LC 51 0166S)

Dear Chairman Corbett:

In the 2021-2022 Regular Session, HB 1479 was proposed to provide that the State Board of Registration for Foresters (SBRF) become an independent, distinct budget unit attached to the Georgia Forestry Commission (GFC) for administrative purposes only. It would not be under jurisdiction of the State Forestry Commission or the office of the Secretary of State. The bill would also make the board members, who are appointed by the governor, subject to Senate approval. Finally, the SBRF would be authorized to issue cease and desist orders and additional penalties for persons in violation from practicing professional forestry without a license.

GFC estimated an annual cost of approximately \$90,000 for the newly attached entity. <sup>1</sup>This includes one full-time employee at an estimated salary and benefits between \$75,000 to \$85,000, plus additional funds for administrative costs. Investigations will be conducted by existing GFC investigators, meaning that there are no additional costs to the state. The cost of administering and operating the SBRF under the Secretary of State's office is currently offset by biennial fees paid by the 891 licensed foresters at year end of each odd numbered year. These fees are remitted to the treasury. Based on an \$80 biennial renewal fee, collections would be approximately \$72,000 every two years.

GFC estimates one-time administrative costs of less than \$10,000 (e.g., including roll-over of SOS licensing website to GFC, branding, etc.) that will be covered with existing GFC funds.

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<sup>1</sup> The SBRF was requested to provide expected costs but agreed with the amounts provided by GFC.

However, it is unclear if the SBRF will need to obtain licensing software. Other agencies that license occupations typically require licensing software, which can cost in excess of \$100,000 annually, but those agencies have significantly more licensees. GFC officials stated that they would be able to absorb the cost of any licensing migration and software needs.

We contacted the Office of the Secretary of State about potential reduction in costs and revenue but did not receive a response. Given the relatively small number of licensed foresters, it is possible that the transfer of the board will not significantly impact staffing requirements for the professional licensing division.

Respectfully,



Greg S. Griffin  
State Auditor



Kelly Farr, Director  
Office of Planning and Budget

GSG/KF/ia