
Commerce & Labor Committee

HB 2324

Brief Description: Regarding soil scientists.

Sponsors: Representatives Hunt and Wood.

Brief Summary of Bill

- Prohibits using the title "soil scientist" unless the person is certified by the Department of Licensing.
- Provides standards of conduct for certified soil scientists.

Hearing Date: 2/27/07

Staff: Joan Elgee (786-7106).

Background:

Soil science is not a regulated profession in Washington. In 2005, the Department of Licensing (Department) conducted a sunrise review and recommended that soil scientists be regulated.

The Geologist Licensing Board (Board) administers licensing requirements for geologists.

The Uniform Regulation of Business and Professions Act provides standardized disciplinary procedures for the businesses and professions regulated by the Department.

Summary of Bill:

General

Soil science certification is established. A person may not use the title soil scientist or description tending to convey the impression that the person is a soil scientist unless the person is certified by the Department. The Board administers the provisions with the advice of an advisory committee.

Soils science is the science that involves the study of various aspects of the living soil ecosystem and includes soil physics, soil chemistry and mineralogy, soil biochemistry, soil fertility and soil genesis, morphology, and classification. Soil science can be used to provide information for such

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projects as management of water quantity, treatment of polluted soils and water, interpretation of soil morphology and soil development to avoid or mitigate negative impacts to surface water or groundwater systems, and preparation of detailed soil maps.

Certification requirements.

An applicant for certification must:

- be of good moral and ethical character;
- have graduated from a satisfactory course of study in soil science or satisfy educational equivalents;
- have a minimum of five years of experience in soil science, with at least three years of the experience under the supervision of a credentialed soil scientist or other qualified person;
- pass an exam covering the fundamentals and practice of soil science as determined by the Board; and
- meet other requirements established by the Board.

A grandfather clause provides that before July 1, 2009, a person is qualified for certification without passing the exam. A reciprocity clause allows a person holding valid credentials from another jurisdiction to be certified without passing the exam.

Unprofessional conduct

In addition to unprofessional conduct described in the Uniform Regulation of Business and Professions Act, a number of other acts are listed as unprofessional conduct, including:

- committing any act or failure to act which is customarily regarded as being contrary to the accepted professional conduct or standard generally expected of those practicing soil science;
- failing to respond to inquires from clients or other professionals regarding conflicts in a manner that would be expected from a prudent practitioner;
- modifying another certified soil scientist's work under certain conditions; and
- accepting gratuities from contractors and others.

Advisory Committee

An advisory committee is established to provide recommendations to the Board regarding rules and review of complaints and investigations. The committees consist of five persons appointed by the Director of the Department. The members must meet specified professional and residential requirements.

Other

Other provisions address the use of a seal, program fees and fines, and other administrative matters.

Rules Authority: The Board must adopt rules to carry out the provisions.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect on January 1, 2009. The Director of the Department of Licensing may take steps to ensure the act is implemented on January 1, 2009.