

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

BILL: CS/SB 1878

SPONSOR: Regulated Industries Committee and Senator Saunders

SUBJECT: Professional Geology

DATE: March 27, 2004

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Sumner</u>	<u>Imhof</u>	<u>RI</u>	<u>Fav/CS</u>
2.	_____	_____	<u>GO</u>	_____
3.	_____	_____	<u>CP</u>	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

I. Summary:

Presently, under the Florida Water Resources Act of 1972 (act)¹ an application for a permit or license to conduct a water resource activity regulated under the act may require the services of a professional engineer. These services may be necessary if the Department of Environmental Protection (DEP) or governing board of a water management district (district) requires that a professional engineer certify that the activity has been completed in substantial compliance with the plans and specifications approved by the department or board.² The bill amends s.373.117, F.S., by providing that the services required for certification of any activity regulated under the act may be performed by "appropriate registered professionals." According to the Department of Environmental Protection (DEP), "appropriate registered professionals" includes engineers, geologists, and possible other registered professionals.

This bill substantially amends section 373.117, Florida Statutes.

II. Present Situation:

In Florida, the "practice of professional geology" requires licensure as a professional geologist. Professional geologists are licensed by the Board of Professional Geologists, under the Department of Business and Professional Regulation (DBPR). Regulatory standards are specified in chapter 492, F.S.

Currently, an applicant for licensure as a professional geologist must have a college degree in geology or a related science, seven years of professional geological work (undergraduate study

¹ Chapter 373, F.S.

² Section 373.117, F.S.

or graduate study may substitute for up to two years of work), and must pass an examination approved by the board.

Generally, geologists are involved in numerous responsibilities, such as, the identification and evaluation of sources of groundwater and detection of pollution sources within the aquifer; critical evaluations of sinkhole prone areas prior to the actual design and construction of foundations for most structures; and the study and evaluation of land use regulations, water management practices, and coastal erosion.

Geologists are also involved with the preparation or evaluation of reports or documentation associated with various types of permit applications, such as, the assessment and mitigation of geologic hazards concerning environmental protection or economic and safety issues; land use permit applications; Contaminant Assessment Reports (CAR's) and Remedial Action Plans (RAP's), related to hazardous waste disposal and clean-up; drinking water related concerns (the location and site planning of municipal water wells and private wells, aquifer and groundwater assessment and protection, etc.); and mining activities.

Certification by professional engineer

Under the Florida Water Resources Act of 1972³ an application for a permit or license to conduct a water resource activity regulated under the act may require the services of a professional engineer. These services may be necessary if the DEP or district requires that a professional engineer certify that the activity has been completed in substantial compliance with the plans and specifications approved by the department or board.⁴

III. Effect of Proposed Changes:

The bill amends s. 373.117, F.S., by replacing the words “professional engineer” with “appropriate registered professionals.” According to the DEP, appropriate registered professionals includes geologists, engineers, and possible other registered professionals. The bill provides that the services required for certification of any activity regulated under the act may be performed by “appropriate registered professionals.”

The bill takes effect upon becoming a law.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

³ *Supra* note 1.

⁴ *Supra* note 2.

C. Trust Funds Restrictions:

None.

V. Economic Impact and Fiscal Note:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Amendments:

None.

This Senate staff analysis does not reflect the intent or official position of the bill's sponsor or the Florida Senate.
