

# HOUSE BILL No. 6063

June 30, 2004, Introduced by Rep. Ward and referred to the Committee on Regulatory Reform.

A bill to amend 1980 PA 299, entitled "Occupational code," by amending sections 213 and 303a (MCL 339.213 and 339.303a), section 303a as amended by 1995 PA 183, and by adding article 17.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Sec. 213. (1) If a person has not previously been denied a  
2 license or a certificate of registration or had a license or a  
3 certificate of registration revoked or suspended, the department  
4 may grant a nonrenewable temporary license or certificate of  
5 registration to an applicant for licensure or registration or  
6 transfer of licensure or registration pursuant to articles 8 to  
7 25, **but not including article 17.**

8       (2) As approved by a board, a temporary license or  
9 certificate of registration issued under this section is valid

1 until 1 or more of the following occurs:

2 (a) The results of the next scheduled examination are  
3 available.

4 (b) The results of the next required evaluation procedure  
5 are available.

6 (c) A license or certificate of registration is issued.

7 (d) The next examination date of an examination for  
8 licensure or registration in the applicable occupation, if the  
9 applicant does not take the examination.

10 (e) The applicant fails to meet the requirements for a  
11 license or certificate of registration.

12 (f) A change in employment is made.

13 (3) A temporary license or certificate of registration may  
14 be limited as defined in article 1.

15 Sec. 303a. The terms provided for in this act shall  
16 commence on the following dates:

17	Accountancy	July 1
18	Architects	April 1
19	Athletic board of control	April 1
20	Barbers	October 1
21	Collection agencies	July 1
22	Community planners	July 1
23	Cosmetology	January 1
24	Employment agencies	October 1
25	Foresters	April 1
26	Hearing aid dealers	October 1
27	Land surveyors	April 1

1	Landscape architects	July 1
2	<del>Marriage counselors</del>	<del>October 1</del>
3	Mortuary science	July 1
4	<del>Nursing home administrators</del>	<del>January 1</del>
5	Professional engineers	April 1
6	<b>Professional geologists</b>	<b>October 1</b>
7	Real estate appraisers	July 1
8	Real estate brokers and salespersons	July 1
9	Residential builders	April 1
10	<del>Social workers</del>	<del>October 1</del>

11 **ARTICLE 17**

12 **Sec. 1701. As used in this article:**

13 (a) "Geologist" means an individual who is qualified by his  
 14 or her knowledge of the principles of geology acquired by  
 15 professional education and practical experience.

16 (b) "Geology" means the science that includes all of the  
 17 following:

18 (i) The treatment of the earth and its origin and history, in  
 19 general.

20 (ii) The investigation of the earth's constituent rocks,  
 21 minerals, solids, and fluids including surface and underground  
 22 waters, gases, and other materials.

23 (iii) The study of the natural agents, forces, and processes  
 24 which cause changes in the earth.

25 (c) "Professional geologist" means a person who is licensed  
 26 as a professional geologist under this article.

27 (d) "Public practice of geology" means the performance of

1 service to the public in connection with the geological  
2 description, location, or evaluation of geological materials,  
3 liquids, and gases and the natural processes acting upon them.  
4 Public practice of geology includes geological consulting,  
5 investigating, evaluating, designing, and planning.

6 (e) "State geologist" means the individual in charge of the  
7 Michigan geological survey established under part 601 of the  
8 natural resources and environmental protection act, 1994 PA 451,  
9 MCL 324.60101 to 324.60108.

10 (f) "Survey" refers to the Michigan geological survey  
11 established under part 601 of the natural resources and  
12 environmental protection act, 1994 PA 451, MCL 324.60101 to  
13 324.60108.

14 Sec. 1702. There is created a board of professional  
15 geologists.

16 Sec. 1703. (1) A person shall not engage or offer to engage  
17 in the public practice of geology unless licensed as a  
18 professional geologist under this article or unless exempt from  
19 licensure under section 1708.

20 (2) A person shall not use the titles "professional  
21 geologist", "licensed professional geologist", "P.G.", or any  
22 other title or description tending to connote that the person is  
23 licensed under this article unless the person is licensed as a  
24 professional geologist.

25 Sec. 1704. (1) To qualify for licensure, an applicant shall  
26 meet all of the following requirements:

27 (a) The successful completion of at least 30 semester hours

1 or 45 quarter hours of course work in geology, culminating in a  
2 baccalaureate or advanced degree in geology, hydrogeology,  
3 geophysics, geochemistry, geological engineering, or geotechnical  
4 engineering from an accredited college or university acceptable  
5 to the board. The board may allow courses dealing with applied  
6 geological science that are given under the auspices of an  
7 academic department other than geology toward the fulfillment of  
8 the education requirement.

9 (b) Experience in professional geological work consisting of  
10 1 of the following:

11 (i) Eight years of teaching geology as a faculty member at  
12 the college or university level acceptable to the board.

13 (ii) Eight years of geological research by an applicant at  
14 the college or university level acceptable to the board.

15 (iii) Eight years of geological work performed under the  
16 supervision of, or in collaboration with, a professional  
17 geologist and acceptable to the board.

18 (iv) Eight years of other geological work that is acceptable  
19 to the board.

20 (c) Provide not less than 5 references, 3 of which shall be  
21 references from professional geologists who have personal  
22 knowledge of the applicant's professional experience.

23 (d) A passing score on an examination acceptable to the board  
24 that has been designed to demonstrate that the applicant has the  
25 necessary knowledge and skill to exercise the responsibilities of  
26 the public practice of geology, subject to section 1706.

27 (e) Be of good moral character.

1 (f) Pay the applicable license and application fee.

2 (2) In counting years of experience under subsection (1)(b),  
3 the board may allow 2 years of credit each for a master's degree  
4 or doctoral degree in geology, hydrogeology, geophysics,  
5 geochemistry, geological engineering, or geotechnical engineering  
6 from an accredited college or university acceptable to the  
7 board.

8 (3) The department may issue a license for a term of up to 3  
9 years in duration.

10 (4) The department shall not issue a temporary license under  
11 section 213.

12 Sec. 1705. Upon application, the department shall license a  
13 person who is licensed or otherwise regulated as a geologist in a  
14 state that has standards for licensure or regulation at least  
15 equal to those for licensure under this article, as determined by  
16 the board.

17 Sec. 1706. Until 12 months after the effective date of the  
18 amendatory act that added this article, the board shall waive the  
19 examination requirement for applicants otherwise qualified by  
20 education, experience, and integrity.

21 Sec. 1707. (1) A professional geologist may, upon  
22 licensure, obtain and use a seal or stamp of licensure of a  
23 design authorized by the board, containing the geologist's name  
24 and license number and the legend "licensed professional  
25 geologist", "professional geologist", or "P.G.".

26 (2) A professional geologist shall not affix his or her  
27 signature, stamp, or seal, or certify any report or other

1 geological document after his or her license has been suspended  
2 or revoked.

3       Sec. 1708. (1) The following persons are exempt from  
4 licensure under this article:

5       (a) A person engaged in geological research or the  
6 instruction of geology.

7       (b) A landscape architect registered under article 22 who  
8 applies geology incidental to the practice of landscape  
9 architecture.

10       (c) A professional engineer licensed under article 20 who  
11 applies geology incidental to the practice of professional  
12 engineering.

13       (d) A person licensed to engage in the public practice of  
14 geology in another state while temporarily in this state to  
15 present a proposal for services.

16       (2) A person who does 1 or more of the following is subject  
17 to the penalties described in article 6:

18       (a) Uses the term "professional geologist", "licensed  
19 professional geologist", "P.G.", or any other title or  
20 description tending to connote that the person is licensed under  
21 this article unless licensed as a professional geologist.

22       (b) Presents or attempts to use as the person's own a license  
23 or seal of another person.

24       (c) Submits for approval to a public official of this state,  
25 or a political subdivision of this state, a plan, report, or  
26 survey for filing as a public record that does not bear the seal  
27 of a licensed professional geologist.

1           Enacting section 1. This amendatory act does not take  
2 effect unless all of the following bills of the 92nd Legislature  
3 are enacted into law:

4           (a) Senate Bill No. \_\_\_\_\_ or House Bill No. 6064 (request  
5 no. 07303'04 a).

6           (b) Senate Bill No. \_\_\_\_\_ or House Bill No. 6065 (request  
7 no. 07303'04 b).