

# Legislative Analysis

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## LICENSURE OF GEOLOGISTS

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### House Bill 4946

Sponsor: Rep. Matthew Gillard

### House Bill 4947

Sponsor: Rep. Rebekah Warren

### House Bill 4949

Sponsor: Rep. Chris Ward

Committee: Great Lakes and Environment

Complete to 7-1-08

## A SUMMARY OF HOUSE BILLS 4946, 4947, & 4949 AS INTRODUCED 6-19-07

The bills would amend various acts to provide for the licensure of geologists. The bills are tie-barred so that none can become law unless all are enacted.

House Bill 4947 would amend the Occupational Code (MCL 339.213 and 303a) to create a board of professional geologists and to specify 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.

House Bill 4946 would amend the State License Fee Act (MCL 338.2235) 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 4949 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, which is the new article to be created by House Bill 4947. The term "state geologist" would be defined in the new Article 17 to mean the individual in charge of the Michigan Geological Survey established under the Natural Resources and Environmental Protection Act.

A more detailed explanation of House Bill 4947 follows.

As noted above, House Bill 4947 would amend the Occupational Code to create a board of professional geologists and to specify 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:

(1) 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 given under the auspices of an academic department other than geology toward the fulfillment of the education requirement.]

(2) Have eight years of experience in professional geological work consisting of one of the following: teaching geology as a faculty member at the college or university level acceptable to the board; geological research at the college or university level acceptable to the board; geological work performed under the supervision of, or in collaboration with, a professional geologist and acceptable to the board; or other acceptable geological work. (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 that is acceptable to the board.)

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

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

(5) Be of good moral character.

(6) Pay the license and application fee.

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 a 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 applies geology incidental to the practice of landscape architecture; a professional engineer licensed under Article 20 who collects, investigates, interprets or evaluates certain geology-related data while engaged in 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 would be subject to the penalties found in Article 6 of the code if he or she uses protected titles without being licensed; presents or tries to present the seal of another as his or her own; or submits for approval to a public official a plan, report, or survey for filing as a public record that does not bear the seal of a licensed professional geologist.

#### **FISCAL IMPACT:**

The creation of a board of professional geologists is expected to cost the Department of Labor and Economic Growth less than \$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.