



Sunset Report  
**Alabama State  
Board of Registration  
for Foresters**  
Montgomery, Alabama

October 1, 2020 through September 30, 2024

ALABAMA DEPARTMENT OF  
**EXAMINERS** of Public Accounts

Rachel Laurie Riddle, Chief Examiner | 334-777-0500 | [www.alexaminers.gov](http://www.alexaminers.gov)





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Rachel Laurie Riddle  
*Chief Examiner*

August 20, 2025

Sunset Committee  
Alabama State House  
Montgomery, Alabama 36130

Dear Committee Members:

This report was prepared to provide information for use by the Sunset Committee in conducting its review and evaluation of the operations of the Alabama State Board of Registration for Foresters in accordance with the ***Code of Alabama 1975***, Section 41-20-9.

The report contains unaudited information obtained from the management, staff, and records of the Alabama State Board of Registration for Foresters in addition to information obtained from other sources.

Please contact me if you have any questions concerning this report.

Sincerely,



Rachel Laurie Riddle  
Chief Examiner

**Examiner**  
Karen McClure



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## **PROFILE**

### **Purpose/Authority**

The Alabama State Board of Registration for Foresters (the “Board”) was created by Act Number 1957-533, Acts of Alabama, to license and regulate the professional practice of forestry in Alabama. Current statutory authority for the Board is found in the ***Code of Alabama 1975***, Section 34-12-1 through 34-12-37.

**The following Acts passed since the last sunset review have been codified in the Board’s current statutory authority.**

Act Number 2021-412, Acts of Alabama, relating to the Alabama State Board of Registered Foresters; to amend Section 34-12-31, ***Code of Alabama 1975***, to eliminate the requirement that members of the Board be members of the Society of American Foresters.

Act Number 2021-433, Acts of Alabama, relating to foresters; to amend Section 34-12-30, ***Code of Alabama 1975***, to assign the responsibility of nominating successor members of the State Board of Registration for Foresters to both the Division of the Society of American Foresters and any active state forestry organization meeting certain criteria established by the Board.

Act Number 2021-434, Acts of Alabama, relating to the State Board of Registration for Foresters; to amend Section 34-12-36, ***Code of Alabama 1975***, to provide for the sale of the nominal marketing or promotional items by the Board; and to provide for the deposit and use of the funds received from the sale.

Act Number 2021-435, Acts of Alabama, relating to the Alabama Board of Registration for Foresters; to amend Section 34-12-34 of the ***Code of Alabama 1975***, to allow the Board to call special meetings in accordance with its bylaws.

Act Number 2021-436, Acts of Alabama, relating to the Alabama State Board of Registered Foresters; to amend Section 34-12-8, ***Code of Alabama 1975***, to grant discretion to the Board to relax or suspend the continuing annual education requirement of its licensees on a case by case basis in the event of extenuating circumstances.

<u>Characteristics</u>	
<b>Members and Selection</b>	The Board's membership is comprised of 5 foresters appointed by the Governor. Members are selected from a list of three nominees recommended by the Alabama Division of the Society of American Foresters and any active state forestry organization meeting criteria established by the Board.  <i>Code of Alabama 1975</i> , Section 34-12-30(a)
<b>Term</b>	Members serve five-year staggered terms. No member can serve more than two full consecutive terms.  <i>Code of Alabama 1975</i> , Section 34-12-30(a)
<b>Qualifications</b>	Members must be: <ul style="list-style-type: none"> <li>• A citizen of the United States and a resident of the State of Alabama.</li> <li>• A registered forester that has been engaged in the practice of the profession of forestry for the last 10 years prior to such appointment.</li> </ul> <i>Code of Alabama 1975</i> , Section 34-12-31
<b>Consumer Representation</b>	No specific statutory requirement.
<b>Racial Representation</b>	No specific statutory requirement. One minority member is currently serving.
<b>Geographical Representation</b>	No specific statutory requirement.
<b>Other Representation</b>	The membership of the Board shall be inclusive and reflect the racial, gender, geographical, urban/rural, and economic diversity of the state.  <i>Code of Alabama 1975</i> , Section 34-12-30(b)
<b>Compensation</b>	Members receive \$50.00 per diem when attending to the work of the Board or any of its committees and for the time spent on necessary travel. Additionally, members are reimbursed for traveling expenses in the same manner as paid to state employees.  <i>Code of Alabama 1975</i> , Section 34-12-32
<b>Attended Board Member Training</b>	One Board member.

<u>Operations</u>	
<b>Administrator</b>	Nicole Horn, Administrative Manager Appointed by the Board Current salary of \$50,253.60, set by the Board.  <i>Code of Alabama 1975</i> , Section 34-12-36(b)
<b>Location</b>	513 Madison Avenue Montgomery, AL 36130-4500  Office Hours: Monday through Friday 8:00 am – 4:00 pm.
<b>Real Property Ownership</b>	The Board does not own any real property.
<b>Employees</b>	One full-time employee.
<b>Legal Counsel</b>	The Attorney General of the state and his or her assistants shall act as legal advisers for the Board and render legal assistance as may be necessary.  Olivia Martin, Esq., Assistant Attorney General, an employee of the Attorney General's Office, serves as the Board's legal counsel.  <i>Code of Alabama 1975</i> , Section 34-12-12(a)
<b>Subpoena Power</b>	The Board may, under the hand of its chairman and the seal of the Board, subpoena witnesses and compel their attendance and may also require them to produce books, papers, maps, or documents.  <i>Code of Alabama 1975</i> , Section 34-12-35
<b>Internet Presence</b>	www.asbrf.alabama.gov  The Board's website has a calendar showing renewal dates, application and exam due dates, and the Board's meeting dates. There is a section dedicated to news including current and past newsletters. The website also includes the Board's statutes and rules and links for public records requests. The website has detailed instructions for licensees on the application and renewal process, and continuing education requirements. A searchable licensee database is also included on the website. The Board's meeting minutes are not available on the website.

<b><u>Financial</u></b>	
<b>Source of Funds</b>	Licensing fees and the sale of promotional items.  The Board is authorized to accept all gifts, bequests, or donations.  <i>Code of Alabama 1975</i> , Section 34-12-36
<b>State Treasury</b>	Yes, Special Revenue Fund 0361.
<b>Required Distributions</b>	None.
<b>Unused Funds</b>	The Board retains unused funds at fiscal year-end.
<b><u>Licensure</u></b>	
<b>Licensees</b>	As of December 23, 2024:  1,020 Registered Foresters  <i>Source:</i> Staff
<b>Licensure Qualifications</b>	Applicants for licensure must: <ul style="list-style-type: none"> <li>• Hold a bachelor's or higher degree from a school approved by the Board or accredited by the Society of American Foresters.</li> <li>• Have passed an examination.</li> <li>• Have a specific record of two years or more of experience in the practice of forestry of a nature satisfactory to the Board.</li> <li>• Be a person of good character and reputation.</li> <li>• Be a citizen of the United States or legally present.</li> </ul> <i>Code of Alabama 1975</i> , Section 34-12-4

<b>Examinations</b>	<p>Written examinations are prepared and graded by a consultant contracted with the Board. Currently, the Board contracts with Dr. Scott A. Enebak to grade written examinations on an as-needed basis and update the Board's examination question bank on a continuous basis to ensure the questions are accurate, comprehensive and relevant.</p> <p>Exams are given quarterly at the Board's office in Montgomery, and once a year at Auburn University. Examination fees are paid directly to the Board.</p> <p>Alabama educational institutions offering a bachelor's degree in forestry are Auburn University and Alabama A &amp; M.</p> <table border="1"> <thead> <tr> <th colspan="4">Examination Pass/Fail Rates at Board Offices</th></tr> <tr> <th>Year</th><th># Applicants</th><th># Passed</th><th>% Passed</th></tr> </thead> <tbody> <tr> <td>2021</td><td>7</td><td>4</td><td>57%</td></tr> <tr> <td>2022</td><td>3</td><td>2</td><td>67%</td></tr> <tr> <td>2023</td><td>11</td><td>10</td><td>91%</td></tr> <tr> <td>2024</td><td>3</td><td>3</td><td>100%</td></tr> </tbody> </table> <p>Examinations given at the Board's office can include applicants or graduates from any school, in-state or out-of-state. No oral exams were given.</p> <table border="1"> <thead> <tr> <th colspan="4">Examination Pass/Fail Rates at Auburn University</th></tr> <tr> <th>Year</th><th># Applicants</th><th># Passed</th><th>% Passed</th></tr> </thead> <tbody> <tr> <td>2021</td><td>22</td><td>20</td><td>91%</td></tr> <tr> <td>2022</td><td>24</td><td>17</td><td>71%</td></tr> <tr> <td>2023</td><td>33</td><td>27</td><td>82%</td></tr> <tr> <td>2024</td><td>25</td><td>22</td><td>88%</td></tr> </tbody> </table> <p>Examinations given at Auburn University are Auburn University graduates. No oral exams were given.</p> <p><b><i>Code of Alabama 1975</i>, Section 34-12-6</b>  <b><i>Source:</i></b> Staff</p>	Examination Pass/Fail Rates at Board Offices				Year	# Applicants	# Passed	% Passed	2021	7	4	57%	2022	3	2	67%	2023	11	10	91%	2024	3	3	100%	Examination Pass/Fail Rates at Auburn University				Year	# Applicants	# Passed	% Passed	2021	22	20	91%	2022	24	17	71%	2023	33	27	82%	2024	25	22	88%
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<b>Reciprocity</b>	<p>A registered forester may be granted reciprocity to practice in Alabama provided the state or country in which he or she is licensed:</p> <ul style="list-style-type: none"> <li>• Has standards for licensing comparable to Alabama and acceptable to the Board.</li> <li>• Observes these same rules of reciprocity in regard to persons licensed under Alabama Foresters statutes.</li> </ul> <p>The Board has reciprocal agreements with Arkansas, Georgia, Mississippi, South Carolina, and North Carolina.</p> <p><b><i>Code of Alabama 1975</i>, Section 34-12-11(a)</b>  <b><i>Source:</i></b> Staff</p>
<b>Renewals</b>	<p>Licenses expire annually on September 30<sup>th</sup>.</p> <p>Renewals completed after September 30<sup>th</sup> but before December 31<sup>st</sup> are subject to a late renewal fee set by the Board.</p> <p>A licensee who fails to renew by December 31<sup>st</sup> is subject to have his or her license revoked.</p> <p>100% of licensees renewed online in FY 2024.</p> <p><b><i>Code of Alabama 1975</i>, Section 34-12-8</b>  <b><i>Source:</i></b> Staff</p>
<b>Licensee Demographics</b>	<p>Data not collected by agency.</p> <p><b><i>Source:</i></b> Staff</p>
<b>Continuing Education</b>	<p>Each renewal requires an annual minimum of 10 Continuing Forestry Education hours accrued from the prior two years at the license expiration date.</p> <p>The continuing education program herein required shall not apply to any licensee who is 65 years of age or older.</p> <p><b><i>Code of Alabama 1975</i>, Section 34-12-8(b)</b>  <b><i>Administrative Rule 380-X-6-.04(1)</i></b></p>

## **SIGNIFICANT ISSUES**

**Significant Issue 2025-001: The Board has a diminishing unobligated fund balance.** The unobligated fund balance decreased from \$106,906.69 in FY 2021 to \$71,482.94 in FY 2024, a decrease of \$35,423.75 (33.14%). The decrease appears to be related to a 13% increase in the Board's expenditures contrasting with only a 4% increase in revenue for the same period.

**Significant Issue 2025-002: The Board did not always deposit checks received in a timely manner.** Forty deposits comprised of both online payments and checks were selected for review. These deposits contained 254 checks; 188 checks (74%) were deposited from 6 up to 38 business days after receipt. Failure to promptly deposit checks and money orders in a timely manner unnecessarily increases the risk of loss or misuse of state funds.

## **SIGNIFICANT ISSUES FROM QUESTIONNAIRES**

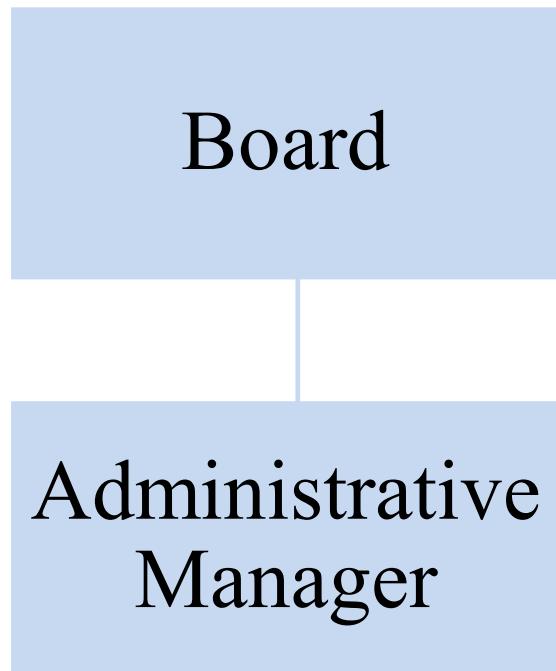
**Significant Issue 2025-003: Thirty-two licensees responded to our survey and the following items were noted:**

- Ten of thirty-two (31%) licensees responding to our survey consider the market for timber, pulpwood, pulp mills, etc. as the most significant issue facing the profession in Alabama.
- Seven of thirty-two (22%) licensees responding to our survey do not consider mandatory continuing education necessary for the competent practice of their profession.

## **STATUS OF PRIOR FINDINGS/SIGNIFICANT ISSUES**

All prior findings/significant issues have been resolved.

## **ORGANIZATION**



## **PERSONNEL**

### **Employees**

The Board employs one white female as the Administrative Manager with an annual salary of \$50,253.60.

### **Legal Counsel**

The Board has an agreement with the Attorney General's Office to provide legal services. Olivia W. Martin, Esq., Assistant Attorney General, an employee of the Attorney General's Office, serves as the Board's legal counsel.

### **Consultant**

The Board contracted with Dr. Scott A. Enebak to grade written examinations on an as needed basis and update the Board's examination question bank on a continuous basis to ensure the questions are accurate, comprehensive and relevant. The contract compensated Dr. Enebak \$5,000.00 annually at a flat rate of \$1,250.00 per quarter. Additionally, the contract allowed up to \$3,000.00 per year for mileage, per diem, and any other necessary miscellaneous out-of-pocket expenses for which receipts are submitted. Total compensation and expenses under the contract was capped at \$16,000.00. This contract expired on June 30, 2025.

## **PERFORMANCE CHARACTERISTICS**

### **Number of Licensees for the Past Four Fiscal Years**

<b>Type of License</b>	<b>Fiscal Year</b>			
	<b>2021</b>	<b>2022</b>	<b>2023</b>	<b>2024</b>
Foresters	986	990	998	1,016

**Operating Disbursements per Licensee (FY 2024): \$151.48**

### **Fines/Penalties as a Percentage of Operating Receipts**

The Board did not collect fines or penalties during the examination period.

### **Notification of Board Decisions to Amend Administrative Rules**

The Board complied with notification procedures prescribed in the Administrative Procedure Act, which includes publication of proposed rules in the Administrative Monthly, and public hearings on proposed rules. Licensees are not specifically notified of proposed changes.

## **COMPLAINT HANDLING**

The ***Code of Alabama 1975***, Section 34-12-9 and ***Administrative Rules*** 380-X-5-.01 and 380-X-5-.02 provide the Board's procedures for documentation, receipt, and investigation of complaints against non-registered and registered Foresters.

<b>Initial Contact/Documentation</b>	The complaint forms are available on the Board's website and provided by the Office Manager upon request. Complaints must be signed and notarized. The Board notifies the complainant that the complaint has been received by the Board in writing.
<b>Anonymous Complaints Accepted</b>	No.
<b>Investigative Process/Probable Cause Determination</b>	<p>The Board's Chairman of the Violations Committee (CVC) and the Chairman of the Board (CB) handle investigations.</p> <p>Should the CVC and CB agree that no action should be taken, said decision will be noted in the file and the complainant notified in writing. Such a decision will be reviewed by the Board at its next scheduled meeting.</p> <p>Should the CVC and CB agree action should be taken, the CVC will notify the unlicensed party to "cease and desist" the alleged activity citing the pertinent sections of the Board's code requiring a response within ten days of receipt affirming compliance with the law.</p> <p>Upon completion of the investigation, the case is reviewed by the Board. Should the Board find that the allegations have merit, then charges will be preferred, and a formal hearing will be scheduled within three months.</p>
<b>Negotiated Settlements</b>	No.
<b>Notification of Resolution to the Complainant</b>	The Board notifies complainants of its resolution of the complaint in a letter by mail.

**Source:** Staff

### **Complaint Data**

<b>Schedule of Complaints Resolved Fiscal Year 2021 through 2024</b>					
<b>Year/Number of Complaints Received</b>	<b>Year/Number Resolved</b>				
	<b>2021</b>	<b>2022</b>	<b>2023</b>	<b>2024</b>	<b>2025</b>
2021 / 3	1	2			
2022 / 0					
2023 / 1			1		
2024 / 2				1	1
<b>Source:</b> Staff					

**Average Time to Resolve Complaints** - 99 business days.

### **Disposition of Resolved Complaints**

<b>Number of Complaints</b>	<b>Resolution</b>
2	No action taken – complainant nonresponsive
3	No jurisdiction
1	Dismissed

### **REGULATION IN CONJUNCTION WITH OTHER ENTITIES**

None.

## **FINANCIAL INFORMATION**

### **Source of Funds**

Application, licensure, and examination fees are deposited into the Board's Special Revenue Fund maintained in the State's Treasury. The Board's fees are set out in ***Administrative Rule*** 380-X-1-09.

### **Schedule of Fees**

<b>Fee Type/Purpose</b>	<b>Statutory Authority</b>	<b>Amount Authorized</b>	<b>Amount Collected</b>
Registration/Application Fee	34-12-5	≤ \$200.00	\$60.00
Reinstatement Application Fee	34-12-9	≤ twice the Renewal Fee	\$150.00
Re-examination Fee	34-12-6	≤ \$100.00	\$100.00
Renewal Fee	34-12-8(a)	≤ \$200.00	\$150.00
Late Fee	34-12-8(a)	≤ twice the Renewal Fee	\$100.00
License Replacement Fee (Certificate)	34-12-9	≤ \$50.00	\$50.00
Printed Roster	34-12-3	Determined by the Board	\$10.00
Registered Forester Window Decal (Auto)	Cost recovery	Determined by the Board	\$1.00
Bad Check Fee	8-8-15(b)	≤ \$30.00	\$30.00

Reciprocal Application Fees are the same amount as charged to Alabama applicants in the reciprocal states as authorized by ***Code of Alabama 1975***, Section 34-12-11(b):

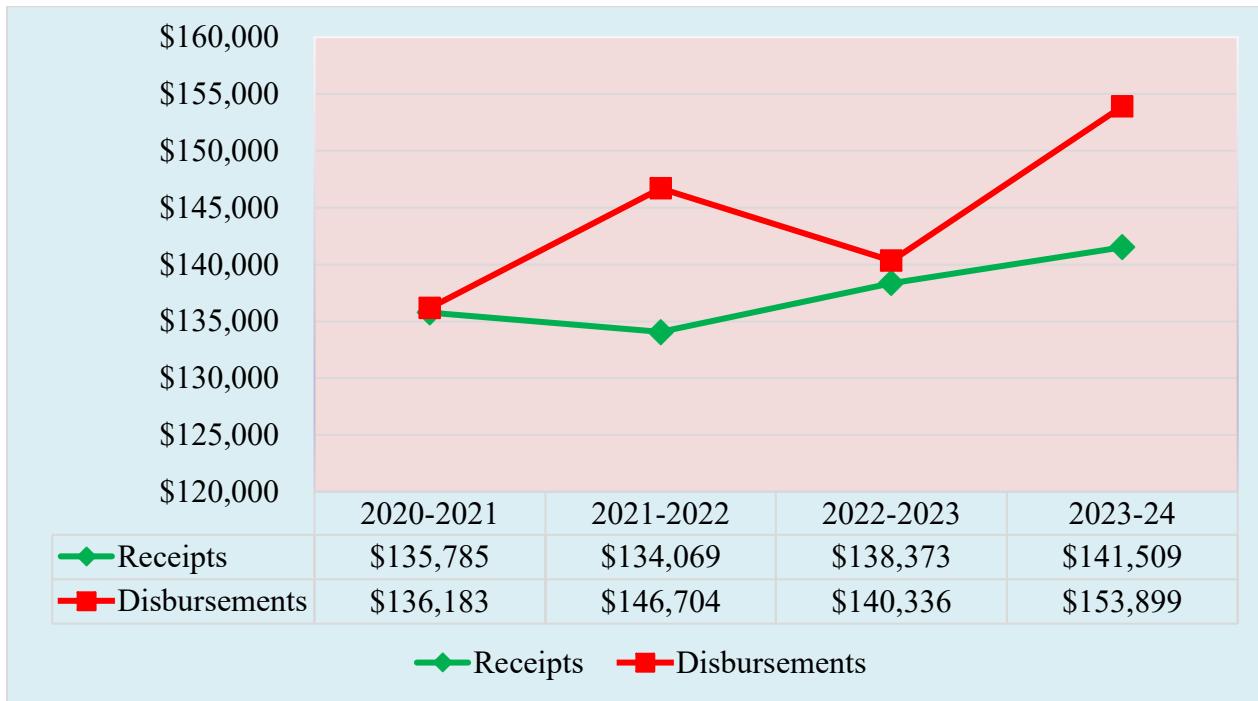
<b>Reciprocal State</b>	<b>Fee Collected</b>
Arkansas	\$80.00
Georgia	\$20.00
Mississippi	\$50.00
North Carolina	\$90.00
South Carolina	\$180.00

## **Schedule of Receipts, Disbursements and Balances**

October 1, 2020 through September 30, 2024

	<b>2020 - 2021</b>	<b>2021 - 2022</b>	<b>2022 - 2023</b>	<b>2023 - 2024</b>
<b><u>Receipts</u></b>				
Application and Licensure Fees	\$135,785.00	\$133,647.86	\$138,349.99	\$141,337.99
Sales of Promotional Items	420.92	23.00	171.00	
<b>Total</b>	<b>135,785.00</b>	<b>134,068.78</b>	<b>138,372.99</b>	<b>141,508.99</b>
<b><u>Disbursements</u></b>				
Personnel Costs	89,205.00	92,059.60	95,021.60	100,940.70
Employee Benefits	30,743.14	31,469.23	32,239.69	35,141.80
Travel In, State	3,205.83	2,884.69	1,569.84	1,826.15
Travel Out of State			1,577.64	1,452.88
Repairs & Maintenance	105.00	315.00		
Utilities & Communication	2,192.45	1,978.63	827.41	1,588.69
Professional Services	6,888.31	8,712.77	6,728.99	10,071.41
Supplies, Materials & Operating Expenses	3,775.74	6,670.13	2,345.41	2,852.13
Grants & Benefits		25.00	25.00	25.00
Other Equipment Purchases	67.57	2,589.00		
<b>Total</b>	<b>136,183.04</b>	<b>146,704.05</b>	<b>140,335.58</b>	<b>153,898.76</b>
Excess (Deficiency) of Receipts over Disbursements	(398.04)	(12,635.27)	(1,962.59)	(12,389.77)
Cash Balance at Beginning of Year	117,201.73	116,803.69	104,168.42	102,205.83
Cash Balance at End of Year	116,803.69	104,168.42	102,205.83	89,816.06
Reserved for Year-End Obligations	(9,897.00)	(10,552.38)	(8,300.01)	(18,333.12)
Unobligated Cash Balance at End of Year	<u>\$106,906.69</u>	<u>\$93,616.04</u>	<u>\$93,905.82</u>	<u>\$71,482.94</u>

## Operating Receipts vs. Operating Disbursements

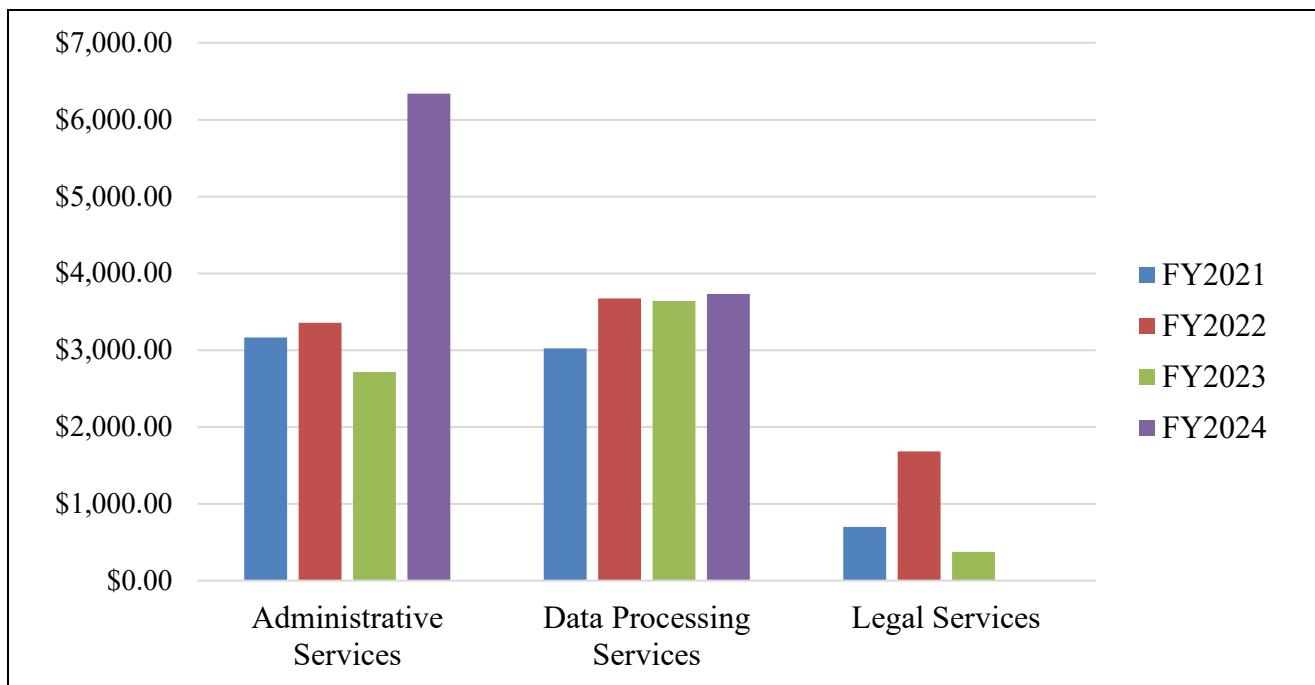


### **Summary Schedule Of Professional Services Disbursements\***

<b>As of September 30<sup>th</sup></b>				
<b>Type of Service</b>	<b>FY 2021</b>	<b>FY 2022</b>	<b>FY 2023</b>	<b>FY 2024</b>
Administrative	\$ 3,164.15	\$ 3,356.93	\$ 2,711.87	\$ 6,342.29
Data Processing	3,024.16	3,675.84	3,642.12	3,729.12
Legal Services	700.00	1,680.00	375.00	
<b>Total Professional Services</b>	<b>\$ 6,888.31</b>	<b>\$ 8,712.77</b>	<b>\$ 6,728.99</b>	<b>\$ 10,071.41</b>

\*Detailed information presented in Appendix II of this report.

### **Professional Services Disbursements**



## **QUESTIONNAIRES**

### **Board Member Questionnaire**

A letter was sent to nine current and former members of the Alabama State Board of Registration for Foresters requesting participation in our survey. Four participated in our survey. The percentages are based on the number who responded to the question.

#### **1. What do you consider the most significant issue(s) facing the State Board of Registration for Foresters and how is the Board addressing these issues?**

**Board Member #1** – “Making sure that Registered Foresters only are working with landowners in AL who are asking for assistance with their timber.”

**Board Member #2** – “Sustaining and growing the membership is critical to the Board’s survival. In addition, creating a registered forest technician position would improve the board’s ability to provide protection and accountability to the public. This would also offer personal value to those practicing forestry in Alabama.”

**Board Member #3** – “i am not real sure here, i have been off the board for a little bit”

**Board Member #4** – “A significant issue is discussing the importance of becoming a registered forester and maintaining the necessary requirements to be eligible for this certification. We would like to see more foresters become registered in Alabama.”

#### **2. What, if any, changes to the Board’s laws are needed?**

**Board Member #1** – “I fill all is good at this point.”

**Board Member #2** – “May need to review and adjust for the technician position.”

**Board Member #3** – “stiffer laws/penalties against those who portray themselves or their business as foresters when they are not registered as such”

**Board Member #4** – “The Board’s laws are quite effective. I do not recognize a significant change that is needed. Recently, the Board was asked to review our policies and reduce ineffective ones to make the rules and regulations more efficient. The Board accomplished this task.”

#### **3. Do you think the Board is adequately funded?**

<b>Yes</b>	<b>3</b>	<b>75%</b>
Unknown	1	25%

#### **4. Do you think the Board is adequately staffed?**

<b>Yes</b>	<b>4</b>	<b>100%</b>
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**5. Does the Board receive regular reports on its operations from the Administrative Manager?**

Yes                    4                    100%

**6. Has the Board experienced any significant change to its operations?**

No                    4                    100%

**7. Does the Board plan to make any significant changes to its operations?**

No	3	75%
No Opinion	1	25%

**8. Do you have any additional comments you would like to make?**

**Board Member #1** – “None”

**Board Member #2** – “I believe the profession and Alabama are better served by having registered forestry professionals.”

**Board Member #3** – “no”

**Board Member #4** – “The Executive Director of the Alabama Board of Registration for Foresters has done outstanding work in organizing board meetings, sending pertinent information, and completing the responsibilities of this position.”

## **Licensee Questionnaire**

A letter was sent to one hundred licensees requesting participation in our survey. Thirty-two participated in the survey. The percentages are based on the number who responded to the question.

### **1. What do you consider the most significant issue(s) facing your profession in Alabama?**

**Respondent #1** – “Government regulations and markets for timber products.”

**Respondent #2** – “Age - doesn't seem to be as many younger professionals getting into Forestry.”

**Respondent #3** – “Rising logging costs, lack of pine pulpwood markets, lack of quality individuals to enter the logging workforce, government and third party certification group regulations.”

**Respondent #4** – “Demand for wood products”

**Respondent #5** – “Changing business climate. There is a lot of opportunity, but also possibility for disruptive change.”

**Respondent #6** – “Lack of markets for pulpwood timber.”

**Respondent #7** – “Maintaining a stable regulatory and vibrant market climate.”

**Respondent #8** – “Balancing landowner mill timber prices (stumpage) while trying to manage timberlands for long term production.”

**Respondent #9** – “Non foresters selling timber for private landowners and the pulpwood market”

**Respondent #10** – “Employment opportunities”

**Respondent #11** – “The economy.”

**Respondent #12** – “Bad forest management advise given by non professionals.”

**Respondent #13** – “I think the overall negative perception of forestry nationwide is a problem facing our industry. Our forest are a living natural resource and it has to be managed in a way to keep it growing and sustainable. Educating the public sector to show them that our industry is not "destroying forest", but rather managing it to keep it healthy and growing for future generations.”

**Respondent #14** – “Declining markets for smaller diameter stems; Continued growth of government regulations and ownership of land for misguided "conservation" projects.”

**Respondent #15** – “The practice of professional forestry by individuals not qualified to do so. The measures in place for preventing such activity are not punitive enough to discourage the practice. Until enforcement of this statute becomes more aggressive and/or the penalties imposed are much more punitive this will be an ongoing issue in the state.”

**Respondent #16** – “Lack of pulp mills.”

**Respondent #17** – “diminishing pulpwood consuming facilities”

**Respondent #18** – “Low timber demand in parts of the state impacting forest landowners and their need for professional assistance. Government regulations”

**Respondent #19** – “Private landowners need education and guidance from a professional forester.”

**Respondent #20** – “Loss of loggers”

**Respondent #21** – “Liability in the harvest and transport of timber to mills.”

**Respondent #22** – “Non-foresters providing forestry services to the general public”

**Respondent #23** – “Practicing forestry without a license.”

**Respondent #24** – “Stumpage rates for products never increasing. Recent droughts and the threat of changing weather patterns.”

**Respondent #25** – “Educating the public.”

**Respondent #26** – “Job outlook”

**Respondent #27** – “The logging and trucking force”

**Respondent #28** – “answer”

**Respondent #29** – “Changing market demands for specific wood products, paper mills are getting older. Invasive species control, particularly cogon grass, is still a major problem. As long as it is along a roadside it will be noticed but a lot of areas within pine stands are likely not being searched out and controlled as they should be (the old adage, “out of site, out of mind” thing). Impacts from urban expansion will reduce the ability to use management techniques such as prescribed burning and aerial application of herbicides in those areas.”

**Respondent #30** – “Nothing”

**Respondent #31** – “The movement of Pine Pulpwood.”

**Respondent #32** – “Unlicensed individuals representing themselves as foresters.”

**2. Do you think regulation of your profession by the Alabama State Board of Registration for Foresters is necessary to protect the public welfare?**

<b>Yes</b>	<b>30</b>	<b>94%</b>
No	2	6%

**3. Do you think any of the Board’s laws, rules, or policies are an unnecessary restriction on the practice of your profession?**

<b>No</b>	<b>30</b>	<b>94%</b>
Unknown	2	6%

**4. Are you adequately informed by the Board of changes to and interpretations of the Board’s positions, policies, rules, and laws?**

<b>Yes</b>	<b>29</b>	<b>91%</b>
No	2	6%
Unknown	1	3%

**5. Do you consider mandatory continuing education necessary for the competent practice of your profession?**

<b>Yes</b>	<b>25</b>	<b>78%</b>
No	7	22%

**6. Does the Board respond to your inquiries in a timely manner?**

<b>Yes</b>	<b>24</b>	<b>75%</b>
Unknown	8	25%

**7. Has the Board performed your licensing and renewal in a timely manner?**

<b>Yes</b>	<b>30</b>	<b>94%</b>
No	2	6%

**8. Do you have any additional comments you would like to make?**

**Respondent #1** – “The board has been an asset to the profession. [REDACTED] has done a great job in capacity. If you have any questions, please contact me. [REDACTED]  
[REDACTED]”

**Respondent #2** – “Would like to see the board get on same renewal schedule as Mississippi. Once a year for Alabama seems too soon. Fees are really high for each year compared to MS.”

**Respondent #3** – “I am pleased to see the boards continued efforts to simplify the renewal process with an improved online renewal system and new website.”

**Respondent #4** – “Of all the licenses I hold, Alabama is by far the leader. They do a great job.”

**Respondent #5** – “I appreciate the importance of the ABRF. They provide an important service to the profession and the citizens of Alabama.”

**Respondent #6** – “None”

**Respondent #7** – “Based on my experience, Alabama registration is a closed-shop for the benefit of Auburn graduates and the AFC and gives improper credibility to wood dealers. I think the private sector (SAF, ACF) are more appropriate for protecting landowners’ interests.”

**Respondent #8** – “None”

**Respondent #9** – “No”

**Respondent #10** – “No”

**Respondent #11** – “\*”

**Respondent #12** – “Forestry is a unique profession that requires a specific skill set that is acquired through accredited formal education. There are many laymen that try to fool the public by calling themselves Foresters that have very little formal education. Without the board’s oversight, this issue would be very confusing for the general public and lend itself to more fraud and deceptive practices.”

**Respondent #13** – “No”

**Respondent #14** – “Having professional registrations for several occupations in multiple states, I can state that the AL Board of Registration for Foresters is the most responsive to members and easiest to stay updated as to current license status.”

**Respondent #15** – “No”

**Respondent #16** – “I wish we had more places to take pulp in the area between Birmingham and Tuscaloosa. I know its a big ask and probably outside of the boards abilities but we need another paper mill up here.”

**Respondent #17** – “The board has done a great job in my opinion.”

**Respondent #18** – “No”

**Respondent #19** – “This is a very critical function for our industry.”

**Respondent #20** – “Satisfied as things stand now.”

**Respondent #21** – “no”

**Respondent #22** – “No”

**Respondent #23** – “no”

**Respondent #24** – “No”

**Respondent #25** – “N/A”

**Respondent #26** – “No”

**Respondent #27** – “I think we have a great staff here in Alabama and I have never had any issues with communication back and forth. I always get timely answers and friendly conversations when I need/ask for anything.”

**Respondent #28** – “The recent addition of the ability to completed online renewals has made the process much easier.”

**Respondent #29** – “No”

**Respondent #30** – “No”

**Respondent #31** – “no”

**Respondent #32** – “No”

## **Complainant Questionnaire**

A letter was sent to six complainants requesting participation in our survey. Two participated in the survey. The percentages are based on the number who responded to the question.

### **1. Was the receipt of your complaint acknowledged by the Board?**

<b>Yes</b>	<b>2</b>	<b>100%</b>
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### **2. Approximately how long after filing your complaint did the Board contact you?**

<b>More than 60 days</b>	<b>1</b>	<b>50%</b>
<b>Unknown</b>	<b>1</b>	<b>50%</b>

### **3. Did the Board communicate the results of its investigation into your complaint to you?**

<b>Yes</b>	<b>1</b>	<b>50%</b>
<b>No</b>	<b>1</b>	<b>50%</b>

### **4. Do you think the Board did everything it could to resolve your complaint?**

<b>No</b>	<b>1</b>	<b>50%</b>
<b>Unknown</b>	<b>1</b>	<b>50%</b>

### **5. Do you have any additional comments you would like to make?**

**Respondent #1** – “I do not recall if I was ever notified that the complaint had been addressed.”

**Respondent #2** – “We have now filed a new complaint since we have been to court over this matter. He was found guilty by a jury of 12 peers. We were awarded financial compensation for his illegal and unethical business practices. He is appealing and we have not received the amount awarded to us by a jury.”

## **APPENDICES**

## **Appendix I: Applicable Statutes**

### **Section 34-12-1 Definitions**

For purposes of this chapter, the following words and phrases shall have the respective meanings ascribed by this section:

- (1) **BOARD.** The State Board of Registration for Foresters.
- (2) **PRACTICE OF FORESTRY.** Any professional service such as consultation, investigation, evaluation, planning, or responsible supervision as interpreted by the board of any forestry activities in connection with any public or private lands wherein the public welfare and property are concerned or involved when the professional service requires the application of forestry principles and data. The term also means the application, teaching, investigation, or administration of forestry theories, principles, practices, or programs directly or indirectly related to the environmental and economic use and the biological and ecological understanding of gross areas of land in public or private ownership or direction, or both, and supervision over persons engaged in the formation or implementation, or both, of forestry policies.
- (3) **REGISTERED FORESTER.** A person who, by reason of his or her knowledge of the natural sciences, mathematics, economics, and the principles of forestry and by his or her demonstrated skills acquired through professional forestry education and professional forestry experience as interpreted by the board is qualified to engage in the practice of forestry and who also has been duly registered and holds a current valid license issued by the board.

*(Acts 1957, No. 533, p. 750, §2; Acts 1969, No. 1051, p. 1965, §2; Acts 1973, No. 1202, p. 2020, §2; Act 98-145, p. 223, §3.)*

### **Section 34-12-2 Registration required; exceptions**

- (a) In order to benefit and protect the public, no person in either public or private capacity shall practice or offer to practice forestry, unless he or she has submitted evidence that he or she is qualified so to practice and is registered by the board as hereinafter provided or unless he or she is specifically exempted from registration under this chapter. It shall be unlawful for any person to practice or offer to practice in this state forestry, as defined by this chapter, or to use in connection with his or her name or otherwise assume, use, or advertise any title or description tending to convey the impression that he or she is a registered forester, unless duly registered or exempt from registration under this chapter.
- (b) This chapter shall not be construed to prevent or to affect:
  - (1) The practice of any other legally recognized profession or trade.
  - (2) The application of forestry principles and procedures on any timberlands, woodlands, or forest in which any person, firm, partnership, or corporation owns an interest; or persons, firms, partnerships, and corporations having the right to manage and administer forestlands in any legal manner.
  - (3) The work of an employee or a subordinate of any registered forester holding a license under this chapter; provided, that such work is done under the direction, supervision, and responsibility of a person holding a license under this chapter.
  - (4) The practice of forestry by officers and employees of the United States government on federally owned lands.
  - (5) The practice of forestry by officers and employees of the State of Alabama on state-owned lands.

(6) Employees of the federal government and educational institutions of the State of Alabama who, in the exercise of their assigned duties, conduct forestry education programs or provide free forestry advice and assistance to timberland owners, or both.

(*Acts 1957, No. 533, p. 750, §1; Acts 1969, No. 1051, p. 1965, §1; Acts 1973, No. 1202, p. 2020, §1; Act 98-145, p. 223, §3.*)

### **Section 34-12-3 Roster of registered foresters**

A roster showing the names and places of business of all registered foresters qualified according to this chapter shall be prepared by the secretary of the board during the month of January biennially in even-numbered calendar years. Copies of this roster shall be posted on the board website, placed on file with the Secretary of State, and furnished to the public, upon request, for a reasonable fee determined by the board.

(*Acts 1957, No. 533, p. 750, §11; Acts 1969, No. 1051, p. 1965, §5; Acts 1977, No. 755, p. 1293, §1; Act 2006-150, p. 221, §3.*)

### **Section 34-12-4 Qualifications of applicants for registration**

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

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

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

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

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

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

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

(*Acts 1957, No. 533, p. 750, §12; Acts 1961, Ex. Sess., No. 141, p. 2082, §1; Acts 1969, No. 1051, p. 1965, §6; Acts 1973, No. 1202, p. 2020, §5; Acts 1990, No. 90-105, p. 124, §3; Act 98-145, p. 223, §3; Act 2010-278, p. 502, §3.*)

### **Section 34-12-5 Applications; registration fees**

Application for registration shall be made on forms prescribed and furnished by the board. An application shall contain statements made under oath showing the education of the applicant and a detailed summary of his or her professional work. The application shall also contain not less than five references, of whom three or more shall be registered foresters or graduates of a curriculum in forestry of four years or more in a school or college approved by the board or accredited by the Society of American Foresters, having personal or professional knowledge of the forestry experience of the applicant. Any proposed subsequent statement, correction, or addition to the application shall be given under oath in writing and shall be made a part of the original application. The registration fee for a license shall be set annually by the board in an amount not to exceed two hundred dollars (\$200), which shall accompany the application. Should the board deny the issuance of a license to any applicant, the fee deposited shall be retained by the board as an application fee.

*(Acts 1957, No. 533, p. 750, §13; Acts 1969, No. 1051, p. 1965, §7; Acts 1973, No. 1202, p. 2020, §6; Acts 1977, No. 756, p. 1294, §1; Acts 1986, No. 86-117, p. 138, §3; Act 98-145, p. 223, §3.)*

### **Section 34-12-6 Examination**

When written or oral examinations, or both, are required, they shall be held at such time and place as the board may determine. The methods of procedure shall be prescribed by the board. A candidate failing an examination may apply for reexamination at the expiration of six months. This examination and all subsequent oral and written examinations shall be granted upon payment of a fee to be determined annually by the board, not to exceed one hundred dollars (\$100) in each instance.

*(Acts 1957, No. 533, p. 750, §14; Acts 1986, No. 86-117, p. 138, §3; Act 98-145, p. 223, §3.)*

### **Section 34-12-7 Licenses - Issuance; contents; use of license number**

The board shall issue a license upon payment of a registration fee as provided for in this chapter to an applicant who, in the opinion of the board, has satisfactorily met all of the requirements set out by this chapter. Licenses shall show the full name of the registrant, shall have a serial number and shall be signed by the chairman of the board. The issuance of a license by the board shall be evidence that the person named therein is entitled to all of the rights and privileges of a registered forester while the license remains unrevoked or unexpired. Plans, maps, specifications, and reports issued by a registrant shall be endorsed with his or her name and license number during the life of the registrant's license, but it shall be a misdemeanor for anyone to endorse any document with the name and license number after the license of the registrant named therein has expired or has been revoked, unless the license shall have been renewed or reissued. It shall be a misdemeanor for any registered forester to endorse any plan, specification, estimate, or map unless he or she shall have actually prepared such plan, specification, estimate, or map, or shall have been in the actual charge of the preparation thereof.

*(Acts 1957, No. 533, p. 750, §15.)*

### **Section 34-12-8 Licenses - Expiration; renewal**

(a) Licenses shall expire on the 30th day of September next following their issuance or renewal and shall become invalid on that date unless renewed. The secretary of the board shall notify, at his or her last registered address, every person registered under this chapter of the date of the expiration of his or her license and the amount of the fee that shall be required for its renewal for one year. The notice shall be mailed three months in advance of the date of the expiration of the licenses. Two subsequent monthly notices may be mailed, the second by certified mail, return receipt requested. The annual renewal fee for licenses shall be established annually by the board and shall not exceed two hundred dollars (\$200). Renewal of licenses for the following year may be effected at any time during the three months preceding September 30 of the year in which the license has been issued or renewed by the payment of the renewal fee so fixed by this chapter. Licensees who renew their licenses between September 30 and December 31 of any year renewal is due shall pay a late renewal fee set by the board not to exceed an amount equal to twice the annual renewal fee. The board shall make an exception to the foregoing renewal provision in the case of a person who is in the armed services of the United States. A licensee who fails to renew a license by December 31 of any year renewal is due shall have his or her license revoked.

(b) The state board shall adopt a program of continuing education for its licensees not later than October 1, 1991, and after that date no licensee shall have his or her active license renewed unless, in addition to any other requirements of this chapter, the minimum continuing annual education requirements are met. It is further provided that the continuing education program herein required shall not apply to any licensee who is 65 years of age or older and shall not include testing or examination of the licensees in any manner. The board may relax or suspend the continuing annual education requirements for retirees or for reasons of the health, hardship, or other extenuating circumstances of the licensee based on the licensee's specific case.

*(Acts 1957, No. 533, p. 750, §16; Acts 1969, No. 1051, p. 1965, §8; Acts 1977, No. 756, p. 1294, §1; Acts 1986, No. 86-117, p. 138, §3; Acts 1990, No. 90-105, p. 124, §3; Acts 1994, No. 94-130, p. 163, §3; Act 98-145, p. 223, §3; Act 2006-150, p. 221, §3; Act 2021-436, §1.)*

### **Section 34-12-9 Licenses - Revocation; administrative fines; reissuance; replacement of lost license**

The board may revoke the license of any registrant who is found guilty by the board of gross negligence, incompetency, or misconduct in the practice of forestry. The board may discipline its licensees by the imposition and collection of an administrative fine set by the board not to exceed two thousand dollars (\$2,000) per violation, and may institute any legal proceeding necessary to effect compliance with the chapter. All administrative fines collected by the board shall be deposited in the State Treasury in the "Professional Foresters Fund." The board may designate a person or persons to investigate and report to it upon any charges of fraud, deceit, gross negligence, incompetency, or other misconduct in connection with any forestry practice against any registrant, as may come to its attention. Any person or persons so designated by the board shall receive the same compensation and shall be reimbursed for expenses in the same amount as the board as outlined in Section 34-12-32. Any person may prefer charges of fraud, deceit, gross negligence, incompetency, or other misconduct in connection with any forestry practice against any registrant. The charges shall be in writing, shall be sworn to by the person making them, and shall be filed with the secretary of the board. All charges, unless dismissed by the board as unfounded or trivial, shall be heard by the board within three months after the date on which they have been preferred. The time and place for the hearing shall be fixed by the board, and a copy of the charges, together with a notice of the time and place of the hearing, shall be personally served on, or mailed to the last known address of, the registrant, at least 30 days before the date fixed for the hearing. At any hearing, the accused registrant shall have the right to appear personally and by counsel, to cross-examine witnesses appearing against him or her, and to produce evidence and witnesses in his or her own defense. If, after a hearing, three or more members of the board vote in favor of finding the accused guilty, the board may revoke the license of the registered forester. Any applicant whose license has been revoked as above may apply for a review of the proceedings with reference to the revocation of his or her license by the aforementioned circuit court and from there by appeal to the Supreme Court of Alabama. The only record to be considered by either the circuit court or by the Supreme Court shall be the record made before the board. New evidence shall be presented to the board, in session, before it may be used in court proceedings. The board, for reasons it may deem sufficient, may reissue a license to any person whose license has been revoked when three or more members vote in favor of reissuance. A new license to replace a revoked license may be issued, subject to the rules of the board and at a fee set by the board not to exceed an amount equal to twice the annual renewal fee. Lost, destroyed, or mutilated licenses may be issued, subject to the rules of the board and at a fee set by the board not to exceed fifty dollars (\$50) for the issuance.

*(Acts 1957, No. 533, p. 750, §19; Acts 1986, No. 86-117, p. 138, §3; Acts 1994, No. 94-130, p. 163, §3; Act 98-145, p. 223, §3.)*

### **Section 34-12-10 Firms, partnerships, and corporations**

Registration shall be determined upon a basis of individual, personal qualifications. No firms, companies, partnerships, or corporations can be licensed under this chapter.

*(Acts 1957, No. 533, p. 750, §17.)*

### **Section 34-12-11 Reciprocity**

(a) A person not a resident of, and having no established place of business in Alabama, or who has recently become a resident thereof, may use the title of registered forester and practice forestry provided:

(1) Such person is legally licensed as a registered forester in his or her own state or country and has submitted evidence to the board that he or she is so licensed;

(2) The state or country in which he or she is so licensed:

a. Has standards for licensing comparable to Alabama and acceptable to the board; and

b. Observes these same rules of reciprocity in regard to persons licensed under the provisions of this chapter.

(b) Each person seeking the privileges of reciprocity granted under this chapter shall submit his or her application therefor to the board and shall receive a card or certificate from the board before exercising such privileges. The application fee for obtaining such a reciprocity card or certificate shall be the same as is charged an Alabama licensee seeking to obtain reciprocal privileges in the home state or country of the applicant.

(c) Persons practicing forestry in the state through reciprocity shall be subject to the same renewal and expiration rules as provided in Section 34-12-8.

*(Acts 1957, No. 533, p. 750, §18; Acts 1969, No. 1051, p. 1965, §9; Act 98-145, p. 223, §3.)*

### **Section 34-12-12 Violations and penalties**

(a) Any person who shall practice or offer to practice the profession of forestry in this state without being registered or exempted in accordance with this chapter; or any person who shall use in connection with his or her name or otherwise assume, use, or advertise any title or description tending to convey the impression that he or she is a registered forester, without being registered or exempted in accordance with this chapter; or any person who shall present or attempt to use as his or her own the license of another; or any person who shall give any false or forged evidence of any kind to the board or any member thereof in obtaining a license; or any person who shall attempt to use an expired or revoked license; or any person, firm, partnership, or corporation who shall violate any of the provisions of this chapter shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined not less than five hundred dollars (\$500) nor more than two thousand dollars (\$2,000) for each offense. The board, or the person or persons designated by the board to act in its stead, may prefer charges for any of the violations of this chapter in any county in this state in which the violations may have occurred. All duly constituted officers of the law of this state, or any political subdivision thereof, shall enforce this chapter and prosecute any persons, firms, partnerships, or corporations violating the same. The Attorney General of the state and his or her assistants shall act as legal advisers of the board and render legal assistance as may be necessary in carrying out the provisions of this chapter.

(b) All fines collected for the violation of any provisions of this chapter shall be paid over to the secretary of the board to be by him or her delivered to the State Treasurer to be placed in the Professional Foresters Fund in the same manner as funds received for the issuance of licenses.

*(Acts 1957, No. 533, p. 750, §20; Acts 1973, No. 1202, p. 2020, §7; Acts 1990, No. 90-105, p. 124, §3; Acts 1994, No. 94-130, p. 163, §3; Act 98-145, p. 223, §3.)*

### **Section 34-12-30 Creation; composition; diversity of membership**

(a) A State Board of Registration for Foresters is created whose duty it shall be to administer this chapter. The board shall consist of five foresters, who shall be selected and appointed by the Governor of Alabama from among 10 nominees recommended by the Alabama Division of the Society of American Foresters and shall have the qualifications required by Section 34-12-31. Each member of the board shall receive a certificate of his or her appointment from the Governor and before beginning his or her term of office shall file with the Secretary of State his or her written oath of affirmation for the faithful discharge of his or her official duties. The five members of the initial board shall be appointed for terms of one, two, three, four, and five years, respectively, and in making the appointment the Governor shall designate the term for which each of the members is appointed as provided for above. At the expiration of the term of any member of the initial board, the Governor, from a list of three nominees recommended by the Alabama Division of the Society of American Foresters and any active state forestry organization meeting criteria established by the board pursuant to subsection (c), shall appoint for a term of five years a registered forester having the qualifications required by Section 34-12-31 to succeed the member whose term on the board is expiring. Nothing contained in this chapter shall prohibit any member whose term expires to be reappointed to succeed himself or herself on the board. After March 7, 1990, no member shall serve more than two full consecutive terms of office. If the Governor fails to make appointment in 90 days after expiration of any term, the board shall make the necessary appointment from nominees submitted as hereinabove provided and who meet the qualifications set out by Section 34-12-31. Each member of the board shall hold office until the expiration of the term for which such member is appointed or until a successor shall have been duly appointed and shall have qualified.

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

(c) The board shall adopt rules setting qualifying criteria for active state forestry organizations to participate in the recommendation of nominees for placement for membership on the board pursuant to subsection (a).

*(Acts 1957, No. 533, p. 750, §3; Acts 1969, No. 1051, p. 1965, §3; Acts 1986, No. 86-117, p. 138, §3; Acts 1990, No. 90-105, p. 124, §3; Act 2010-278, p. 502, §3; Act 2021-433, §1.)*

### **Section 34-12-31 Qualifications of members**

Each member of the board shall be a citizen of the United States and a resident of the State of Alabama, a "registered forester" under the provisions of this chapter, and have been engaged in the practice of the profession of forestry for the last 10 years prior to such appointment.

*(Acts 1957, No. 533, p. 750, §4; Acts 1969, No. 1051, p. 1965, §4; Act 2021-412, §1.)*

### **Section 34-12-32 Compensation and expenses**

Each member of the board shall receive a nominal sum of \$50 per diem when actually attending to the work of the board or any of its committees and for the time spent in necessary travel and, in addition thereto, shall be reimbursed for all traveling expenses as provided in Article 2 of Chapter 7 of Title 36, and incidental and clerical expenses necessarily incurred in carrying out the provisions of this chapter. Such compensation and expenses shall be paid out of the Professional Foresters Fund in the manner prescribed herein.

*(Acts 1957, No. 533, p. 750, §5; Acts 1973, No. 1202, p. 2020, §3; Acts 1986, No. 86-117, p. 138, §3.)*

### **Section 34-12-33 Removal of members; vacancies**

The Governor may remove any member of the board for misconduct, incompetency, or neglect of duty. Vacancies in the membership of the board shall be filled for the unexpired term by appointment only in the manner provided by this chapter for the appointment of members of the board.

*(Acts 1957, No. 533, p. 750, §6.)*

### **Section 34-12-34 Meetings; officers; quorum**

The members of the board shall be named and appointed by the Governor within 60 days after September 13, 1957. The board shall hold a meeting within 30 days after its members are first appointed and thereafter shall hold at least two regular meetings each year. Special meetings shall be held at the time and place as the bylaws of the board may provide. Notice of all meetings shall be given in the manner as the bylaws may provide. The board shall elect or appoint annually the following officers: A chair, vice-chair, and a secretary, who shall each be members of the board. A quorum of the board shall consist of not less than three voting members.

*(Acts 1957, No. 533, p. 750, §7; Act 2021-435, §1.)*

### **Section 34-12-35 Powers generally**

The board shall have the power to make all bylaws and rules, not inconsistent with the constitution and laws of this state, which may be reasonably necessary for the proper performance of its duties and the regulations of the proceedings before the board. Notwithstanding any other provision of law, following appropriate review by the Contract Review Permanent Legislative Oversight Committee, the board may enter into any contract or agreement relating to the board without further approval. The board shall adopt and have an official seal. In carrying into effect the provisions of this chapter, the board may, under the hand of its chairman and the seal of the board, subpoena witnesses and compel their attendance and may also require them to produce books, papers, maps, or documents. Any member of the board may administer oaths of affirmation to witnesses appearing before the board. Witnesses officially called by the board shall receive the same compensation and shall be reimbursed for expenses in the same amount as the members of the board as provided and set out in Section 34-12-4. If any person shall refuse to appear as a witness before the board, or refuse to testify, or refuse to produce any books, papers, or documents, the board may present its petition to the Circuit Court of Montgomery County, setting forth the facts, and the court shall, in a proper case, issue a subpoena to the person, requiring his or her attendance before the circuit court and there to testify or to produce such books, papers, and documents as may be deemed necessary and pertinent by the board. Any person failing or refusing to obey the subpoena or order of the circuit court may be proceeded against in the same manner as for refusal to obey any other subpoena or order of the court. The board is empowered to apply for relief by injunction, without bond, to restrain any person, partnership, or corporation from the commission of any act which is prohibited by this chapter. Application for an injunction may be made to the Circuit Court of Montgomery County, Alabama, or the circuit court of the county in which it is alleged that the violation is occurring. The members of the board shall not be personally liable for instituting any such proceedings.

*(Acts 1957, No. 533, p. 750, §8; Acts 1973, No. 1202, p. 2020, §4; Act 2002-83, p. 261, §3.)*

**Section 34-12-36 Professional Foresters Fund; employees; gifts, bequests, etc.; expenditures**

(a) The secretary of the board shall receive and account for all moneys derived under this chapter and shall pay the same monthly to the State Treasurer, who shall keep such moneys in a separate fund to be known as the Professional Foresters Fund. The fund shall be kept separate and apart from all other moneys in the Treasury and shall be paid out only by warrant of the Comptroller upon the State Treasurer, upon itemized vouchers approved by the chair and attested by the secretary of the board. All moneys in the Professional Foresters Fund are hereby specifically appropriated for the use of the board. The secretary of the board, its office manager, or other designated officer of the board who handles funds shall give surety bond to the state in such sum as the board may determine. The premium on the bond shall be regarded as a proper and necessary expense of the board and shall be paid from the Professional Foresters Fund.

(b) The board may employ such clerical and other assistants as are necessary for the proper performance of its work, or, in lieu of employing clerical assistants, the board may contract with any state department or agency to furnish the board with such clerical assistance as the board deems necessary. The compensation of the assistants or the cost of contracting for the clerical assistance shall be paid out of the Professional Foresters Fund in the manner prescribed herein.

(c) The board is authorized to accept all gifts, bequests, and donations from any source whatsoever, and the gifts, bequests, and donations shall be used or expended in accordance with their terms or stipulations, but in the absence of any such terms or stipulations, the gifts, bequests, or donations may be used or expended for such purposes as the board may determine.

(d)(1) Except as otherwise provided herein, the board may make expenditures for any purpose which, in the opinion of the board, is reasonably necessary for the proper performance of its duties under this chapter, including the expenses of the board's delegates to any annual conventions of, and membership dues to, the Society of American Foresters; provided, that under no circumstances shall the total amount of warrants issued by the Comptroller in payment of the expenses and compensation provided for by this chapter exceed the amount of the examination and registration fees, license fees, donations, and other moneys collected by the board as herein provided.

(2) The board may incur and engage in marketing and promotional expenditures and activities in furtherance of its purposes as determined by the board, which may include the sale of nominal items for marketing and promotional purposes. Any proceeds derived by the board from the sale of marketing and promotional items shall be deposited into the Professional Foresters Fund to be used by the board.

*(Acts 1957, No. 533, p. 750, §9; Acts 1986, No. 86-117, p. 138, §3; Act 2021-434, §1.)*

### **Section 34-12-37 Records and reports**

The board shall keep a record of its proceedings and a register of all applications for registration, which register shall show the name, age and residence of each applicant, the date of the application, the place of business of such applicant, his or her educational and other qualifications, whether or not an examination was required, whether or not the application was rejected, whether or not a license of registration was granted, the date of the action by the board, and such other information as may be deemed necessary by the board. The records of the board shall be *prima facie* evidence of the proceedings of the board set forth therein, and a transcript thereof, duly certified by the secretary of the board under seal, shall be admissible in evidence with the same force and effect as if the original were produced. Annually, as of the thirtieth day of September each year, the board shall submit to the Governor a report of its transactions of the preceding year and shall transmit to him or her as a part of the report a complete statement of the receipts and expenditures of the board and the statement shall be attested by the chairman and the secretary of the board.

*(Acts 1957, No. 533, p. 750, §10.)*

## Appendix II: Professional Services by Vendor

<b>Administrative Services</b>	<b>FY2021</b>	<b>FY2022</b>	<b>FY2023</b>	<b>FY2024</b>
<i>Advertising</i>				
Legislative Services Agency	\$ 310.00	\$ 360.00	\$ 130.00	\$ 320.00
<i>Graphic Arts</i>				
Elishia A Ballentine	248.00	264.00	320.00	310.00
<i>Personnel Department Services</i>				
State Personnel Department	377.00	408.00	418.00	443.00
<i>Collection Services</i>				
Alabama Interactive LLC			230.00	
<i>Information and Research Services - Professional</i>				
Glenn R Glover	2,000.00	2,109.23	1,500.00	
Scott Alan Enebak				5,145.85
<i>Mailing</i>				
Department of Finance	29.15	15.70	13.87	23.44
<i>Inter-departmental Professional Services</i>				
Legislative Services Agency	200.00	200.00	100.00	100.00
<b>Total Administrative Services</b>	<b>3,164.15</b>	<b>3,356.93</b>	<b>2,711.87</b>	<b>6,342.29</b>
<b>Data Processing</b>				
<i>Data Processing</i>				
Office of Information Technology	1,468.47	2,091.64	2,120.48	2,175.48
<i>State Business Systems (SBS)</i>				
Department of Finance	266.25	313.75	231.00	217.00
<i>Finance and IT Planning Oversight</i>				
Office of Information Technology	62.92	68.64	68.64	68.64
<i>Comptroller Services</i>				
Department of Finance	1,226.52	1,201.81	1,222.00	1,268.00
<b>Total Data Processing</b>	<b>3,024.16</b>	<b>3,675.84</b>	<b>3,642.12</b>	<b>3,729.12</b>
<b>Legal Services</b>				
<i>Legal - Professional Services</i>				
Attorney General's Office	700.00	1,680.00	375.00	
<b>Total Legal Services</b>	<b>700.00</b>	<b>1,680.00</b>	<b>375.00</b>	
<b>Total Professional Services</b>	<b>\$ 6,888.31</b>	<b>\$ 8,712.77</b>	<b>\$ 6,728.99</b>	<b>\$ 10,071.41</b>

## **Appendix III: Board Members**

### **ALABAMA STATE BOARD OF REGISTRATION FOR FORESTERS**

**513 MADISON AVENUE**

**MONTGOMERY, AL 36130-4500**

Phone: 334/240-9301

Fax: 334/240-9387

Email: [LeaAnna.Meadows@asbrf.alabama.gov](mailto:LeaAnna.Meadows@asbrf.alabama.gov)

Website: [www.asbrf.alabama.gov](http://www.asbrf.alabama.gov)

#### **BOARD MEMBERS**

**DANA M. STONE, RF**  
Chair  
Pike Road

**ASHLEY P. SMITH, RF**  
Vice Chair  
Phenix City

**STEPHEN W. HERRINGTON, RF**  
Secretary  
Northport

**MICHAEL R. DELANEY, RF**  
Member  
Mobile

**ALAN P. BRUCE, RF**  
Member  
Birmingham

March 12, 2025

Ms. Karen McClure  
State of Alabama  
Examiner of Public Accounts  
401 Adams Ave. Ste. 280  
Montgomery, AL 36104

Dear Ms. McClure:

In response to your email dated March 12, 2025, listed below is the requested information for all current board members, expiration date, city of residence and Congressional District.

#### **Current Board Members**

*Dana M. Stone*  
Expiration of Term: 01/06/2026  
Pike Road, AL  
District 2

*John Boyd Robinson*  
Expiration of Term: 01/06/2030  
Monroeville, AL  
District 2

*Ashley P. Smith*  
Expiration of Term: 01/06/2027  
Phenix City, AL  
District 2

*Steve Herrington*  
Expiration of Term: 01/06/2028  
Northport, AL  
District 4

*Michael Delaney*  
Expiration of Term: 01/06/2029  
Mobile, AL  
District 2

If you have any questions or if you need additional information, please let me know.

Sincerely,

*Nicole Horn*

Nicole Horn  
Administrative Manager

## Appendix IV: Board's Response

### **ALABAMA STATE BOARD OF REGISTRATION FOR FORESTERS 513 MADISON AVENUE MONTGOMERY, AL 36130-4500**

#### **BOARD MEMBERS**

**DANA M. STONE, RF**  
Chair  
Pike Road  
**ASHLEY P. SMITH, RF**  
Vice Chair  
Phenix City  
**STEPHEN W. HERRINGTON, RF**  
Secretary  
Northport  
**MICHAEL R. DELANEY, RF**  
Member  
Mobile  
**J. BOYD ROBINSON, RF**  
Member  
Monroeville

Phone: 334/240-9301  
Fax: 334/240-9387  
Email: [Nicole.Horn@asbrf.alabama.gov](mailto:Nicole.Horn@asbrf.alabama.gov)  
Website: [www.asbrf.alabama.gov](http://www.asbrf.alabama.gov)

July 7, 2025

Ms. Dixie B. Thomas  
Director of Operational Audits  
401 Adams Avenue, Suite 280  
Montgomery, AL 36104-4338

Dear Ms. Thomas:

Please find the Alabama State Board of Registration for Foresters response to the significant issues/prior significant issues outlined below.

#### **Significant Issue 2025-001: The Board has a diminishing unobligated fund balance.**

**Board Response:** The Board receives no support from the State's general budget; it relies solely on annual renewals and application fees. It is acutely aware of the expenditures vs. revenue deficit. Therefore, it has created an annual projection report for review at the July 2025 Board meeting for the members to discuss whether any fees need to be adjusted.

The decrease in the unobligated fund balance was due to the Board's upgrading of its extremely outdated website, and to the step raise salary adjustment for the Board's then Executive Director, who had not received a raise since April 2021. Regarding the Board's website, it was built in 2006 and its functioning was severely impaired by several issues related to its age. In fact, the Office of Information and Technology was concerned that the Board's website would crash due to the significant issues that arose when attempting to upgrade the nearly 20-year-old website.

#### **Significant Issue 2025-002: The Board did not always deposit checks in a timely manner.**

**Board Response:** Due to the fact that checks are received at different times throughout the year, other than the period when the Board usually receives a larger number of checks (July 1 through September 30), checks were held until the Board's quarterly meetings to minimize the impact of State finance charges. The Administrative Manager will now make weekly deposits of all checks and money orders. The funds will be certified to the State Treasury each month.

**Significant Issue 2025-003: Thirty-two licensees responded to our survey and the following items were noted:**

- Ten of thirty-two (31.25%) licensees responding to our survey consider the market for timber, pulpwood, pulp mills, etc., as the most significant issue facing the profession in Alabama.

**Board Response: Not in the Board's purview.**

- Seven of thirty-two (21.875%) licensees responding to our survey do not consider mandatory continuing education necessary for the competent practice of their profession.

**Board Response:** The Board is required by Section 34-12-8(b) of Code of Alabama (1975) to provide a continuing education program. The Board believes that requiring continuing education equips licensed Foresters with additional resources that will help them in their profession. The Board works with industry partners to provide diverse and cost-efficient opportunities for the licensees to earn continuing education credit hours. The Board's website—[www.asbrf.alabama.gov](http://www.asbrf.alabama.gov)—provides information regarding CFEs.

Sincerely,



Ashley P. Smith  
Chair, Rules and Regulations Committee



Nicole Horn  
Administrative Manager