

Senate Bill 226

By: Senators Harp of the 29th, Hill of the 4th, Hudgens of the 47th, Chapman of the 3rd and Tolleson of the 20th

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 qualified soil scientists shall be accepted by the
4 Department of Natural Resources for certain purposes; to define certain terms; to amend
5 Chapter 2 of Title 31 of the Official Code of Georgia Annotated, relating to the Department
6 of Human Resources, so as to provide that evaluations and reports of qualified soil scientists
7 shall be accepted by the Department of Human Resources for certain purposes; to define
8 certain terms; to repeal conflicting laws; and for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

10 style="text-align:center">**SECTION 1.**

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

14 "12-2-10.

15 (a) As used in this Code section, the term:

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

1 conventional rates; land application of agricultural products and processing residues;
 2 bioremediation and volatilization; soil erodibility and sedimentation; and identification
 3 of hydric soil and redoximorphic features.

4 (2) 'Soil science' means the science dealing with soils as an environmental resource. Soil
 5 science includes soil characterization, classification, and mapping; the physical, chemical,
 6 hydrologic, mineralogical, biological, and microbiological analysis of soil; and the
 7 assessment, analysis, modeling, testing, evaluation, and use of soil for the benefit of
 8 mankind. Soil science does not include design or creative works, the adequate
 9 performance of which requires extensive geological, engineering, land surveying,
 10 forestry, or landscape architecture education, training, and experience or requires
 11 registration as a geologist under Chapter 19 of Title 43, professional engineer or land
 12 surveyor under Chapter 15 of Title 43, or forester under Part 2 of Article 1 of Chapter 6
 13 of this title or licensing as a landscape architect under Chapter 23 of Title 43.

14 (3) 'Soil scientist' means a person who engages in the public practice of soil science.

15 (b) Any person who:

16 (1) Holds at least a bachelor's degree in science from an accredited college or university
 17 with a major in soil science or a related field of science, which degree includes a
 18 minimum of 30 semester hours or equivalent quarter credit hours in agricultural,
 19 biological, chemical, physical, or earth sciences, with a minimum of 15 semester credit
 20 hours or equivalent quarter credit hours in soil science courses; or

21 (2) Has at least four years of work experience as a soil scientist under the supervision of
 22 a person who meets the qualifications of paragraph (1) above and who provides
 23 satisfactory evidence of such qualifications to the department

24 shall be authorized and qualified, for purposes of assisting persons in meeting the
 25 requirements of this title, to engage in the public practice of soil science on behalf of such
 26 persons and submit soil science evaluations and reports to the department when such are
 27 required for purposes of satisfying requirements of this title, and such reports by a soil
 28 scientist shall be accepted by the department for such purposes."

29 SECTION 2.

30 Chapter 2 of Title 31 of the Official Code of Georgia Annotated, relating to the Department
 31 of Human Resources, is amended by adding a new Code section to read as follows:

32 "31-2-10.

33 (a) As used in this Code section, the term:

34 (1) 'Public practice of soil science' means any service or work, the adequate performance
 35 of which requires education in the physical, chemical, and biological sciences, as well as
 36 soil science; training and experience in the application of special knowledge of these

1 sciences to the use and management of soils by accepted principles and methods;
 2 investigation, evaluation, and consultation in the use and management of soils; and in
 3 which the performance is related to the public welfare by safeguarding life, health,
 4 property, and the environment. The term includes, but is not limited to, investigating and
 5 evaluating the interaction between water, soil, nutrients, plants, and other living
 6 organisms that are used to prepare soil scientists' reports for subsurface ground
 7 absorption systems, including infiltration galleries; land application of residuals such as
 8 sludge, septage, and other wastes; spray irrigation of waste water; soil remediation at
 9 conventional rates; land application of agricultural products and processing residues;
 10 bioremediation and volatilization; soil erodibility and sedimentation; and identification
 11 of hydric soil and redoximorphic features.

12 (2) 'Soil science' means the science dealing with soils as an environmental resource. Soil
 13 science includes soil characterization, classification, and mapping; the physical, chemical,
 14 hydrologic, mineralogical, biological, and microbiological analysis of soil; and the
 15 assessment, analysis, modeling, testing, evaluation, and use of soil for the benefit of
 16 mankind. Soil science does not include design or creative works, the adequate
 17 performance of which requires extensive geological, engineering, land surveying,
 18 forestry, or landscape architecture education, training, and experience or requires
 19 registration as a geologist under Chapter 19 of Title 43, professional engineer or land
 20 surveyor under Chapter 15 of Title 43, or forester under Part 2 of Article 1 of Chapter 6
 21 of Title 12 or licensing as a landscape architect under Chapter 23 of Title 43.

22 (2) 'Soil scientist' means a person who engages in the public practice of soil science.

23 (b) Any person who:

24 (1) Holds at least a bachelor's degree in science from an accredited college or university
 25 with a major in soil science or a related field of science, which degree includes a
 26 minimum of 30 semester hours or equivalent quarter credit hours in agricultural,
 27 biological, chemical, physical, or earth sciences, with a minimum of 15 semester credit
 28 hours or equivalent quarter credit hours in soil science courses; or

29 (2) Has at least four years of work experience as a soil scientist under the supervision of
 30 a person who meets the qualifications of paragraph (1) above and who provides
 31 satisfactory evidence of such qualifications to the department

32 shall be authorized and qualified, for purposes of assisting persons in meeting the
 33 requirements of this title, to engage in the public practice of soil science on behalf of such
 34 persons and submit soil science evaluations and reports to the department when such are
 35 required for purposes of satisfying requirements of this title, and such reports by a soil
 36 scientist shall be accepted by the department for such purposes."

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SECTION 3.

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