

House Bill 1546

By: Representatives Lunsford of the 110th, Lewis of the 15th, Smith of the 113th, and Hudson of the 124th

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 1 of Chapter 2 of Title 12 of the Official Code of Georgia Annotated,
2 relating to general provisions relative to the Department of Natural Resources, so as to
3 provide that evaluations and reports of licensed soil scientists shall be accepted by the
4 Department of Natural Resources for certain purposes; to define certain terms; to amend
5 Code Section 31-3-5 of the Official Code of Georgia Annotated, relating to functions of
6 county boards of health, so as to provide that evaluations and reports of licensed soil
7 scientists shall be accepted by county boards of health for certain purposes; to provide for
8 certifications of certain reports by licensed soil scientists and other persons qualified to
9 conduct soil evaluations for on-site sewage management systems; to amend Title 43 of the
10 Official Code of Georgia Annotated, relating to professions and businesses, so as to regulate
11 the practice of soil science; to provide for a short title; to provide for legislative purpose; to
12 define certain terms; to provide for inapplicability; to provide for the State Licensing Board
13 for Professional Soil Scientists; to provide for board powers and duties; to provide for certain
14 records; to provide for filing and service of documents; to provide for applications; to
15 provide for eligibility; to provide for licensing; to provide for refusal and discipline; to
16 provide for seals; to provide for a code of professional conduct; to provide for charges of
17 violations; to require utilization of licensees by government entities; to provide for a legal
18 adviser; to provide for exemptions; to make certain acts unlawful; to provide punishment for
19 violations; to provide for related matters; to provide a contingent effective date; to repeal
20 conflicting laws; and for other purposes.

21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

22 **SECTION 1.**

23 Article 1 of Chapter 2 of Title 12 of the Official Code of Georgia Annotated, relating to
24 general provisions relative to the Department of Natural Resources, is amended by adding
25 a new Code section to read as follows:

1 "12-2-10.

2 Any person who is a licensed soil scientist under Chapter 43B of Title 43 may submit
3 evaluations and reports to the department when such are required by the department for
4 purposes of satisfying requirements of this title; specifically erosion, sedimentation and
5 pollution control, underground injection control, and large community subsurface systems.
6 Such reports by a licensed soil scientist shall be accepted by the department for such
7 purposes."

8 **SECTION 2.**

9 Code Section 31-3-5 of the Official Code of Georgia Annotated, relating to functions of
10 county boards of health, is amended by striking subsection (d) and inserting in lieu thereof
11 the following:

12 "(d)(1) Any person may register with the department to conduct soil investigations and
13 prepare soil reports of a site within the state for an on-site sewage management system
14 ~~who~~ if such person meets any one of the following criteria:

15 (A) ~~Qualifies as a soil classifier as defined in subparagraph (B) of paragraph (3) of this~~
16 ~~subsection;~~

17 ~~(B)~~ Holds a valid certificate of registration as a professional engineer issued pursuant
18 to Chapter 15 of Title 43 and is practicing within his or her area of engineering
19 competency;

20 ~~(C)~~ (B) Holds a valid certificate of registration as a registered geologist issued pursuant
21 to Chapter 19 of Title 43 and is practicing within his or her area of geologic
22 competency; or

23 ~~(D)~~ (C) Is a soil and water conservation technician ~~as defined in subparagraph (A) of~~
24 ~~paragraph (3) of this subsection~~ employed as such by a soil and water conservation
25 district provided for in Article 2 of Chapter 6 of Title 2.

26 (2)(A) Upon the submission of an evaluation of the suitability of a site within the state
27 for an on-site sewage management system by ~~such~~ a person who is a licensed soil
28 scientist under Chapter 43B of Title 43 or who is registered with the department under
29 this subsection, the county board of health shall be required to accept the evaluation
30 unless such evaluation is found by the county board of health to be deficient or
31 questionable. If the county board of health finds such evaluation to be deficient or
32 questionable, the board shall, within three working days of making such finding, issue
33 a written determination stating all deficiencies and all measures needed to correct the
34 deficiencies. A copy of this determination shall be provided to the state director of
35 environmental health.

1 (B) An evaluation shall not be deemed deficient or questionable and shall be accepted
 2 by the county board of health if the following certification is printed on the report at
 3 least one inch apart from any other text and in type size and boldness equal to or
 4 greater than any other type size and boldness in the body of the report and signed by
 5 a licensed soil scientist or a person registered with the department under this
 6 subsection; provided, however, that such certification shall not be required except for
 7 purposes of the guaranteed acceptance provided by this subparagraph:
 8 'By affixing my seal and signature, I, (name), certify that I have mapped the soils of
 9 the area covered by this report in accordance with National Cooperative Soil Survey
 10 Standards of the United States Department of Agriculture Natural Resources
 11 Conservation Service. This evaluation has met or exceeded the minimum field
 12 standards of the Georgia Department of Human Resources, Division of Public Health,
 13 Environmental Health Section. The soils map and its interpretation are my opinions
 14 based upon the results of my evaluation. The Environmental Health Section or county
 15 health department will make final determinations regarding use of these soils for
 16 on-site sewage management systems. I have delivered a copy of this report to the
 17 owner of the subject real property and, by this certification, I guarantee to such owner
 18 and his or her successors in interest for a period of three years from the date of this
 19 certification that an on-site sewage management system installed in accordance with
 20 the recommendations of this report will not malfunction due to soil conditions during
 21 such period; provided, however, that if the soils are altered after this report date or the
 22 soils are not used as recommended, I will not be responsible for malfunctions arising
 23 from such soils issues.

24 _____
 25 Name

26 _____
 27 Address'

28 ~~(3) As used in this subsection, the term:~~

29 ~~(A) 'Soil and water conservation technician' means a person employed as a soil and~~
 30 ~~water conservation technician by a soil and water conservation district provided for in~~
 31 ~~Article 2 of Chapter 6 of Title 2.~~

32 ~~(B) 'Soil classifier' means a person who:~~

33 ~~(i) Holds at least a bachelor of science degree from an accredited college or~~
 34 ~~university with a major in soil science or a related field of science. This degree shall~~
 35 ~~include 30 semester credit hours or equivalent quarter credit hours in the biological;~~

1 ~~physical, chemical, and earth sciences with a minimum of 15 semester credit hours~~
 2 ~~or equivalent quarter hours in soil science courses meeting the following distribution:~~

3 ~~(I) A minimum of one course in soil classification, morphology, genesis, and~~
 4 ~~mapping; and~~

5 ~~(II) The remaining soil science credits must be in at least three of the following~~
 6 ~~eight categories: introductory soil science, soil fertility, soil microbiology, soil~~
 7 ~~chemistry, soil physics, soil management, soils and land use, or soils and the~~
 8 ~~environment, soil mineralogy, or a three credit maximum in independent study,~~
 9 ~~geology, or hydrology; and~~

10 ~~(ii) Has at least four years of verifiable full-time or equivalent part-time experience~~
 11 ~~under the supervision of a soil classifier who has met the education and experience~~
 12 ~~requirements provided in this subparagraph. Such experience must be obtained after~~
 13 ~~meeting all educational requirements defined in this subparagraph and must have been~~
 14 ~~spent actively mapping, identifying, and classifying soil features and interpreting the~~
 15 ~~influence of soil features on soil uses including, but not limited to, conducting soil~~
 16 ~~investigations for determining the suitability of sites for on-site sewage management~~
 17 ~~systems as approved by the department's soil classifiers advisory committee; and~~

18 ~~(iii) Has successfully passed a written examination pertaining to site investigations~~
 19 ~~for on-site sewage management systems administered or approved by the department."~~

20 SECTION 3.

21 Title 43 of the Official Code of Georgia Annotated, relating to professions and businesses,
 22 is amended by inserting a new chapter to read as follows:

23 "CHAPTER 43B

24 43-43B-1.

25 This chapter shall be known and may be cited as the 'Soil Scientists Licensing Act of 2006.'

26 43-43B-2.

27 The purpose of this chapter is to protect life, property, health, and public welfare through
 28 regulation of the practice of soil science in the state; to define the practice of soil science
 29 as a profession by establishing minimum standards of ethical conduct and professional
 30 responsibility and by establishing professional education and experience requirements; and
 31 to prevent abuses in the practice of soil science by untrained or unprincipled individuals.

32 This action recommends itself through benefits to the people of this state and promotion
 33 of the public welfare. These benefits are in the field of soil science as related to on-site

1 disposal of domestic waste water (septic systems), land treatment of various waste waters,
2 byproducts, and residual solids on land, bioremediation, erosion and sedimentation, soil
3 productivity, protection of surface and ground water, identification of wetlands and unique
4 natural resources, and other soil matters of concern to the people of the state.

5 43-43B-3.

6 As used in this chapter, the term:

7 (1) 'Board' means the State Licensing Board for Professional Soil Scientists.

8 (2) 'License' means a certificate issued by the board to an individual who satisfies the
9 requirements established for a licensed soil scientist under this chapter and the rules and
10 regulations adopted pursuant to this chapter.

11 (3) 'Licensed soil scientist' means a person who is licensed as a soil scientist under this
12 chapter.

13 (4) 'Public practice of soil science' means any service or work, the adequate performance
14 of which requires education in the physical, chemical, and biological sciences, as well as
15 soil science; training and experience in the application of special knowledge of these
16 sciences to the use and management of soils by accepted principles and methods;
17 investigation, evaluation, and consultation in the use and management of soils; and in
18 which the performance is related to the public welfare by safeguarding life, health,
19 property, and the environment. The term includes, but is not limited to, investigating and
20 evaluating the interaction between water, soil, nutrients, plants, and other living
21 organisms that are used to prepare soil scientists' reports for subsurface ground
22 absorption systems, including infiltration galleries; land application of residuals such as
23 sludge, septage, and other wastes; spray irrigation of waste water; soil remediation at
24 conventional rates; land application of agricultural products and processing residues;
25 bioremediation and volatilization; soil erodibility and sedimentation; and identification
26 of hydric soil and redoximorphic features.

27 (5) 'Responsible charge of work' means the independent control and direction, by the use
28 of initiative, skill, and independent judgment, of soil science work or the supervision of
29 such work.

30 (6) 'Soil' means the unconsolidated mineral or organic matter on the surface of the earth
31 that has been subjected to and influenced by genetic and environmental factors of parent
32 material, climate (including water and temperature effects), microorganisms, and
33 topography, all acting over time and producing a product that differs from the material
34 from which it is derived in many physical, chemical, biological, and morphological
35 properties and characteristics.

1 (7) 'Soil science' means the science dealing with soils as an environmental resource. Soil
2 science includes soil characterization, classification, and mapping; the physical, chemical,
3 hydrologic, mineralogical, biological, and microbiological analysis of soil; and the
4 assessment, analysis, modeling, testing, evaluation, and use of soil for the benefit of
5 mankind. Soil science does not include design or creative works, the adequate
6 performance of which requires extensive geological, engineering, land surveying,
7 forestry, or landscape architecture education, training, and experience or requires
8 registration as a geologist under Chapter 19 of this title, professional engineer or land
9 surveyor under Chapter 15 of this title, or forester under Part 2 of Article 1 of Chapter 6
10 of Title 12 or licensing as a landscape architect under Chapter 23 of this title.

11 (8) 'Soil scientist-in-training' means a person who has passed the examination and
12 satisfied all other requirements for licensure under this chapter except for the professional
13 work experience requirement.

14 (9) 'Subordinate' means any person who assists a licensed soil scientist in the practice of
15 soil science without assuming the responsible charge of work.

16 43-43B-4.

17 This chapter does not apply to the following individuals:

18 (1) An officer or employee of:

19 (A) The federal government;

20 (B) The state government; or

21 (C) Any local government

22 while such officer or employee is providing soil science services for the officer's or
23 employee's employer;

24 (2) An individual engaged solely in soil science research or the instruction of soil
25 science;

26 (3) An individual not engaged in the public practice of soil science;

27 (4) A professional engineer registered under Chapter 15 of this title who applies soil
28 science to the practice of engineering;

29 (5) A professional geologist registered under Chapter 19 of this title who applies soil
30 science to the practice of geology;

31 (6) A professional forester registered under Part 2 of Article 1 of Chapter 6 of Title 12
32 who applies soil science to the practice of forestry;

33 (7) A person who is a certified professional in erosion and sediment control (CPESC) or
34 soil conservationist who uses soil science in making land use decisions for the
35 conservation of soil and water resources;

1 (8) A professional wetlands specialist who applies soil science to make wetland
2 delineations or determinations;

3 (9) A person who conducts soil sampling solely for the purpose of determining plant
4 nutrient and lime application rates for gardening and agricultural purposes; or

5 (10) A soil and water conservation technician registered with the Department of Natural
6 resources under subsection (d) of Code Section 31-3-5 when applying soil science for
7 purposes of said subsection.

8 43-43B-5.

9 (a) The State Licensing Board for Professional Soil Scientists is created, whose duty it
10 shall be to administer this chapter. The board shall be composed of:

11 (1) Five members who shall be eligible for licensure under this chapter and who on and
12 after July 1 of the year following the effective date of this chapter shall be soil scientists
13 licensed under this chapter, one of whom shall be an academic soil scientist, one a
14 governmental soil scientist, one a salaried company soil scientist, one an independent or
15 consultant soil scientist, and one a soil scientist at large;

16 (2) A sixth member who shall be appointed from the public at large and who shall have
17 no connection whatsoever with the practice of professional soil science; and

18 (3) The commissioner of human resources, ex officio, or his or her designated agent.

19 (b) The members of the board provided for in paragraphs (1) and (2) of subsection (a) of
20 this Code section shall be appointed by the Governor, subject to approval as to
21 qualifications by the Secretary of State and confirmation by the Senate, for terms of five
22 years and until their successors are appointed and qualified. On the expiration of the term
23 of any member, the member's successor shall be appointed in the same manner as regular
24 appointments.

25 (c) Each member of the board shall be a citizen of the United States and a resident of the
26 State of Georgia.

27 (d) No person shall serve as a member of the board for more than one consecutive
28 five-year term.

29 (e) The Governor may remove any member of the board pursuant to the authority of Code
30 Section 43-1-17. Vacancies in the membership of the board shall be filled for the unexpired
31 term by appointment by the Governor as provided for in this chapter.

32 (f) The members of the board shall, before entering upon the discharge of their duty,
33 subscribe to and file with the office of the Governor the required oath of office, whereupon
34 the Governor shall issue to each appointee a certificate of appointment.

35 (g) Each member of the board shall be reimbursed as provided for in subsection (f) of
36 Code Section 43-1-2.

1 43-43B-6.

2 (a) In addition to other powers and duties specified in this chapter, the board shall:

3 (1) Promulgate, adopt, amend, and repeal all rules and regulations necessary for its
4 government and for carrying this chapter into effect for the regulation of proceedings
5 before the board. The board and all of its rules, regulations, and procedures are subject
6 to and shall comply with Chapter 13 of Title 50, the 'Georgia Administrative Procedure
7 Act';

8 (2) Adopt and have an official seal;

9 (3) Elect from its membership a chairperson, a vice chairperson, and any other officers
10 deemed necessary who shall hold office for a term of one year;

11 (4) Issue, renew, refuse to renew, deny, suspend, revoke, and reinstate licenses or
12 otherwise discipline licensees under this chapter;

13 (5) Initiate investigations for the purpose of discovering violations of this chapter;

14 (6) Hold hearings on all matters properly brought before the board and, in conjunction
15 therewith, to administer oaths, receive evidence, make necessary findings, and enter
16 orders consistent with the findings. The board may designate one or more of its members
17 as its hearing officer;

18 (7) Adopt a code of professional conduct;

19 (8) Establish and receive fees as required by this chapter;

20 (9) Examine and determine the qualifications and fitness of applicants for licenses to
21 practice soil science in this state;

22 (10) Bring proceedings in the courts for the enforcement of this chapter or any rules or
23 regulations promulgated pursuant to this chapter;

24 (11) Establish reasonable standards for continuing professional education for soil
25 scientists; provided, however, that no examination shall be required for a renewal of a
26 license; and

27 (12) Have such other powers and duties as are necessary to effectuate the purposes of
28 this chapter.

29 (b) The board shall be assigned to the office of the Secretary of State for administrative
30 purposes, shall operate under the jurisdiction of the division director, and shall operate in
31 accordance with and pursuant to the provisions of Chapter 1 of this title, as applicable.

32 43-43B-7.

33 All appeals from a decision of the board, all documents or applications required by law to
34 be filed with the board, and any notice or legal process to be served upon the board shall
35 be filed with or served upon the division director at his or her office.

1 43-43B-8.

2 An application for licensing as a soil scientist shall be made under oath and shall show the
3 applicant's education and a detailed summary of the applicant's professional work
4 experience as a soil scientist. The application shall be accompanied by an application fee
5 fixed by the board.

6 43-43B-9.

7 (a) To be eligible for a license as a soil scientist in this state, an applicant shall meet each
8 of the following minimum qualifications:

9 (1) Be of good ethical character;

10 (2) Hold at least a bachelor's degree in science from an accredited college or university
11 with a major in soil science or a related field of science. Such degree shall include a
12 minimum of 30 semester hours or equivalent quarter credit hours in agricultural,
13 biological, chemical, physical, or earth sciences, with a minimum of 15 semester credit
14 hours or equivalent quarter credit hours in soil science courses;

15 (3) Have at least four years of professional work experience as a soil scientist under the
16 supervision of a licensed soil scientist or a soil scientist who is eligible for licensure
17 under this chapter. An applicant may substitute an advanced degree in soil science for a
18 portion of the professional work experience requirement. The board, in its discretion, may
19 allow an applicant to substitute a master's degree in soil science for one year of
20 professional work experience and to substitute a doctoral degree in soil science for two
21 years of professional work experience. The board, in its discretion, may allow an
22 applicant to substitute experience gained through teaching upper-level soil science
23 courses at the college or university level or research in soil science for all or any portion
24 of the professional work experience requirement if the board finds the teaching or
25 research to be equivalent to the responsible charge of work by a soil scientist; and

26 (4) Successfully pass such examinations as are established by the board and which are
27 designed to demonstrate that the applicant has the necessary knowledge and skill to
28 exercise the responsibilities of the public practice of soil science.

29 (b) The board shall designate an applicant who meets all the requirements for a license
30 under this chapter except the professional work experience requirement as a soil
31 scientist-in-training. A soil scientist-in-training may apply for a license upon completion
32 of the professional work experience requirement.

33 (c)(1) The board shall waive examination requirements for licensing for an individual
34 who, on the effective date of this chapter, is certified as a soil scientist or soil classifier
35 by:

1 (A) The American Registry of Certified Professionals in Agronomy, Crops, and Soils
2 (ARCP ACS); or

3 (B) The Department of Human Resources.

4 (2) Examinations shall be held at least annually.

5 (3) The board shall determine the fee for and the scope, form, and content of the
6 examinations provided for under this chapter.

7 (d) A person holding a license to engage in the practice of soil science on the basis of
8 comparable licensing requirements issued to him or her by a proper authority of another
9 state, territory, or possession of the United States or the District of Columbia and who, in
10 the opinion of the board, otherwise meets the requirements of this chapter based on verified
11 evidence may be licensed upon application without further examination.

12 43-43B-10.

13 (a) The board shall issue a license, upon payment of the license fee set by the board, to any
14 applicant who, in the opinion of the board, has satisfactorily met the requirements of this
15 chapter.

16 (b) All licenses shall be renewable biennially at such time as may be designated by the
17 board. All applications for renewal shall be filed with the board prior to the expiration date,
18 accompanied by the renewal fee prescribed by the board. A license which has expired for
19 failure to renew may only be reinstated after application and payment of the prescribed
20 reinstatement fee within six months of the expiration date, provided that the applicant
21 meets such requirements as the board may establish by rule.

22 (c) A new license to replace any license that is lost, destroyed, or mutilated may be issued
23 subject to the rules of the board and payment of a fee set by the board.

24 43-43B-11.

25 (a) The board shall have the authority to refuse to grant a license to an applicant therefor
26 or to revoke or suspend the license of a person licensed by the board or to otherwise
27 discipline a person licensed by the board the same as provided in Code Section 43-1-19 for
28 professional licensing boards.

29 (b) The action by the board in granting or refusing to grant or renew a license under this
30 chapter or in revoking or suspending or in refusing to revoke or suspend such a license may
31 be appealed in accordance with Chapter 13 of Title 50, the 'Georgia Administrative
32 Procedure Act,' to the superior court of the county of domicile of the board; provided,
33 however, that if the findings of the board are supported by any evidence, such findings
34 shall be accepted by the court.

1 43-43B-12.

2 Each licensee under this chapter may use a seal of such design as is authorized by the
3 board, bearing the licensee's name and the legend 'Licensed Professional Soil Scientist.'
4 All drawings, reports, or other papers or documents involving the practice of soil science,
5 as defined in this chapter, which shall have been prepared or approved by a licensed soil
6 scientist or a subordinate employee under his or her direction for the use of or for delivery
7 to any person or for public record within this state shall be signed by him or her and
8 impressed with the seal provided for in this Code section or the seal of a nonresident
9 practicing under this chapter, either of which shall indicate his or her responsibility for
10 them.

11 43-43B-13.

12 The board shall keep a record and shall publish annually a roster showing the names, places
13 of business, and residence addresses of all soil scientists licensed under this chapter. Copies
14 of such roster shall be made available to the public upon request and payment of a
15 reasonable fee, established by the board, for copying.

16 43-43B-14.

17 The board shall prepare and adopt by rule a code of professional conduct that shall be made
18 known in writing to every licensee and applicant for licensing under this chapter and shall
19 be published by the board. Publication of the code of professional conduct shall be due
20 notice to all licensees of its contents. The board may revise and amend such code of
21 professional conduct. Prior to adoption of any revision or amendments, all licensed
22 members and the public shall receive due notice and an opportunity to be heard.

23 43-43B-15.

24 Any person may file written charges of violations of this chapter or any rules adopted
25 pursuant to this chapter with the board against any licensee. Any charges or allegations
26 shall be in writing, shall be sworn to by the person making them, and shall be filed with
27 the board. The board shall investigate reasonably all valid complaints.

28 43-43B-16.

29 On and after January 1 of the year following the effective date of this chapter, this state and
30 its political subdivisions, such as a county, a municipality, or a legally constituted board,
31 district, commission, or authority, shall contract for soil science services only with persons
32 licensed under this chapter or with a firm employing a licensed soil scientist.

1 43-43B-17.

2 (a) This chapter shall not prohibit one or more soil scientists from practicing through the
3 medium of a sole proprietorship, partnership, limited liability company, or corporation. In
4 a partnership, limited liability company, or corporation whose primary activity consists of
5 soil science services, at least one partner, member, or officer shall be a licensed soil
6 scientist.

7 (b) This chapter shall not prevent or prohibit an individual, firm, company, association, or
8 corporation whose principal business is other than the public practice of soil science from
9 employing a unlicensed soil scientist to perform nonpublic soil science services necessary
10 to the conduct of its business.

11 (c) This chapter shall not be construed to prevent or to affect:

12 (1) The practice of any profession or trade for which a license is required under any other
13 provision of this Code;

14 (2) The practice of registered professional engineers from lawfully practicing soils
15 mechanics, foundation engineering, and other professional engineering as provided in this
16 title; or

17 (3) The practice of a person who is not a resident of and has no established place of
18 business in this state or who has recently become a resident hereof practicing or offering
19 to practice the profession of soil science herein for more than 30 days in any calendar
20 year if the person shall have filed with the board an application for a license and shall
21 have paid the fee required by this chapter. Such practice shall continue only for such time
22 as the board requires for the consideration of the applicant for licensing.

23 43-43B-18.

24 (a) It shall be unlawful for any person other than a licensed soil scientist or a subordinate
25 under the soil scientist's direction and not otherwise exempt under this chapter to conduct
26 or participate in any practice of soil science or prepare any soil science reports, maps, or
27 documents related to the public welfare or the safeguarding of life, health, property, or the
28 environment.

29 (b) It shall be unlawful for any person, including a soil scientist-in-training or a
30 subordinate, to practice, or offer to practice, soil science in this state or to use in connection
31 with his or her name, otherwise assume, or advertise any title or description tending to
32 convey the impression that he or she is a licensed soil scientist unless that person has been
33 duly licensed or is exempted under the provisions of this chapter.

34 (c) It shall be unlawful for anyone other than a licensed soil scientist to stamp or seal any
35 soils related plans, maps, reports, or other soils related documents with the seal or stamp

1 of a licensed soil scientist or use in any manner the title 'soil scientist' unless that person
2 is licensed under this chapter.

3 (d) It shall be unlawful for any person to affix his or her signature to, stamp, or seal any
4 soils related plans, maps, reports, or other soils related documents after the license of the
5 person has expired or been suspended or revoked.

6 (e) It shall be unlawful for a licensed soil scientist to prepare plats and maps so as to
7 engage in the practice of land surveying as defined in Code Section 43-15-2 unless the
8 licensed soil scientist is also a registered land surveyor under Chapter 15 of this title.

9 (f) It shall be unlawful for a licensed soil scientist to engage in the design of engineering
10 works and systems unless the licensed soil scientist is also a registered professional
11 engineer under Chapter 15 of this title.

12 (g) It shall be unlawful for a licensed soil scientist to engage in the practice of geology
13 unless the licensed soil scientist is also a registered geologist under Chapter 19 of this title.

14 (h) Subsections (a) and (b) of this Code section shall apply only to acts committed on or
15 after January 1 of the year following the effective date of this chapter.

16 43-43B-19.

17 (a) A person who:

18 (1) Willfully practices soil science or offers to practice soil science for any other person
19 in this state without being licensed and who is not otherwise exempt in accordance with
20 the provisions of this chapter;

21 (2) Presents or attempts to use as his or her own the license or the seal of any other soil
22 scientist;

23 (3) Gives any false or forged evidence in the course of applying for a license under this
24 chapter;

25 (4) Impersonates a licensed soil scientist;

26 (5) Practices or attempts to practice at any time while his or her license is suspended or
27 revoked; or

28 (6) Commits any other act made unlawful by this chapter

29 shall be guilty of a misdemeanor.

30 (b) Paragraph (1) of subsection (a) of this Code section shall apply only to acts committed
31 on or after January 1 of the year following the effective date of this chapter."

32 SECTION 4.

33 This Act shall become effective only upon the effective date of a specific appropriation of
34 funds for the purposes of this Act as expressed in a line item making specific reference to the
35 full funding of this Act in an appropriations Act enacted by the General Assembly.

1

SECTION 5.

2 All laws and parts of laws in conflict with this Act are repealed.