

1993 Assembly Bill 1075

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1993 WISCONSIN ACT 463

AN ACT to amend 15.405 (2) (intro.), (a) and (b), ch. 443 (title), 443.01 (3), 443.08 (1) and (2), 443.08 (3) (a), 443.08 (4) and (5), 443.09 (title), (1) and (2), 443.09 (5), 443.10 (1) (a), (b) and (d), 443.10 (2) (a), 443.10 (2) (c), 443.10 (2) (d), 443.10 (2) (e), 443.11 (title), 443.11 (1) (intro.), (c) and (d), 443.11 (2), (4) and (6), 443.14 (1) to (4) and (6), 443.16, 443.17, 443.18 (1) (a) and (2) (a) and 703.11 (2) (b); and to create 440.08 (2) (a) 37m, 443.01 (3g), 443.01 (6k), 443.01 (7e), 443.02 (3m), 443.037, 443.09 (4r), 443.10 (1) (e), 443.14 (12), 443.14 (12m) and 443.14 (13) and (14) of the statutes, relating to: the regulation of geologists, creating a geologist section in the examining board of architects, professional engineers, designers and land surveyors and providing a penalty.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 15.405 (2) (intro.), (a) and (b) of the statutes are amended to read:

15.405 (2) (title) EXAMINING BOARD OF ARCHITECTS, PROFESSIONAL GEOLOGISTS, PROFESSIONAL ENGINEERS, DESIGNERS AND LAND SURVEYORS. (intro.) There is created an examining board of architects, professional geologists, professional engineers, designers and land surveyors in the department of regulation and licensing. Any professional member appointed to the examining board shall be registered to practice the profession of architecture, professional geology, professional engineering, the design of engineering systems or land surveying in this state under ch. 443. The examining board shall consist of 20 the following members appointed for staggered 4-year terms: 3 architects, 3 professional geologists, 3 professional engineers, 3 designers, 3 land surveyors and 8 10 public members.

(a) In operation, the examining board shall be divided into an architect section, a geologist section, an engineer section, a designer section and a land surveyor section. Each section shall consist of the 3 members of the named profession appointed to the examining board and 2 public members appointed to the section. The examining board

shall elect its own officers, and shall meet at least twice annually.

(b) All matters pertaining to passing upon the qualifications of applicants for and the granting or revocation of registration, and all other matters of interest to either the architectural, engineering, designing or surveying architect, geologist, engineer, designer or land surveyor section shall be acted upon solely by the interested section.

SECTION 2. 440.08 (2) (a) 37m of the statutes is created to read:

440.08 (2) (a) 37m. Geologist, professional: August 1 of each even-numbered year; \$36.

SECTION 3. Chapter 443 (title) of the statutes is amended to read:

CHAPTER 443

EXAMINING BOARD OF ARCHITECTS, PROFESSIONAL GEOLOGISTS, PROFESSIONAL ENGINEERS, DESIGNERS AND LAND SUR- VEYORS

SECTION 4. 443.01 (3) of the statutes is amended to read:

443.01 (3) "Examining board" means the examining board of architects, professional geologists, professional engineers, designers and land surveyors, as created by s. 15.405 (2).

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SECTION 5. 443.01 (3g) of the statutes is created to read:

443.01 (3g) “Geology” means the science that involves the study of the earth and the earth’s origin, composition, structure and physical history, including the study of the natural agents, forces and processes that cause changes in the earth and the investigation of and collection of data concerning the crust and the interior of the earth and the surface and underground gases, solids and fluids that make up the earth.

SECTION 6. 443.01 (6k) of the statutes is created to read:

443.01 (6k) “Practice of professional geology” means the performance of or the offer to perform any geologic service or work in which the public welfare or the safeguarding of life, health, environment or property is concerned or involved. “Practice of professional geology” includes the collection of geological data, consultation, investigation, evaluation, interpretation, planning, or inspection of or relating to a service or work that applies the science of geology.

SECTION 7. 443.01 (7e) of the statutes is created to read:

443.01 (7e) “Professional geologist” means an individual who, by reason of his or her knowledge of geology, soils, mathematics and the physical and life sciences, acquired by the education and practical experience required under this chapter, is qualified to engage in the practice of professional geology.

SECTION 8. 443.02 (3m) of the statutes is created to read:

443.02 (3m) No person may do any of the following unless the person is registered as a professional geologist under this chapter, has in effect a permit under s. 443.10 (1) (d) or is exempt under s. 443.14:

(a) Practice or offer to practice professional geology, by verbal claim, sign, advertisement, letterhead or card or in any other way represent himself or herself to be a professional geologist.

(b) Use any title or description that implies that he or she is a professional geologist.

(c) Represent himself or herself as able to practice professional geology.

SECTION 9. 443.037 of the statutes is created to read:
443.037 Registration requirements for professional geologists. The examining board shall register as a professional geologist an individual who does all of the following:

(1) Submits to the department evidence satisfactory to the examining board that the individual has a bachelor’s degree, and at least 30 semester hours or 45 quarter hours of course credits in geology of a variety and nature sufficient to constitute a geology major, from a college or university approved by the examining board.

(2) Submits to the department evidence satisfactory to the examining board that, after completing the educa-

tional requirements specified in sub. (1), the individual has done any of the following:

(a) Completed at least 5 years of professional experience in geologic work of a character satisfactory to the examining board which demonstrates that the applicant is qualified to assume responsible charge of geologic work. At least 2 years of the geologic work required under this paragraph must have been performed under the supervision of a person who is registered as a professional geologist under this chapter, or in another state or territory or possession of the United States or in another country that has registration requirements for professional geologists that are not lower than the requirements for registration under this chapter, or under the supervision of any other person who the examining board determines is qualified to have responsible charge of geologic work. The 5-year-experience requirement in this paragraph shall be reduced to 4 years if the individual has one or more advanced degrees, approved by the examining board, in geology, geophysics, geochemistry, hydrogeology, engineering geology, geotechnical engineering or a related geological science.

(b) Completed at least 7 years of professional experience in geologic work of a character satisfactory to the examining board which demonstrates that the applicant is qualified to assume responsible charge of geologic work, with a satisfactory evaluation of the last 2 years of the professional experience under a peer review system approved by the examining board. The 7-year-experience requirement in this paragraph shall be reduced to 6 years if the individual has one or more advanced degrees, approved by the examining board, in geology, geophysics, geochemistry, hydrogeology, engineering geology, geotechnical engineering or a related geological science.

(3) Submits to the department letters of recommendation from 5 persons. At least 3 letters shall be from individuals who have personal knowledge of the experience in geologic work of the individual applying for registration. At least one letter of recommendation shall be from an individual who is registered as a professional geologist under this chapter.

(4) Satisfies the applicable requirements under s. 443.09.

SECTION 10. 443.08 (1) and (2) of the statutes are amended to read:

443.08 (1) The practice of architecture, professional geology and professional engineering pertaining to the internal operations of a firm, partnership or corporation may be performed by employees if the architectural, professional geological or professional engineering services are performed by or under the direct supervision of architects, professional geologists or professional engineers registered under this chapter, or persons exempt from registration under s. 443.14. Registered or exempt architectural, professional geological or professional engineering employes may provide architectural, profes-

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sional geological or professional engineering data with respect to the manufacture, sale and utilization of the products of the firm, partnership or corporation to other registered or exempt architects, professional geologists or professional engineers.

(2) The practice of or the offer to practice architecture, professional geology, professional engineering or designing by individual architects, professional geologists, professional engineers or designers registered or granted a permit under this chapter, through a firm, partnership or corporation as principals, officers, employees or agents, is permitted subject to this chapter, if all personnel who practice or offer to practice in its behalf as architects, professional geologists, professional engineers or designers are registered or granted a permit under this chapter and if the corporation has been issued a certificate of authorization under sub. (3).

SECTION 11. 443.08 (3) (a) of the statutes is amended to read:

443.08 (3) (a) A corporation desiring a certificate of authorization shall submit an application to the department on forms provided by the department, listing the names and addresses of all officers and directors, and all individuals in its employment registered or granted a permit to practice architecture, professional geology, professional engineering or designing in this state who will be in responsible charge of architecture, professional geology, professional engineering or designing being practiced in this state through the corporation and other relevant information required by the examining board. A similar type of form shall also accompany the renewal fee. If there is a change in any of these persons, the change shall be reported on the same type of form, and filed with the department within 30 days after the effective date of the change. The examining board shall grant a certificate of authorization to a corporation complying with this subsection upon payment of the fee specified in s. 440.05 (1). This subsection does not apply to corporations exempt under s. 443.14 (3) or (5).

SECTION 12. 443.08 (4) and (5) of the statutes are amended to read:

443.08 (4) (a) No firm, partnership or corporation may be relieved of responsibility for the conduct or acts of its agents, employees or officers by reason of its compliance with this chapter, nor may any individual practicing architecture, professional geology, professional engineering or designing be relieved of responsibility for architectural, professional geological, professional engineering or designing services performed by reason of his or her employment or relationship with the firm, partnership or corporation.

(b) All final drawings, specifications, plans, reports or other architectural, geological, engineering or designing papers or documents involving the practice of architecture, professional geology, professional engineering or designing prepared for the use of the corporation, for

delivery by it to any person or for public record within the state shall be dated and bear the signature and seal of the architect, professional geologist, professional engineer or designer who was in responsible charge of their preparation. This paragraph does not apply to persons exempt under s. 443.14 (3), (4) or (5).

(5) No firm, partnership or corporation may engage in the practice of or offer to practice architecture, professional geology, professional engineering or designing in this state, or use in connection with its name or otherwise assume, use or advertise any title or description tending to convey the impression that it is engaged in the practice of architecture, professional geology, professional engineering or designing, nor may it advertise or offer to furnish an architectural, professional geological, professional engineering or designing service, unless the firm, partnership or corporation has complied with this chapter.

SECTION 13. 443.09 (title), (1) and (2) of the statutes are amended to read:

443.09 (title) Examinations and experience requirements for architect, geologist and engineer applicants. (1) In considering the qualifications of an applicant as an architect, professional geologist or professional engineer, responsible charge of architectural, geological or engineering teaching may be construed as experience.

(2) Subject to ss. 111.321, 111.322 and 111.335, no person who has an arrest or conviction record is eligible for registration as an architect, a professional geologist or a professional engineer, or certification as an engineer-in-training who has an arrest or conviction record.

SECTION 14. 443.09 (4r) of the statutes is created to read:

443.09 (4r) No person may be registered as a professional geologist under this chapter unless he or she passes a written examination or written and oral examinations conducted or approved by the examining board under sub. (5).

SECTION 15. 443.09 (5) of the statutes is amended to read:

443.09 (5) Written or written and oral examinations shall be held at such time and place as the examining board determines. The scope of the examinations and the methods of procedure shall be prescribed by the examining board with special reference to the applicant's ability to design and supervise architectural, geological or engineering work, which shall promote the public welfare and ensure the safety of life, health and property. The architect and professional engineering examination or examinations shall include questions which require applicants to demonstrate knowledge of the design needs of people with physical disabilities and of the relevant statutes and codes. Such questions shall be developed by the examining board in consultation with the department of industry, labor and human relations. The examination

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for candidates under s. 443.04 (1) (c) shall be the principles and practice examination which requires the applicant to demonstrate the ability to apply engineering principles and judgment to problems in general engineering disciplines and to demonstrate knowledge of the design needs of people with physical disabilities and the relevant statutes, rules and regulations. A candidate failing an examination may, upon application and payment of the required reexamination fee, be examined again by the examining board. No restrictions may be placed on the number of times an unsuccessful candidate may be reexamined, except that after failure of 3 reexaminations, the examining board may require a one-year waiting period before further reexamination.

SECTION 16. 443.10 (1) (a), (b) and (d) of the statutes are amended to read:

443.10 (1) (a) The examining board may, upon application ~~therefor~~, and the payment of the required fee, grant a certificate of registration as an architect, as a professional geologist or as a professional engineer to any person who holds an unexpired certificate of similar registration issued to the person by the proper authority in any state or territory or possession of the United States or in any country in which the requirements for the registration of architects, ~~or of professional geologists or professional engineers are of a standard not lower than specified in this chapter.~~

(b) The examining board may, upon application ~~therefor~~ and payment of the required fee, grant a certificate of registration as an architect, as a professional geologist or as a professional engineer to any person who holds an unrevoked card or certificate of national reciprocal registration, issued by any state, ~~province territory or possession of the United States or by any country, which is~~ in conformity with the regulations of the national council of state board of architectural, or engineering examiners, ~~or of a council with similar national jurisdiction over professional geologists,~~ and who complies with the regulations of the examining board, except as to qualifications and registration fee.

(d) The examining board may, upon application ~~therefor and payment of the required fee,~~ grant a permit to practice or to offer to practice architecture, professional geology or professional engineering to a person who is not a resident of and has no established place of business in this state, or who has recently become a resident of this state, ~~if the person submits to the examining board an application for a certificate of registration and pays the required fee,~~ if the person holds an unexpired certificate of similar registration issued to the person by the proper authority in any state or territory or possession of the United States or in any country in which the requirements for the registration of architects, professional geologists or professional engineers are of a standard not lower than specified in this chapter.

SECTION 17. 443.10 (1) (e) of the statutes is created to read:

443.10 (1) (e) The examining board may enter into agreements with officials of other states, territories or possessions of the United States, or of other countries, relating to the reciprocal registration of professional geologists and may grant certificates of registration as a professional geologist to persons registered in other states, territories or possessions of the United States, or in other countries, according to the terms of such an agreement.

SECTION 18. 443.10 (2) (a) of the statutes is amended to read:

443.10 (2) (a) Applications for registration or for a certificate of record shall be on forms prescribed by the examining board and provided by the department and shall contain statements made under oath showing the applicant's education and detail summary of the applicant's technical work and not less than 5 references, of whom 3 or more shall have personal knowledge of the applicant's architectural, geological or engineering experience in the case of an application for registration or of the applicant's technical education or engineering work in the case of an application for a certificate of record.

SECTION 19. 443.10 (2) (c) of the statutes is amended to read:

443.10 (2) (c) The examining board shall grant a certificate of registration upon payment of the registration fee to any applicant who, in the opinion of the examining board, has satisfactorily met all the applicable requirements of this chapter. The certificate shall authorize the practice of architecture ~~or of professional geology or professional engineering,~~ as appropriate.

SECTION 20. 443.10 (2) (d) of the statutes is amended to read:

443.10 (2) (d) The granting of a certificate of registration by the examining board shall be evidence that the person named in the certificate is entitled to all the rights and privileges of a registered architect, a registered professional geologist or a registered professional engineer under the classification stated on the certificate, while the certificate remains unrevoked or unexpired.

SECTION 21. 443.10 (2) (e) of the statutes is amended to read:

443.10 (2) (e) The renewal date and renewal fee for certificates of registration for architects, professional geologists and professional engineers are specified under s. 440.08 (2) (a).

SECTION 22. 443.11 (title) of the statutes is amended to read:

443.11 (title) Disciplinary proceedings against architects, geologists and engineers.

SECTION 23. 443.11 (1) (intro.), (c) and (d) of the statutes are amended to read:

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443.11 (1) (intro.) The examining board may reprimand an architect, professional geologist or professional engineer or limit, suspend or revoke the certificate of registration of any registrant, and the certificate of record of any engineer-in-training, who is found guilty of:

(c) Knowingly aiding or abetting the unauthorized practice of architecture, professional geology or professional engineering by persons not registered under this chapter.

(d) Any gross negligence, incompetency or misconduct in the practice of architecture as a registered architect, of professional geology as a registered professional geologist or of professional engineering as a registered professional engineer, or in the professional activity of a holder of a certificate of record as engineer-in-training.

SECTION 24. 443.11 (2), (4) and (6) of the statutes are amended to read:

443.11 (2) The examining board may reprimand or may limit, suspend or revoke the certificate of authorization of a corporation if any of its agents, employes or officers has committed any act or has been guilty of any conduct which would authorize a reprimand or a limitation, suspension or revocation of the certificate of registration of a registrant or the certificate of record of an engineer-in-training under this chapter, unless the corporation submits evidence satisfactory to the examining board that the agent, employe or officer is not now practicing or offering to practice architecture, professional geology or professional engineering in its behalf.

(4) If, after holding a hearing 3 members of the section of the examining board holding the hearing vote in favor of sustaining the charges, the examining board shall reprimand or limit, suspend or revoke the certificate of registration of the registered architect, registered professional geologist or registered professional engineer, the certificate of record of the holder of a certificate as engineer-in-training, or the certificate of a corporate holder of a certificate of authorization.

(6) The examining board, for reasons the interested section ~~deems~~ considers sufficient, may reissue a certificate of registration or a certificate of record to any person, or a certificate of authorization to any corporation, whose certificate has been revoked, providing 3 members of the architect section, 3 members of the geologist section or 3 members of the ~~professional engineering engineer~~ section of the examining board vote in favor of such reissuance. A new certificate of registration, certificate of record or certificate of authorization, to replace any certificate revoked, lost, destroyed or mutilated may be issued, subject to the rules of the examining board and the payment of the required fee.

SECTION 25. 443.14 (1) to (4) and (6) of the statutes are amended to read:

443.14 (1) An employe of a person holding a certificate of registration in this state who is engaged in the practice of architecture, professional geology or profes-

sional engineering and an employe of a person temporarily exempted from registration, if the practice does not include responsible charge of architecture, professional geology or professional engineering practice ~~as defined in s. 443.01 (5) and (6).~~

(2) Officers and employes of the federal government while engaged within this state in the practice of architecture, professional geology or professional engineering for the federal government.

(3) A public service company and its regular employes acting in its behalf where the professional engineering or professional geological services rendered are in connection with its facilities which are subject to regulation, supervision and control by a commission of this state or of the federal government.

(4) Any person who practices architecture, professional geology or professional engineering, exclusively as a regular employe of a private company or corporation, by rendering to the company or corporation architectural, professional geological or professional engineering services in connection with its operations, so long as the person is thus actually and exclusively employed and no longer, if the company or corporation has at least one architect, professional geologist or professional engineer, who is registered under this chapter, in responsible charge of the company's or corporation's architectural, professional geological or professional engineering work in this state.

(6) Notwithstanding any other provision of this chapter, contractors, subcontractors or construction material or equipment suppliers are not required to register under this chapter to perform or undertake those activities which historically and customarily have been performed by them in their respective trades and specialties, including, but not limited to, the preparation and use of drawings, specifications or layouts within a construction firm or in construction operations, superintending of construction, installation and alteration of equipment, cost estimating, consultation with architects, professional geologists, professional engineers or owners concerning materials, equipment, methods and techniques, and investigations or consultation with respect to construction sites, provided all such activities are performed solely with respect to the performance of their work on buildings or with respect to supplies or materials furnished by them for buildings or structures or their appurtenances which are, or which are to be, erected, enlarged or materially altered in accordance with plans and specifications prepared by architects, professional geologists or professional engineers, or by persons exempt under subs. (1) to (5) while practicing within the scope of their exemption.

SECTION 26. 443.14 (12) of the statutes is created to read:

443.14 (12) A person engaged solely in teaching geology or a related physical or natural science, or a per-

son engaged solely in geological research as an employee of an educational or research institution or a governmental agency.

SECTION 26g. 443.14 (12m) of the statutes is created to read:

443.14 (12m) A well driller, as defined in s. 162.02 (7), who is engaged in well drilling, as defined in s. 162.02 (8).

SECTION 26m. 443.14 (13) and (14) of the statutes are created to read:

443.14 (13) A professional engineer who, while engaged in the practice of professional engineering in accordance with this chapter, collects, investigates, interprets or evaluates data relating to soil, rock, groundwater, surface water, gases or other earth conditions, or uses that data for analysis, consultation, planning, design or construction.

(14) A professional geologist who, while engaged in the practice of professional geology in accordance with this chapter, practices professional engineering, if the acts that involve the practice of professional engineering are also part of the practice of professional geology.

SECTION 27. 443.16 of the statutes is amended to read:

443.16 Change of name. No person may practice architecture, professional geology or professional engineering in this state under any other given name or any other surname than that under which the person was originally licensed or registered to practice in this or any other state, in any instance in which the examining board, after a hearing, finds that practicing under the changed name operates to unfairly compete with another practitioner or to mislead the public as to identity or to otherwise result in detriment to the profession or the public. This section does not apply to a change of name resulting from marriage or divorce.

SECTION 28. 443.17 of the statutes is amended to read:

443.17 Seal or stamp; aiding unauthorized practice. No person who is registered to practice architecture, professional geology or professional engineering under this chapter may impress his or her seal or stamp upon documents which have not been prepared by the person or under his or her direction and control, knowingly permit his or her seal or stamp to be used by any other person or in any other manner knowingly aid or abet the unauthorized practice of ~~either profession~~ any of those professions by persons not authorized under this chapter.

SECTION 29. 443.18 (1) (a) and (2) (a) of the statutes are amended to read:

443.18 (1) (a) Any person who practices or offers to practice architecture, professional geology or professional engineering in this state, or who uses the ~~word term~~ "architect" ~~or the term,~~ "professional geologist" or "professional engineer" as part of the person's business name or title, except as provided in s. 443.08 (6), or in any way

represents himself or herself as an architect, a professional geologist or a professional engineer unless the person is registered or exempted in accordance with this chapter, or unless the person is the holder of an unexpired permit issued under s. 443.10 (1) (d), or any person presenting or attempting to use as his or her own the certificate of registration of another, or any person who gives any false or forged evidence of any kind to the examining board or to any member ~~thereof~~ of the examining board in obtaining a certificate of registration, or any person who falsely impersonates any other registrant of like or different name, or any person who attempts to use an expired or revoked certificate of registration, or violates any of the provisions of this section, may be fined not less than \$100 nor more than \$500 or imprisoned for not more than 3 months or both.

(2) (a) *Injunction.* If it appears upon complaint to the examining board by any person, or is known to the examining board that any person who is neither registered nor exempt under this chapter nor the holder of an unexpired permit under s. 443.10 (1) (d) is practicing or offering to practice, or is about to practice or to offer to practice, architecture, professional geology or professional engineering in this state the examining board or the attorney general or the district attorney of the proper county may investigate and may, in addition to any other remedies, bring action in the name and on behalf of this state against any such person to enjoin the person from practicing or offering to practice architecture, professional geology or professional engineering.

SECTION 30. 703.11 (2) (b) of the statutes is amended to read:

703.11 (2) (b) A survey of the property described in the declaration complying with minimum standards for property surveys adopted by the examining board as ~~defined in s. 443.01 (5) of architects,~~ professional geologists, professional engineers, designers and land surveyors and showing the location of any unit or building located or to be located on the property.

SECTION 31. Nonstatutory provisions. (1) EXAMINING BOARD OF ARCHITECTS, PROFESSIONAL GEOLOGISTS, PROFESSIONAL ENGINEERS, DESIGNERS AND LAND SURVEYORS; INITIAL APPOINTMENTS OF ADDITIONAL MEMBERS. (a) Notwithstanding section 15.405 (2) (intro.) of the statutes, as affected by this act, the initial professional geologist members of the examining board of architects, professional geologists, professional engineers, designers and land surveyors need not be registered as professional geologists under chapter 443 of the statutes, as affected by this act, to be appointed to and serve as members of the examining board until the first day of the 10th month beginning after the effective date of this paragraph.

(b) Notwithstanding section 15.405 (2) (intro.) of the statutes, as affected by this act, the additional members of the examining board of architects, professional geolo-

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gists, professional engineers, designers and land surveyors shall be initially appointed by the first day of the 4th month beginning after the effective date of this paragraph for the following terms:

1. One professional geologist member and one public member, for terms expiring on July 1, 1996.
2. One professional geologist member, for a term expiring on July 1, 1997.
3. One public member, for a term expiring on July 1, 1998.
4. One professional geologist member, for a term expiring on July 1, 1999.

(2) WAIVER OF EXAMINATION REQUIREMENTS. (a) Notwithstanding section 443.09 (4r) of the statutes, as created by this act, the examining board of architects, professional geologists, professional engineers, designers and land surveyors shall register as a professional geologist any individual who, not later than the last day of the 12th month beginning after the effective date of this paragraph, submits an application for registration as

a professional geologist, pays the fee under section 440.05 (1) of the statutes, satisfies section 443.09 (2) of the statutes, as affected by this act, and, except as provided in paragraph (b), submits satisfactory evidence to the examining board that he or she satisfies section 443.037 (1), (2) (a) and (3) of the statutes, as created by this act.

(b) The requirement in section 443.037 (3) of the statutes, as created by this act, that at least one letter of recommendation be from an individual who is registered as a professional geologist under chapter 443 of the statutes, as affected by this act, does not apply to a registration under paragraph (a).

SECTION 32. Effective dates. This act takes effect on the first day of the 7th month beginning after publication, except as follows:

- (1) The treatment of section 15.405 (2) (intro.), (a) and (b) of the statutes and SECTION 31 (1) of this act take effect on the day after publication.