

ADOPTED



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 257

AMENDMENT NO. **A23**
(to be filled in by
Principal Clerk)

S257-AMU-10 [v.3]

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Amends Title [NO]
Second Edition

Date 4/10, 2025

Senator Daniel

1 moves to amend the bill on page 31, lines 7-8, by inserting the following between the lines:
2

3 **"MAKE LANGUAGE GENDER-NEUTRAL THROUGHOUT GEOLOGISTS**
4 **LICENSING ACT**

5 **SECTION 5.22.(a)** G.S. 89E-3 reads as rewritten:

6 **"§ 89E-3. Definitions.**

7 When used in this Chapter, unless the context otherwise requires:

- 8 (1) "Board" means the North Carolina Board for Licensing of Geologists.
- 9 (2) "Geologist". The term "geologist", within the intent of this Chapter, shall
10 mean a person who is trained and educated in the science of geology.
- 11 (3) The term "geologist-in-training" means a person who has ~~taken and~~
12 successfully passed the portion of professional examination covering
13 fundamental or academic geologic subjects, prior to ~~his~~ completion of the
14 requisite years of experience in geologic work as ~~provided for in~~ required for
15 licensure under this Chapter.
- 16 ...
- 17 (5) The term "good moral character" means such character as tends to ensure the
18 faithful discharge of ~~the fiduciary duties of the licensed geologist to his a~~
19 licensed geologist's fiduciary duties to a client.
- 20 ...
- 21 (8) "Public practice of geology" means the performance for others of geological
22 service or work in the nature of work or consultation, investigation, surveys,
23 evaluations, planning, mapping and inspection of geological work, in which
24 the performance is related to the public welfare of safeguarding of life, health,
25 property and the environment, except as specifically exempted by this
26 Chapter. The definition shall not include or allow the practice of engineering
27 as defined in Chapter 89C of the North Carolina General Statutes.
- 28 (9) The term "qualified geologist" means a person who possesses all of the
29 qualifications specified in this Chapter for licensing ~~except that he or she but~~
30 is not licensed.



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1 (10) The term "responsible charge of work" means the independent control and
2 direction by the use of initiative, skill and independent judgment of geological
3 work or the supervision of such work.

4 (11) The term "subordinate" means either of the following who does not assume
5 the responsible charge of work:

6 a. ~~any~~ A person who assists a licensed geologist in the practice of
7 ~~geology without assuming the responsible charge of work.~~ geology.

8 b. A geologist-in-training working under the supervision of a licensed
9 geologist."

10 **SECTION 5.22.(b)** G.S. 89E-4 reads as rewritten:

11 "**§ 89E-4. North Carolina Board for Licensing of Geologists; appointments; terms;**
12 **composition.**

13 ...

14 (c) Each member of the Board shall be a citizen of the United States and shall have been
15 a resident of this State for at least six months immediately preceding ~~his or her~~
16 appointment to the Board.

17"

18 **SECTION 5.22.(c)** G.S. 89E-6 reads as rewritten:

19 "**§ 89E-6. Exemptions.**

20 Any person except as specifically exempted below who shall publicly practice or offer to
21 publicly practice geology in this State is subject to the provisions of this Chapter. The following
22 persons are exempt:

23 (1) Persons engaged solely in teaching the science of geology or engaged solely
24 in geologic research in this State ~~may pursue their teaching and/or research~~
25 ~~without licensing.~~ State. A teacher or researcher must, however, be a licensed
26 geologist if he or she performs to perform geologic work and services for
27 which a licensed geologist license is required by this Chapter.

28 (2) Officers and employees of the United States of America and the State of North
29 Carolina practicing solely as such officers or employees.

30 (3) Officers and employees of petroleum companies practicing solely as such
31 officers and employees and not offering their professional services to the
32 public for hire.

33 (4) A subordinate to a licensed geologist ~~or a geologist-in-training licensed under~~
34 ~~this Chapter insofar as he or she acts solely in such~~ when acting solely in that
35 capacity. This exemption does not permit any such a subordinate to practice
36 geology for others in his the subordinate's own right or use the term "licensed
37 geologist".

38 **SECTION 5.22.(d)** G.S. 89E-7 reads as rewritten:

39 "**§ 89E-7. Limitations.**

40 ...

41 (b) This Chapter shall not be construed to prevent or to affect:

42 ...

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- 1 (2) The public practice of geology by a person not a resident of and having no
2 established place of business in this State, when ~~such~~the practice does not
3 exceed in the aggregate more than 90 days in any calendar year, ~~and provided~~
4 ~~such person~~the nonresident is ~~duly~~licensed to practice ~~such profession~~
5 geology in another state where the requirements for a license are not lower
6 than those specified in this Chapter ~~for obtaining the license required for such~~
7 ~~work; and provided further that such~~ Chapter, the nonresident shall file files
8 with the ~~Board~~Board, within 10 days of entering this State for commencing
9 ~~of such work~~, a statement giving ~~his~~the nonresident's name, ~~residence,~~
10 ~~residence address, the number of his license, and by what authority issued,~~
11 ~~and nonresident license number and issuing state, and, upon the completion~~
12 of the work, files with the Board a statement of the time engaged in ~~such~~the
13 work ~~within in~~ the State; or
14 (3) The public practice of geology by a person who is not a resident of and having
15 has no established place of business in this State, ~~or who State or~~ has recently
16 become a resident ~~hereof, practicing or offering of this State and who practices~~
17 or offers to practice ~~herein in this State~~ for more than 90 days in any calendar
18 year ~~the profession of geology, if he if the person is licensed in another state~~
19 ~~or qualified as defined herein, if he shall have state,~~ has filed with the Board
20 an application for a ~~license~~license, and ~~shall have~~has paid the fee required
21 by this Chapter. ~~Such A practice shall be under this exemption is deemed a~~
22 provisional practice and shall continue only for ~~such~~the time ~~as the Board~~
23 requires reasonably for the consideration of the applicant for licensing under
24 this Chapter as a geologist."

25 **SECTION 5.22.(e)** G.S. 89E-8 reads as rewritten:

26 "**§ 89E-8. Applications.**

27 An application for licensing as a geologist shall be made under oath, shall show the applicant's
28 education and a summary of ~~his~~the applicant's geological work, ~~plus and shall set out any other~~
29 relevant criteria to be determined by the Board. The Board shall have the power to determine a
30 reasonable application fee ~~which that~~ shall accompany each application."

31 **SECTION 5.22.(f)** G.S. 89E-9 reads as rewritten:

32 "**§ 89E-9. Minimum qualifications.**

33 An applicant shall be eligible for a license as a geologist in North Carolina provided that each
34 applicant meets the following minimum qualifications:

- 35 (1) Be of good moral and ethical character.
36 (2) Have graduated from an accredited college or university, and have a degree
37 with a major in geology, engineering geology or geological engineering or
38 related geologic science; or have completed 30 semester hours or the
39 equivalent in geological science courses leading to a major in geology, of
40 which at least 24 hours of the equivalent were upper level undergraduate
41 courses or graduate courses. ~~The Board shall waive the academic requirements~~
42 ~~for a person already practicing geology at the time this Chapter is enacted,~~
43 ~~provided application for license is made not later than one year after~~

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- 1 ~~appointment of the initial Board and provided further that the applicant can~~
2 ~~provide evidence to satisfy the Board that he or she is competent to engage in~~
3 ~~the public practice of geology.~~
4 (3) Successfully pass such examination established by the Board which shall be
5 designed to demonstrate that the applicant has the necessary knowledge and
6 requisite skill to exercise the responsibilities of the public practice of geology.
7 ~~The Board shall waive the examination for licensing as a geologist of an~~
8 ~~applicant who makes written application to the Board not later than one year~~
9 ~~after appointment of the initial Board, and who otherwise meets the~~
10 ~~qualification of this Chapter.~~
11 (4) Have at least five years of professional geological work which shall include a
12 minimum of three years of professional geological work under the supervision
13 of a licensed geologist; or a minimum of three cumulative years work in
14 responsible charge of geological work satisfactory to the Board. The following
15 criteria of education and experience qualify as specified toward accumulation
16 of the required five years of professional geological work:
17 ...
18 d. The ability of the applicant shall have been demonstrated by his having
19 performed the work in a responsible position as determined by the
20 Board. The adequacy of the required supervision and the experience
21 shall be determined by the Board in accordance with the standards set
22 forth in ~~regulations~~ rules adopted by it."

23 **SECTION 5.22.(g)** G.S. 89E-11 reads as rewritten:

24 "**§ 89E-11. Comity.**

25 A person holding a license to engage in the practice of geology, on the basis of comparable
26 licensing requirements issued to ~~him~~ by a proper authority by the State, territory, or possession
27 of the United States or the District of Columbia, and who, in the opinion of the Board otherwise
28 meets the requirements of this Chapter based upon verified evidence may, upon application, be
29 licensed without further examination."

30 **SECTION 5.22.(h)** G.S. 89E-13 reads as rewritten:

31 "**§ 89E-13. Seals; requirements.**

32 Each geologist licensed ~~hereunder, under this Chapter,~~ upon the issuance of a license, shall
33 obtain from the secretary at a cost prescribed by the Board, a seal of the design authorized by the
34 Board bearing the licensee's name and the legend "Licensed Geologist – State of North Carolina".
35 All drawings, ~~reports~~ reports, or other geologic papers or documents involving geologic work as
36 ~~defined in this Chapter which shall have been that are prepared or approved by a licensed~~
37 ~~geologist or a subordinate employee under his direction for the use of or geologist, or a~~
38 ~~nonresident geologist who has been exempted under this Chapter,~~ for delivery to any person or
39 for public record ~~within in~~ this State shall be signed by ~~him or her~~ and impressed with the said
40 seal ~~or the seal of a nonresident practicing under the provisions of this Chapter, either of which~~
41 ~~shall indicate his or her responsibility therefor.~~ the geologist. The signature and seal each indicate
42 the geologist's responsibility for the papers or documents."

43 **SECTION 5.22.(i)** G.S. 89E-14 reads as rewritten:

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1 **"§ 89E-14. Records.**

2 (a) The Board shall keep a public record of its proceedings and a register of all
3 applications for licensing.

4 (b) The register shall show:

5 ...

6 (4) ~~His or her~~ The applicant's education and other qualifications;

7"

8 **SECTION 5.22.(j)** G.S. 89E-18 reads as rewritten:

9 **"§ 89E-18. Prohibitions; unlawful acts.**

10 ~~After the effective date of this Chapter:~~ All of the following are unlawful:

11 (1) ~~It shall be unlawful for any~~ For a person other than a licensed geologist or a
12 subordinate under his direction to prepare any geologic plans, ~~reports~~ reports,
13 or documents in which the performance is related to the public welfare or
14 safeguarding of life, health, ~~property~~ property, or the environment.

15 (2) ~~It shall be unlawful for any~~ For a person to publicly practice, or offer to
16 publicly practice, geology in this State as defined in the provisions of this
17 Chapter, State, or to use in connection with his or her the person's name or
18 otherwise assume, assume or advertise any title or description tending to
19 convey the impression that he or she the person is a licensed geologist, unless
20 such the person has been duly licensed or exempted under the provisions of
21 this Chapter.

22 (3) ~~After one year following the effective date of this act, it shall be unlawful for~~
23 For anyone other than a geologist licensed under this Chapter to stamp or seal
24 any plans, plats, ~~reports~~ reports, or other documents with the seal or stamp of
25 a licensed geologist, or to use in any manner the title "Licensed Geologist"
26 unless that person is licensed hereunder under this Chapter.

27 (4) ~~It shall be unlawful for any~~ For a person to affix his or her signature to or to
28 stamp a licensed geologist's signature, stamp, or seal to any plans, plats,
29 reports, or other documents after the licensing of the person named thereon if
30 the geologist's license has expired or has been suspended or ~~revoked~~ revoked,
31 unless the license has since been renewed or reissued."

32 **SECTION 5.22.(k)** G.S. 89E-19 reads as rewritten:

33 **"§ 89E-19. Disciplinary procedures.**

34 ...

35 (b) If the Board finds that a licensee is professionally incompetent, the Board may require
36 the licensee to take an oral or written examination or to meet other requirements to demonstrate
37 the licensee's fitness to practice geology, and the Board may suspend the licensee's license until
38 ~~he or she~~ the licensee establishes professional competence to the satisfaction of the Board.

39"

40 **SECTION 5.22.(l)** G.S. 89E-22 reads as rewritten:

41 **"§ 89E-22. Misdemeanor.**

42 Any person who shall willfully practice publicly, or offer to practice publicly, geology for
43 other natural or corporate persons in this State without being licensed in accordance with the

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1 provisions of this Chapter, or any person presenting or attempting to use as ~~his own~~ the license
2 or the seal of ~~another~~, another as the person's own, or any person who shall give any false or
3 forged evidence of any kind in obtaining a license, or any person who shall falsely impersonate
4 any other licensee of like or different name, or any person who shall attempt to use an expired or
5 revoked license or practice at any time during a period the Board has suspended or revoked the
6 license, or any person who shall violate the provisions of this Chapter shall be guilty of a Class
7 2 misdemeanor."

8 **SECTION 5.22.(m)** G.S. 89E-24 reads as rewritten:

9 **"§ 89E-24. Attorney General as legal advisor.**

10 The Attorney General or any assistant or associate in the Department of Justice selected by
11 ~~him the Attorney General~~ shall act as legal advisor to the Board."".

SIGNED _____


Amendment Sponsor

SIGNED _____

Committee Chair if Senate Committee Amendment

ADOPTED _____

FAILED _____

TABLED _____

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and vote information, is available in the
Senate Principal Clerk's Office**