

Secretary of the State File Number

**6398**

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

**Certification of Forest Practitioners**

Regulations adopted after July 1, 2013, become effective upon posting to the Connecticut eRegulations System, or at a later date if specified within the regulation.

Posted to the Connecticut eRegulations System on **January 18, 2024**

EFFECTIVE DATE

**January 18, 2024**

Approved by the Attorney General on

**August 24, 2023**

Approved by the Legislation Regulation Review Committee on

**December 19, 2023**

Electronic copy with agency head certification statement electronically submitted to and received by the Office of the Secretary of the State on

**January 11, 2024**

Form ICM-ECOPY (NEW 6/2015)  
State of Connecticut  
Secretary of the State



**IMPORTANT NOTICE FOR CONNECTICUT STATE AGENCIES**  
This form should be used only for regulations first noticed on and after March 23, 2015.

## Electronic Copy Certification Statement

*(Submitted in accordance with the provisions of section 4-172 of the Connecticut General Statutes)*

Regulation of the  
**Department of Energy and Environmental Protection**  
Concerning  
**Certification of Forest Practitioners**

Approved by the Legislative Regulation Review Committee: **December 19, 2023**

eRegulations System Tracking Number: **PR2023-001**

**I hereby certify** that the electronic copy of the above-referenced regulation submitted herewith to the Secretary of the State is a true and accurate copy of the regulation approved in accordance with sections 4-169 and 4-170 of the *Connecticut General Statutes*.

**And I further certify** that in accordance with the approval of Legislative Regulation Review Committee, all required technical corrections, page substitutions and deletions, if any, have been incorporated into said regulation.

**In testimony whereof**, I have hereunto  
set my hand on **January 10, 2024**.

A handwritten signature in blue ink that reads "Katherine S. Dykes".

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Katherine S. Dykes  
Commissioner  
Department of Energy and Environmental  
Protection

## **REGULATION PROPOSAL**

### **Certification of Forest Practitioners**

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

#### **Examinations for Initial Certification**

(g) Except as provided in [subdivision] subdivisions (3) and (6) of subsection (c) of section 23-65h of the general statutes and in subsection (i) of this section, all applicants for initial forest practitioner certification [must] shall achieve a passing grade on a written examination in order to be granted certification.

**Sec. 2. Subsection (l) of Section 23-65h-1 of the Regulations of Connecticut State Agencies is amended to read as follows:**

#### **Certificate Renewal**

(l) (1) An application for renewal of a certificate shall be submitted to the commissioner no less than 60 calendar days prior to the expiration date of the certificate. The application for renewal of certification shall be on a form provided by the commissioner, shall be accompanied by payment of the application fee in accordance with subsections (r) and (s) of this section, shall include evidence of satisfaction of all continuing education requirements of this section, and shall include information concerning whether the applicant has engaged in any of the activities set forth in subdivisions (1) to (3), inclusive, of subsection (a) of section 23-65o of the general statutes, or has been convicted of a felony associated with the conduct of a regulated forest practice.

(2) The commissioner may grant a sixty-day extension for any forest practitioner who failed to submit a complete application for renewal prior to the expiration date of such forest practitioner's certification. Any forest practitioner granted such an extension shall submit a complete application for renewal not later than the end date of such sixty-day extension period. Any such renewed certification issued by the commissioner following such a sixty-day extension period shall not require reexamination by such forest practitioner prior to such issuance but shall require the submission of an additional fee of \$100.00.

**Sec. 3. Subsection (o) of Section 23-65h-1 of the Regulations of Connecticut State Agencies is amended to read as follows:**

#### **Continuing Education Standards for Renewal of Certification**

(o) In accordance with section 23-65i of the general statutes, all certified forest practitioners shall participate, [biennially] during the period of such certification, in a relevant program of

professional education to improve or maintain professional forestry skills that is sponsored by the Department of Energy and Environmental Protection, the New England Society of American Foresters, [the] The University of Connecticut, Yale University[,] or the Connecticut Cooperative Extension System, or [any university having a forest management or forest products harvesting curriculum accredited by the Society of American Foresters] in another program approved by the department.

**Sec. 4. Subdivisions (3) to (5), inclusive, of subsection (q) of Section 23-65h-1 of the Regulations of Connecticut State Agencies are amended to read as follows:**

**Renewal of Certification**

(3) Each applicant for renewal of Forester certification shall participate, during the period of such certification, in a [biennial] program of professional education equivalent to [six (6)] twelve (12) CEU's.

(4) Each applicant for renewal of Supervising Forest Products Harvester certification shall participate, during the period of such certification, in a [biennial] program of professional education equivalent to [four (4)] eight (8) CEU's.

(5) Each applicant for renewal of Forest Products Harvester certification shall participate, during the period of such certification, in a [biennial] program of professional education equivalent to [three (3)] six (6) CEU's.

**Sec. 5. Subsections (r) and (s) of Section 23-65h-1 of the Regulations of Connecticut State Agencies are amended to read as follows:**

**FEES**

(r) The fee for applying for certification or renewal of certification shall be \$235.00. The fee shall be submitted simultaneously with the application for certification or renewal of certification and certification shall not be granted or renewed prior to payment of the fee. The fee provided in this section shall be non-refundable. [The application fee required by this section shall be paid by check or money order payable to Department of Energy and Environmental Protection. The check or money order shall state on its face, "Forest Practitioner Certification Application Fee".]

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



## COMMISSIONER'S CERTIFICATION TO THE OFFICE OF THE ATTORNEY GENERAL

I, Katherine S. Dykes, Commissioner of the Department of Energy and Environmental Protection, hereby certify that:

1. In compliance with Conn. Gen. Stat. § 4-168(a)(1), on March 23, 2023, the Department of Energy and Environmental Protection gave notice by posting a notice on the eRegulations System of its intention to adopt regulations regarding Certification of Forest Practitioners that included the information required in said statute.
2. In compliance with Conn. Gen. Stat. § 4-168(a)(2), the Department of Energy and Environmental Protection on March 23, 2023, posted a copy of the proposed regulation on the eRegulations System.
3. In compliance with Conn. Gen. Stat. § 4-168(a)(3), Department of Energy and Environmental Protection on March 23, 2023, gave notice electronically to each joint standing committee of the General Assembly having cognizance of the subject matter of the proposed regulation.
4. In compliance with Conn. Gen. Stat. § 4-168(a)(4), the Department of Energy and Environmental Protection on March 23, 2023, gave notice electronically or provided paper copies to all persons who made requests for advance notice of its regulation-making proceedings.
5. The Department of Energy and Environmental Protection received no requests for a paper copy or electronic version of the proposed regulation, as described in Conn. Gen. Stat. § 4-168(a)(5).
6. In compliance with Conn. Gen. Stat. § 4-168(a)(6), the Department of Energy and Environmental Protection prepared a fiscal note, including an estimate of the cost or of the revenue impact of the proposed regulations (A) on the state or any municipality of the state, and (B) on small businesses in the state, including an estimate of the number of small businesses subject to the proposed regulation and the projected costs, including but not limited to, reporting, recordkeeping and administrative, associated with compliance with the proposed regulation and, if applicable, the regulatory flexibility analysis prepared under Conn. Gen. Stat. § 4-168a.
7. All interested persons were given reasonable opportunities to submit data, views or arguments, orally at a hearing if granted under Conn. Gen. Stat. § 4-168(b) or in writing, concerning the proposed regulations and to inspect and copy or view online and print the fiscal note referred to in paragraph (6) above.



8. No request for an opportunity to present oral argument was made by fifteen persons, by a governmental subdivision or agency or by an association having not less than fifteen members, within fourteen days of the posting of the notice on the eRegulations System.
9. The Department of Energy and Environmental Protection considered fully all written and oral submissions respecting the proposed regulation.
10. No revisions to the fiscal note referred to in paragraph (6) above were necessary in light of the submissions respecting the proposed regulation.
11. In compliance with Conn. Gen. Stat. § 4-168(e), on July 10, 2023, the Department of Energy and Environmental Protection posted on the eRegulations System notice that it decided to take action on the proposed regulation and has provided such notice electronically to all persons who submitted oral or written comments concerning the regulation and has provided a paper copy of such notice to all persons who submitted comments in a non-electronic format. The Department of Energy and Environmental Protection has also posted on the eRegulations System: (1) The final wording of the proposed regulation; (2) a statement of the principal reasons in support of its intended action; and (3) a statement of the principal considerations in opposition to its intended action as urged in written or oral comments on the proposed regulation and its reasons for rejecting such considerations.

A handwritten signature in blue ink that reads "Katherine S. Dykes".

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Katherine S. Dykes  
Commissioner

7/3/2023


**OFFICE OF THE ATTORNEY GENERAL  
REGULATION CERTIFICATION**

**Agency: Department of Energy and Environmental Protection**

***REGULATION NUMBER: PR2023-001***

**This Regulation is hereby APPROVED by the Attorney General as to legal sufficiency in accordance with Connecticut General Statutes § 4-169.**

**DATE: 8/24/2023**

**Signed:**   
\_\_\_\_\_  
**Eileen Meskill  
Deputy Attorney General  
Duly Authorized**

# The Connecticut General Assembly

## Legislative Regulation Review Committee

Senator John Kissel  
Senate Chair



Representative Lucy Dathan  
House Chair

### Official Record of Committee Action

December 19, 2023

Agency: Department of Energy and Environmental Protection  
Description: Amendments for RCSA Sec. 23-65h-1  
LRRC Regulation Number: 2023-028  
eRegulation Tracking Number: PR2023-001

The above-referenced regulation has been

### Approved with Technical Corrections

by the Legislative Regulation Review Committee in accordance  
with CGS Section 4-170.

Catherine M. Thomas  
Committee Administrator





State of Connecticut  
Office of the Secretary of the State

## Confirmation of Electronic Submission

Re: Regulation of the Department of Energy and Environmental Protection  
concerning Certification of Forest Practitioners  
eRegulations System Tracking Number PR2023-001  
Legislative Regulation Review Committee Docket Number 2023-028

The above-referenced regulation was electronically submitted to the Office of the Secretary of the State in accordance with Connecticut General Statutes Section 4-172 on January 11, 2024.

Said regulation is assigned Secretary of the State File Number 6398.

The effective date of this regulation is January 18, 2024.

A handwritten signature in blue ink, appearing to read "Stephanie Thomas".

Stephanie Thomas  
Secretary of the State  
January 18, 2024

By:

/s/ Christopher R. Drake  
Christopher R. Drake  
Director, Business Services  
Division