SENATE BILL No. 533

DIGEST OF INTRODUCED BILL

Citations Affected: IC 14-34-3-3; IC 25-17.6; IC 34-30-2-98.7.

Synopsis: Licensure of professional geologists. Changes the certification program for professional geologists to a licensure program. Makes conforming amendments. Revises qualifications for licensure as a professional geologist so that equal credit is given for geological work experience, whether performed in the private sector or for a governmental entity. Exempts from the requirements of licensure a soil scientist or soil classifier who is certified by the American Registry of Certified Professionals in Agronomy, Crops and Soils (ARCPACS) and the Indiana Association of Professional Soil Classifiers (IAPSC) and who applies geology in the practice of soil science. Makes it a Class B misdemeanor for a person to publicly

(Continued next page)

Effective: July 1, 1999.

Server, Craycraft

January 19, 1999, read first time and referred to Committee on Natural Resources.

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Digest Continued

practice geology or offer to publicly practice geology in Indiana without being licensed as a professional geologist.

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Introduced

First Regular Session 111th General Assembly (1999)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type.~~

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~*this style type*~~ reconciles conflicts between statutes enacted by the 1998 General Assembly.

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SENATE BILL No. 533

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

Be it enacted by the General Assembly of the State of Indiana:

SECTION 1. IC 14-34-3-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 3. An application for a surface coal mining and reclamation permit must include the following:

(1) The names and addresses of the following:

(A) The permit applicant.

(B) Every legal owner of record of the property (surface and mineral) to be mined.

(C) The holders of record of any leasehold interest in the property.

(D) Any purchaser of record of the property under a real estate contract.

(E) The operator if the operator is a person different from the applicant.

(F) If a person in clauses (A) through (E) is a business entity

other than a single proprietor, the names and addresses of the principals, officers, and resident agent.

(2) The names and addresses of the owners of record of all surface and subsurface areas adjacent to any part of the permit area.

(3) A statement of each current or previous surface coal mining permit in the United States held by the applicant, including each pending application, the permit identification, and the state that issued that permit or holds the pending application.

(4) If the applicant is a partnership, a corporation, an association, or other business entity, the following where applicable:

(A) The names and addresses of every officer, partner, or director or person performing a function similar to a director of the applicant.

(B) The name and address of each person owning, of record, at least ten percent (10%) of any class of voting stock of the applicant.

(C) A list of all names under which the applicant, partner, or principal shareholder previously operated a surface coal mining operation within the United States within:

(i) the five (5) years preceding the date of submission of the application; or

(ii) any additional period that the director establishes.

(5) A statement of whether the applicant or a subsidiary, an affiliate, or a person controlled by or under common control with the applicant has:

(A) ever held a federal or state coal mining permit that in:

(i) the five (5) years preceding the date of submission of the application; or

(ii) any additional period that the director establishes;

was suspended or revoked or is in the process of revocation; or

(B) had a mining bond or similar security deposited in lieu of bond forfeited;

and if so, a brief explanation of the facts involved and identification of the state in which this action occurred.

(6) A copy of the applicant's advertisement to be published under IC 14-34-4-1. The advertisement must include the following:

(A) The names of the property owners involved.

(B) A description of the exact location and boundaries of the proposed site sufficient so that the proposed surface coal mining operation is readily locatable by local residents.

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(C) The location where the application is available for public inspection.

(7) A description of the following:

(A) The type and method of surface coal mining operation that exists or is proposed.

(B) The engineering techniques proposed or used.

(C) The equipment used or proposed to be used.

(8) The anticipated or actual starting and termination dates of each phase of the surface coal mining operation and the number of acres of land to be affected.

(9) An accurate map or plan, to an appropriate scale, clearly showing the following:

(A) The land to be affected as of the date of the application.

(B) The area of land within the permit area upon which the applicant has the legal right to enter and commence surface coal mining operations, including the following:

(i) A statement of those documents upon which the applicant bases the applicant's legal right to enter and commence surface coal mining operations on the area affected.

(ii) Whether that right is the subject of pending court litigation.

(10) The name of the watershed and location of the surface stream or tributary into which surface and pit drainage will be discharged.

(11) A determination of the probable hydrologic consequences of surface coal mining and reclamation operations, both on and off the mine site, with respect to the following:

(A) The hydrologic regime.

(B) The quantity and quality of water in surface and ground water systems, including the dissolved and suspended solids under seasonal flow conditions.

(C) The collection of sufficient data for the mine site and surrounding areas so that an assessment can be made of the probable cumulative impacts of all anticipated mining in the area upon the hydrology of the area and particularly upon water availability.

However, this determination is not required until the time that hydrologic information on the general area before mining is made available from an appropriate federal or state agency. The permit may not be approved until the information is available and is incorporated into the application.

(12) When requested by the director, the climatological factors

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that are peculiar to the locality of the land to be affected, including the following:

(A) The average seasonal precipitation.

(B) The average direction and velocity of prevailing winds.

(C) The seasonal temperature ranges.

(13) Accurate maps to an appropriate scale clearly showing the land affected on the date of application and the same information that is set forth on topographical maps of the United States Geological Survey of a scale of 1:24,000 or 1:25,000 or larger, including all manmade features and archeological and historical sites known by the division of historic preservation and archeology. The map or plan must show the following:

(A) All boundaries of the land to be affected.

(B) The boundary lines and names of present owners of record of all surface areas abutting the permit area.

(C) The location of all buildings within one thousand (1,000) feet of the permit area.

(14) Cross section maps or plans of the land to be affected, including the actual area to be mined, prepared by or under the direction of and certified by an engineer licensed under IC 25-31 or a geologist ~~certified~~ **licensed** under IC 25-17.6 with assistance from experts in related fields such as land surveying and landscape architecture. The maps or plans must show pertinent elevation and location of test borings or core samplings and depict the following:

(A) The nature and depth of the various strata of overburden as required by the commission in the commission's rules.

(B) The location and quality of subsurface water if encountered.

(C) The nature and thickness of each coal or rider seam above the coal seam to be mined.

(D) The nature of the stratum immediately beneath the coal seam to be mined.

(E) All mineral crop lines and the strike and dip of the coal to be mined within the area of land to be affected.

(F) Existing or previous surface coal mining limits.

(G) The location and extent of known workings of each underground coal mine, including mine openings to the surface.

(H) The location of aquifers as required by the commission in the commission's rules.

(I) The estimated elevation of the water table.

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(J) The location of spoil, waste, or refuse areas and topsoil preservation areas.

(K) The location of all impoundments for waste or erosion control.

(L) Each settling or water treatment facility.

(M) Constructed or natural drainageways and the location of each discharge to a surface body of water on the area of land to be affected or adjacent to the land to be affected.

(N) Profiles at appropriate cross sections of the anticipated final surface configuration that will be achieved under the operator's proposed reclamation plan.

(15) A statement of the result of test borings or core samplings from the permit area, including the following:

(A) Logs of the drill holes.

(B) The thickness of the coal seam found and an analysis of the chemical properties of that coal.

(C) The sulfur content of each coal seam.

(D) Chemical analysis of potentially acid or toxic forming sections of the overburden.

(E) A chemical analysis down to and including the deeper of the following:

(i) The stratum lying immediately underneath the lowest coal seam to be mined.

(ii) An aquifer below the lowest coal seam to be mined that may be adversely impacted by mining.

The director may waive the requirement as to the specific application of this clause if the director determines in writing the requirements are unnecessary.

(16) For the land in the permit application that a reconnaissance inspection suggests may be prime farmland and to confirm the exact location of the prime farmland, a soil survey in accordance with the standards established by the United States Secretary of Agriculture.

(17) A reclamation plan that meets the requirements of section 12 of this chapter.

(18) Proof that the applicant is self-insured or has a public liability insurance policy issued by an insurance company authorized to do business in Indiana in force for the surface coal mining and reclamation operations for which the permit is sought. The policy must provide for personal injury and property damage protection in an amount adequate to compensate each person injured as a result of the surface coal mining and reclamation

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operation. If a permit is granted, the permittee shall maintain the policy in full force and effect for the duration of the permit or a renewal.

(19) A blasting plan that outlines the procedures the operator will use to comply with IC 14-34-12.

(20) A listing of all notices of violations, and their final resolution, of:

(A) IC 13-4.1 (before its repeal);

(B) this article; and

(C) a:

(i) federal statute or regulation; or

(ii) state statute or rule enacted or adopted in response to a federal statute or regulation;

pertaining to air or water environmental protection;

incurred by the applicant or a subsidiary, an affiliate, or a person controlled by or under common control with the applicant in connection with any surface coal mining operation during the three (3) year period before the date of application.

SECTION 2. IC 25-17.6-1-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 2. "Board" refers to the Indiana board of ~~certification~~ **licensure** for professional geologists established in IC 25-17.6-2.

SECTION 3. IC 25-17.6-1-6.3 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: **Sec. 6.3. "License" means a document issued by the board to permit a person to engage in an activity regulated under this article.**

SECTION 4. IC 25-17.6-1-6.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: **Sec. 6.5. "Licensed professional geologist" means a person who is licensed as a geologist under this article.**

SECTION 5. IC 25-17.6-2-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 1. (a) The **Indiana** board of ~~certification~~ **licensure** for professional geologists is established.

(b) The board shall administer this article.

SECTION 6. IC 25-17.6-2-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 3. The board shall consist of the following members:

(1) The state geologist.

(2) Three (3) members who are ~~certified~~ **licensed** professional

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geologists.

(3) One (1) member who represents the public at large.

SECTION 7. IC 25-17.6-3-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 1. (a) The board shall meet:

(1) at least one (1) time each calendar year; and

(2) at other times considered necessary by:

(A) the chairman; or

(B) a quorum of the board;

upon being given at least ten (10) days notice.

(b) Each year the board shall:

(1) determine the cost incurred by the survey in administering the program for the ~~certification~~ **licensure** of professional geologists under this article; and

(2) if necessary, adjust the amount of the:

(A) ~~certification~~ **licensure** fee charged under IC 25-17.6-4-7; and

(B) renewal fee charged under IC 25-17.6-5-2;

to ensure that the program is self-supporting.

SECTION 8. IC 25-17.6-3-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 2. (a) The board shall pass upon the qualifications of applicants for ~~certification.~~ **licensure.**

(b) The board shall:

(1) require from an applicant for ~~certification~~ **licensure** evidence of the applicant's qualifications; and

(2) judge an applicant on evidence of the applicant's professional competency and integrity under rules adopted by the board.

SECTION 9. IC 25-17.6-3-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 3. (a) The board may by rule adopt or amend a code of professional conduct for ~~certified~~ **licensed** professional geologists.

(b) If the board adopts or amends a code of professional conduct under subsection (a), the board shall mail a copy of the code and any amendments to the code to all persons listed on the roster described in section 10 of this chapter.

(c) A mailing under this section constitutes service for the purposes of this article.

SECTION 10. IC 25-17.6-3-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 4. The board may investigate:

(1) a suspected violation by a ~~certified~~ **licensed** professional geologist of:

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(A) the code of conduct adopted under section 3 of this chapter; or

(B) other rules of the board concerning professional competency and integrity of ~~certified~~ **licensed** professional geologists; or

(2) other grounds for action against a ~~certified~~ **licensed** professional geologist under IC 25-17.6-8.

SECTION 11. IC 25-17.6-3-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 5. (a) The board may file a proposed complaint to condition, suspend, or revoke the ~~registration~~ **license** of a ~~certified~~ **licensed** professional geologist.

(b) The recipient of a proposed complaint may either:

(1) agree to the terms of the proposed complaint; or

(2) request, within twenty (20) days of receiving the proposed complaint, an informal review of the proposed complaint before the board.

(c) Failure by a ~~certified~~ **licensed** professional geologist to request an informal review constitutes an agreement to the terms of the proposed complaint.

SECTION 12. IC 25-17.6-3-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 6. (a) Any person or organization may present charges of fraud, deceit, gross negligence, or misconduct against a ~~certified~~ **licensed** professional geologist.

(b) A charge under subsection (a) shall be:

(1) in writing;

(2) sworn to by the person or the officer of the organization making the charges; and

(3) filed with the board.

SECTION 13. IC 25-17.6-3-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 7. (a) The board shall consider:

(1) a request for review under section 5; or

(2) charges under section 6;

of this chapter during a meeting.

(b) The board may compel a ~~certified~~ **licensed** professional geologist to respond to any matters about a proposed complaint or charges.

(c) The board may by rule establish procedures for the conduct of its review under this section, including the subpoena of witnesses and documents.

(d) A review under this section shall be conducted in an informal manner. However, the board shall keep a record of the proceeding.

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(e) As soon as possible following the meeting, the board shall render a determination and either:

(1) terminate its review; or

(2) issue a determination under IC 4-21.5-3-6 to condition, suspend, or revoke the ~~certification~~ **license** of the ~~certified~~ **licensed** professional geologist.

SECTION 14. IC 25-17.6-3-8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 8. A ~~certified~~ **licensed** professional geologist who receives a determination under section 7 of this chapter shall either:

(1) comply with its terms; or

(2) request administrative review under IC 25-17.6-9.

SECTION 15. IC 25-17.6-3-10 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 10. (a) The survey shall publish each year a roster showing the names and places of business of all ~~certified~~ **licensed** professional geologists.

(b) Copies of the roster described in subsection (a) shall be:

(1) made available to each person ~~certified;~~ **licensed;**

(2) placed on file at the survey; and

(3) furnished to the public upon request.

SECTION 16. IC 25-17.6-4-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 1. To qualify for ~~certification,~~ **licensure,** an applicant must meet all of the following requirements:

(1) Successful completion of at least thirty (30) semester hours or forty-five (45) quarter hours of course work in geology, culminating in a baccalaureate or advanced degree in geology, geophysics, geochemistry, geological engineering, or geotechnical engineering from an accredited college or university. At the discretion of the board, courses dealing with applied geological science that are given under the auspices of an academic department other than geology may be considered toward the fulfillment of this requirement.

(2) Experience in professional geological work consisting of one (1) of the following:

(A) Five (5) years of teaching geology as a faculty member at the college or university level.

(B) Five (5) years of geological research by an applicant at the college or university level.

~~(C) Five (5) years of geological work that is acceptable to the board and is performed while in the employment of the United States government, state government, or local government.~~

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~~(D)~~ **(C)** Five (5) years of geological work performed under the supervision of, or in collaboration with, a ~~certified~~ **licensed** professional geologist.

~~(E)~~ **(D)** Seven (7) years of geological work that is acceptable to the board.

(3) A passing score on an examination required by the board that has been designed to demonstrate that the applicant has the necessary knowledge and skill to exercise the responsibilities of the public practice of geology.

SECTION 17. IC 25-17.6-4-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 5. Upon application, ~~certification~~ **licensure** may be provided to a person who is **licensed or** certified as a geologist in a state that has standards for **licensure or** certification at least equal to those ~~provided in~~ **for licensure under** this chapter, as determined by the board.

SECTION 18. IC 25-17.6-4-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 6. A person seeking ~~certification~~ **licensure** as a ~~certified~~ **licensed** professional geologist who is aggrieved by a determination of the board under this chapter may request administrative review under IC 25-17.6-9.

SECTION 19. IC 25-17.6-4-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 7. (a) An applicant for ~~certification~~ **licensure** shall pay a nonrefundable fee established by regulation of the board.

(b) All fees paid to and collected by the board under this section and IC 25-17.6-5 shall be deposited in a fund under the jurisdiction of the board.

(c) The survey shall be:

(1) designated to collect and disburse funds represented by the fees described in subsection (b); and

(2) required to execute a bond, with corporate surety, in an amount to be determined by the board.

SECTION 20. IC 25-17.6-5-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 1. A ~~certificate~~ **license** issued under IC 25-17.6-4 expires three (3) years after it is issued, at a time and date designated by the board.

SECTION 21. IC 25-17.6-5-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 2. The board shall notify each person ~~certified~~ **licensed** under this article of the:

(1) date of expiration of the person's ~~certificate;~~ **license;** and

(2) amount of the renewal fee established by the board.

SECTION 22. IC 25-17.6-5-3 IS AMENDED TO READ AS

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FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 3. If a person fails to pay the renewal fee within ninety (90) days after the expiration date established by the board under this chapter, the person's:

(1) ~~certificate~~ **license** shall be suspended; and

(2) name shall be deleted from the roster described in IC 25-17.6-3-10;

until the renewal fee is paid.

SECTION 23. IC 25-17.6-5-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 4. (a) If a person fails to pay the renewal fee for two (2) **consecutive** years, that person's ~~certificate~~ **license** shall be revoked and may not be renewed.

(b) If a person whose ~~certificate~~ **license** has been revoked under subsection (a) desires to be ~~recertified,~~ **relicensed,** the person:

(1) must submit an application to the board; and

(2) shall be considered as a new applicant.

SECTION 24. IC 25-17.6-6-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 1. (a) The board shall, upon payment of the ~~certification~~ **licensure** fee, issue a ~~certificate~~ **license** to an applicant who in the opinion of the board has satisfactorily met all the requirements for ~~certification~~ **licensure** under IC 25-17.6-4.

(b) Each ~~certificate~~ **license** shall show the full name of the board.

SECTION 25. IC 25-17.6-6-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 2. The issuance of a ~~certificate~~ **license** by the board is prima facie evidence that the person named on the ~~certificate~~ **license** is entitled to all the rights and privileges of a ~~certified~~ **licensed** professional geologist while the ~~certificate~~ **license** remains in force.

SECTION 26. IC 25-17.6-6-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 3. Each geologist may, upon ~~certification,~~ **licensure,** obtain and use a seal or stamp of ~~certification~~ **licensure** of a design authorized by the board, containing the geologist's name and ~~registration~~ **license** number and the legend ~~"Certified~~ "**Licensed** Professional Geologist".

SECTION 27. IC 25-17.6-6-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 4. A replacement ~~certificate~~ **license** may be issued to replace a ~~certificate~~ **license** that has been lost, destroyed, or mutilated, subject to the rules of the board.

SECTION 28. IC 25-17.6-6-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 5. A geologist may not affix the geologist's signature, stamp, or seal, or certify any report or other **geological** document after the geologist's ~~certificate~~ **license** has

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been suspended or revoked, unless the ~~certificate~~ **license** has been renewed or reissued.

SECTION 29. IC 25-17.6-7-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 1. The following persons are exempt from the requirements of ~~certification~~ **licensure** under this article:

(1) An officer or employee of the United States government, state government, or local government while engaged in providing geological services for the officer's or employee's employers.

(2) A person engaged solely in geological research or the instruction of geology.

(3) A person not engaged in the public practice of geology.

(4) A professional engineer registered under IC 25-31 who applies geology to the practice of engineering.

(5) A soil scientist who is certified as a soil classifier or soil scientist by the American Registry of Certified Professionals in Agronomy, Crops and Soils (ARCPACS) and the Indiana Association of Professional Soil Classifiers (IAPSC) and who applies geology in the practice of soil science.

SECTION 30. IC 25-17.6-7-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 2. Except for:

(1) a person exempted under section 1 of this chapter; and

(2) a person who, in addition to a ~~certified~~ **licensed** professional geologist, is authorized by statute or administrative rule to prepare the report or document;

it is unlawful for a person other than a ~~certified~~ **licensed** professional geologist or a subordinate under the direction of a ~~certified~~ **licensed** professional geologist to prepare any geological report or document that is required by a statute or an administrative rule to be prepared by a ~~certified~~ **licensed** professional geologist.

SECTION 31. IC 25-17.6-7-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 3. A person may not ~~use~~ **engage in the public practice of geology or offer to publicly practice geology in Indiana** or otherwise assume or advertise in any way a title or description tending to convey the impression that the person is a ~~certified~~ **licensed** professional geologist unless the person has been ~~certified~~ **licensed** under this article.

SECTION 32. IC 25-17.6-8-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 1. The board may suspend, refuse to renew the ~~certificate~~ **license** of, revoke the ~~certificate~~ **license** of, reprimand, or place on probation a ~~certified~~ **licensed** professional geologist when the ~~certified~~ **licensed** professional

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geologist is found responsible by the board for any of the following:

(1) Fraud or deceit in obtaining ~~certification.~~ **licensure.**

(2) Gross negligence, incompetence, or misconduct in the practice of geology.

(3) Conviction by a court of law of a felony or a crime involving moral turpitude.

(4) Violation of a code of ethics adopted by the board.

(5) The commission of an unlawful act set forth in section 2 of this chapter.

SECTION 33. IC 25-17.6-8-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 2. A person who does any of the following commits a Class B misdemeanor:

(1) Falsely representing oneself as a ~~certified~~ **licensed** professional geologist in violation of IC 25-17.6-7-3.

(2) Presenting or attempting to use as the person's own a ~~certificate~~ **license** or seal of another.

(3) Giving false or forged evidence to the board or to a member of the board in order to obtain a ~~certificate.~~ **license.**

(4) Falsely impersonating another geologist.

(5) Using or attempting to use an expired or a revoked ~~certificate~~ **license** to practice geology at any time during a period the board has suspended or revoked the ~~certificate.~~ **license.**

(6) Publicly practicing geology in Indiana or offering to publicly practice geology in Indiana without being licensed under this article in violation of IC 25-17.6-7-3.

SECTION 34. IC 34-30-2-98.7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 98.7. IC 25-17.6-2-7 (Concerning actions of members of **the Indiana** board of ~~certification~~ **licensure** for professional geologists).

SECTION 35. THE FOLLOWING ARE REPEALED [EFFECTIVE JULY 1, 1999]: IC 25-17.6-1-3; IC 25-17.6-1-4.

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