

**Introduced by Senator Figueroa**

February 15, 2005

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An act to amend ~~Section~~ Sections 7804.1, 7810 , 7815.5, 7835.1, 7837, 7841.1, 7850.1, 7852.1 of the Business and Professions Code, relating to geologists and geophysicists.

LEGISLATIVE COUNSEL'S DIGEST

SB 228, as amended, Figueroa. Board for Geologists and Geophysicists: sunset date.

Existing law, the Geologist and Geophysicist Act, provides for the regulation of geologists and geophysicists by the Board for Geologists and Geophysicists, in the Department of Consumer Affairs. Under existing law, the provisions creating the board *and authorizing the board to appoint an executive officer* will become inoperative on July 1, 2006, and will be repealed as of January 1, 2007.

This bill would ~~extend to unspecified dates the dates on which these provisions are inoperative and repealed~~ *instead make these provisions inoperative and repealed on July 1, 2011 and January 1, 2012, respectively.*

*The bill would also change references to "registered geophysicist" to "professional geophysicist" in specified provisions.*

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 7804.1 of the Business and Professions
- 2 Code is amended to read:

1 7804.1. Only a person registered as a geophysicist under the  
 2 provisions of this chapter shall be entitled to take and use the title  
 3 “~~Registered—Professional~~ Geophysicist. ” Only a person  
 4 registered as a geophysicist and certified under the provisions of  
 5 this chapter shall be entitled to take and use the title of a  
 6 registered certified specialty geophysicist.

7 SECTION 1.

8 SEC. 2. Section 7810 of the Business and Professions Code is  
 9 amended to read:

10 7810. The Board for Geologists and Geophysicists is within  
 11 the department and is subject to the jurisdiction of the  
 12 department. Except as provided in this section, the board shall  
 13 consist of eight members, five of whom shall be public members,  
 14 two of whom shall be geologists, and one of whom shall be a  
 15 geophysicist.

16 Each member shall hold office until the appointment and  
 17 qualification of the member’s successor or until one year has  
 18 elapsed from the expiration of the term for which the member  
 19 was appointed, whichever occurs first. Vacancies occurring prior  
 20 to the expiration of the term shall be filled by appointment for the  
 21 remainder of the unexpired term.

22 Each appointment shall be for a four-year term expiring June 1  
 23 of the fourth year following the year in which the previous term  
 24 expired. No person shall serve as a member of the board for more  
 25 than two consecutive terms.

26 The Governor shall appoint three of the public members and  
 27 the three members qualified as provided in Section 7811. The  
 28 Senate Committee on Rules and the Speaker of the Assembly  
 29 shall each appoint a public member, and their initial appointment  
 30 shall be made to fill, respectively, the first and second public  
 31 member vacancies that occurred on or after January 1, 1983.

32 At the time the first vacancy is created by the expiration of the  
 33 term of a public member appointed by the Governor, the board  
 34 shall be reduced to consist of seven members, four of whom shall  
 35 be public members, two of whom shall be geologists, and one of  
 36 whom shall be a geophysicist. Notwithstanding any other  
 37 provision of law, the term of that member shall not be extended  
 38 for any reason, except as provided in this section.

39 This section shall become inoperative on \_\_\_\_\_ July 1,  
 40 2011, and, as of \_\_\_\_\_ January 1, 2012, is repealed, unless a

1 later enacted statute, that becomes operative on or before  
2 \_\_\_\_\_ *January 1, 2012*, deletes or extends the dates on which  
3 it becomes inoperative and is repealed. The repeal of this section  
4 renders the board subject to the review required by Division 1.2  
5 (commencing with Section 473).

6 *SEC. 3. Section 7815.5 of the Business and Professions Code*  
7 *is amended to read:*

8 7815.5. The board may appoint a person exempt from civil  
9 service who shall be designated as an executive officer and who  
10 shall exercise the powers and perform the duties delegated by the  
11 board and vested in him or her by this chapter.

12 This section shall become inoperative on July 1, ~~2006~~ *2011*,  
13 and, as of January 1, ~~2007~~ *2012*, is repealed, unless a later  
14 enacted statute, which becomes effective on or before January 1,  
15 ~~2007~~ *2012*, deletes or extends the dates on which it becomes  
16 inoperative and is repealed.

17 *SEC. 4. Section 7835.1 of the Business and Professions Code*  
18 *is amended to read:*

19 7835.1. All geophysical plans, specifications, reports, or  
20 documents shall be prepared by a ~~registered professional~~  
21 geophysicist, registered certified specialty geophysicist,  
22 professional geologist, registered certified specialty geologist, or  
23 by a subordinate employee under his or her direction. In addition,  
24 they shall be signed by the ~~registered professional~~ geophysicist,  
25 registered certified specialty geophysicist, professional geologist,  
26 or registered certified specialty geologist, or stamped with his or  
27 her seal, either of which shall indicate his or her responsibility  
28 for them.

29 *SEC. 5. Section 7837 of the Business and Professions Code is*  
30 *amended to read:*

31 7837. A subordinate to a geologist or geophysicist registered  
32 under this chapter, insofar as he or she acts solely in that  
33 capacity, is exempt from registration under the provisions of this  
34 chapter. This exemption, however, does not permit any  
35 subordinate to practice geology or geophysics for others in his or  
36 her own right or to use the title “professional geologist” or  
37 “~~registered professional~~ geophysicist.”

38 *SEC. 6. Section 7841.1 of the Business and Professions Code*  
39 *is amended to read:*

1 7841.1. An applicant for registration as a geophysicist shall  
2 have all of the following qualifications. This section shall not  
3 apply to applicants for registration as geologists.

4 (a) Not have committed any acts or crimes constituting  
5 grounds for denial of licensure under Section 480.

6 (b) Meet one of the following educational requirements  
7 fulfilled at a school or university whose curricula meet criteria  
8 established by rules of the board.

9 (1) Graduation with a major in a geophysical science or any  
10 other discipline which in the opinion of the board is relevant to  
11 geophysics.

12 (2) Completion of a combination of at least 30 semester hours,  
13 in courses which in the opinion of the board are relevant to  
14 geophysics. At least 24 semester hours, or the equivalent, shall be  
15 in the third or fourth year, or graduate courses.

16 (c) Have at least seven years of professional geophysical work  
17 which shall include either a minimum of three years of  
18 professional geophysical work under the supervision of a  
19 ~~registered~~ *professional* geophysicist, except that prior to July 1,  
20 1973, professional geophysical work shall qualify under this  
21 subdivision if it is under the supervision of a qualified  
22 geophysicist, or a minimum of five years' experience in  
23 responsible charge of professional geophysical work.  
24 Professional geophysical work does not include the routine  
25 maintenance or operation of geophysical instruments, or, even if  
26 carried out under the responsible supervision of a professional  
27 geophysicist, the routine reduction or plotting of geophysical  
28 observations.

29 Each year of undergraduate study in the geophysical sciences  
30 referred to in this section shall count as one-half year of training  
31 up to a maximum of two years, and each year of graduate study  
32 or research counts as a year of training.

33 Teaching in the geophysical sciences referred to in this section  
34 at a college level shall be credited year for year toward meeting  
35 the requirement in this category, provided that the total teaching  
36 experience includes six semester units per semester, or equivalent  
37 if on the quarter system, of third or fourth year or graduate  
38 courses.

39 Credit for undergraduate study, graduate study, and teaching,  
40 individually, or in any combination thereof, shall in no case

1 exceed a total of four years towards meeting the requirements for  
2 at least seven years of professional geophysical work as set forth  
3 above.

4 The ability of the applicant shall have been demonstrated by  
5 his *or her* having performed the work in a responsible position,  
6 as the term “responsible position” is defined in regulations  
7 adopted by the board. The adequacy of the required supervision  
8 and experience shall be determined by the board in accordance  
9 with standards set forth in regulations adopted by it.

10 (d) Successfully pass a written examination.

11 *SEC. 7. Section 7850.1 of the Business and Professions Code*  
12 *is amended to read:*

13 7850.1. Any applicant who has passed the examination and  
14 has otherwise qualified hereunder as a geophysicist, upon  
15 payment of the registration fee fixed by this chapter shall have a  
16 certificate of registration issued to him *or her* as a *professional*  
17 geophysicist.

18 *SEC. 8. Section 7852.1 of the Business and Professions Code*  
19 *is amended to read:*

20 7852.1. (a) Each geophysicist registered under this chapter  
21 may, upon registration, obtain a seal of the design authorized by  
22 the board bearing the registrant’s name, number of his *or her*  
23 certificate, and the legend “~~Registered~~—*Professional*  
24 Geophysicist.”

25 (b) Each specialty geophysicist certified under this chapter  
26 may, upon certification, obtain a seal of the design authorized by  
27 the board bearing the registrant’s name, number of his *or her*  
28 certificate and the legend “Certified Specialty Geophysicist.”