

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 4117 Professional Geologists

SPONSOR(S): Nuñez

TIED BILLS: **IDEN./SIM. BILLS:**

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Business & Consumer Affairs Subcommittee	12 Y, 0 N	Livingston	Creamer
2) Economic Affairs Committee	15 Y, 0 N	Livingston	Tinker

SUMMARY ANALYSIS

Currently, the Board of Professional Geologists has oversight of the geology profession. Out of state practitioners are required to meet prescribed standards in order to qualify for licensure by endorsement to practice in the state. Qualifications for licensure include the successful passage of the Florida laws and rules portion of the geology examination. However, pursuant to statutory authority, Florida has adopted the examination of the National Association of State Boards of Geology as the state examination, therefore, there is no Florida laws and rules portion of the examination.

The bill removes the requirement of passing a state laws and rules portion of the national examination to be licensed by endorsement to practice geology in Florida.

The bill does not have a fiscal impact on state funds.

The effective date of the bill is July 1, 2012.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Current Situation

Chapter 455, F.S., provides the general powers of the Department of Business and Professional Regulation (department) and sets forth the procedural and administrative frame-work for professional boards housed under the department, as well as, the Divisions of Certified Public Accounting, Professions, Real Estate, and Regulation.

Currently, chapter 492, F.S., creates the Board of Professional Geologists and establishes the qualifications for the licensure of persons practicing geology.

Section 492.102, F.S., defines “geology” to mean:

the science which includes the treatment of the earth and its origin and history, in general; the investigation of the earth’s crust and interior and the solids and fluids, including all surface and underground waters, and gases which compose the earth; the study of the natural agents, forces, and processes which cause changes in the earth; and the utilization of this knowledge of the earth and its solids, fluids, and gases, and their collective properties and processes, for the benefit of humankind.

“Geologist” is defined to mean:

an individual who, by reason of her or his knowledge of geology, soils, mathematics, and the physical and life sciences, acquired by education and practical experience, is capable of practicing the science of geology.

Section 492.108, F.S., specifies:

492.108 Licensure by endorsement; requirements; fees.—

(1) The department shall issue a license by endorsement to any applicant who, upon applying to the department and remitting an application fee, has been certified by the board that he or she:

- (a) Has met the qualifications for licensure in s. 492.105(1)(b)-(e).
- (b) Is the holder of an active license in good standing in a state, trust, territory, or possession of the United States.
- (c) Was licensed through written examination in at least one state, trust, territory, or possession of the United States, the examination requirements of which have been approved by the board as substantially equivalent to or more stringent than those of this state, and has received a score on such examination which is equal to or greater than the score required by this state for licensure by examination.
- (d) **Has taken and successfully passed the laws and rules portion of the examination required for licensure as a professional geologist in this state.**

Effect of Proposed Changes

The bill removes the requirement of passing a state laws and rules portion of the national examination to be licensed by endorsement to practice geology in Florida.

B. SECTION DIRECTORY:

Section 1 amends s. 492.108, F.S., relating to qualifications for licensure by endorsement to practice geology.

Section 2. Provides an effective date of July 1, 2012.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

None.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

None.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

This bill does not appear to: require counties or municipalities to spend funds or take an action requiring the expenditure of funds; reduce the authority that counties or municipalities have to raise revenues in the aggregate; or reduce the percentage of a state tax shared with counties or municipalities.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES

None.