

## LICENSURE OF GEOLOGISTS

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### House Bills 6063 - 6065

**Sponsor: Rep. Chris Ward**

**Committee: Regulatory Reform**

**Complete to 11-8-04**

## A SUMMARY OF HOUSE BILLS 6063 - 6065 AS INTRODUCED 6-30-04

The bills would amend various acts to provide for the licensure of geologists. The bills are tie-barred to each other so that none can become law all are enacted. A more detailed explanation of each bill follows.

House Bill 6063 would amend the Occupational Code (MCL 339.213 et al) to create a board of professional geologists. The bill specifies that a person could not engage or offer to engage in the public practice of geology unless licensed. Further, a person could not use the titles "professional geologist," "licensed professional geologist," "P.G.," or any other title or description tending to connote that a person was licensed unless that person was licensed. The bill would define "geologist" to mean an individual who is qualified by his or her knowledge of the principles of geology acquired by professional education and practical experience.

"Geology" is defined to mean the science that includes all of the following: 1) the treatment of the earth and its origin and history, in general; 2) the investigation of the earth's constituent rocks, minerals, solids, and fluids including surface and underground waters, gases, and other materials; and 3) the study of the natural agents, forces, and processes which cause changes in the earth. A "professional geologist" is defined to mean a person who is licensed as a professional geologist under the new act. The bill also would define the terms "public practice of geology," "state geologist," and "survey."

To qualify for licensure, an applicant would have to meet all of the following requirements:

a) successfully complete at least 30 semester hours or 45 quarter hours of coursework in geology, culminating in a baccalaureate or advanced degree in geology, hydrogeology, geophysics, geochemistry, geological engineering, or geo-technical engineering from an accredited college or university acceptable to the board. [The board could allow courses dealing with applied geological science that were given under the auspices of an academic department other than geology toward the fulfillment of the education requirement.]

b) have experience in professional geological work consisting of one of the following: 1) eight years of teaching geology as a faculty member at the college or university level acceptable to the board; 2) eight years of geological research by an applicant at the

college or university level acceptable to the board; 3) eight years of geological work performed under the supervision of, or in collaboration with, a professional geologist and acceptable to the board; or, 4) eight years of other geological work that is acceptable to the board.

(The bill specifies that in counting this experience, the board may allow two years of credit each for a master's degree or doctoral degree in geology, hydrogeology, geophysics, geochemistry, geological engineering, or geotechnical engineering from an accredited college or university acceptable to the board.)

c) provide at least five references, three of which would be from professional geologists who had personal knowledge of the applicant's professional experience.

d) earn a passing score on an examination acceptable to the board that had been designed to demonstrate that the applicant had the necessary knowledge and skill to exercise the responsibilities of the public practice of geology.

e) be of good moral character.

f) pay the license and application fee.

(The bill requires that until 12 months after the effective date of the legislation, the board waive the examination requirement for applicants otherwise qualified by education, experience, and integrity.)

The bill specifies that a license could be issued for up to three years, and it prohibits the department from issuing a temporary license. The bill also requires the department to issue a license to a person licensed as a geologist in another state having licensure standards at least equal to those under the act.

Under the bill, a professional geologist could, upon licensure, obtain and use a seal or stamp of licensure of a design authorized by the board, containing the geologist's name and license number, and the legend "licensed professional geologist," "professional geologist," or "P.G." A professional geologist would be prohibited from affixing his or her signature, stamp, or seal, or certify any report after his or her license had been suspended.

The bill specifies that the following people are exempt from licensure under this article: a person engaged in geological research or the instruction of geology; a landscape architect registered under article 22 who applied geology incidental to the practice of landscape architecture; a professional engineer licensed under article 20 who applied geology incidental to the practice of professional engineering; and a person licensed to engage in the public practice of geology in another state while temporarily in this state to present a proposal for services.

Finally, the bill specifies that a person who violated the requirements of the section would be subject to the penalties found in Article Six of the act.

House Bill 6064 would amend the State License Fee Act (MCL 338.2201 et al) to specify that fees for licensure as a professional geologist would include \$50 for the application processing fee and \$50 for the annual license.

House Bill 6065 would amend the Natural Resources and Environmental Protection Act (MCL 324.60102) to require that the state geologist be licensed as a professional geologist under Article 17 of the Occupational Code (the new article that would be created by House Bill 6063). Further, House Bill 6063 defines "state geologist" to mean that individual in charge of the Michigan geological survey established under the Natural Resources and Environmental Protection Act.)

#### **FISCAL IMPACT:**

The creation of a board of professional geologists is expected to cost the Department of Labor and Economic Growth \$50,000 annually, based on the cost of the existing 23 boards within its Licensing Division.

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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.