

From: [Sunset Advisory Commission](#)
To: [Brittany Calame](#)
Subject: FW: Public Input Form for Agencies Under Review (Public/After Publication)
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-----Original Message-----

From: sunset@sunset.texas.gov <sunset@sunset.texas.gov> On Behalf Of Texas Sunset Commission
Sent: Wednesday, August 15, 2018 8:45 PM
To: Sunset Advisory Commission <Sunset@sunset.texas.gov>
Subject: Public Input Form for Agencies Under Review (Public/After Publication)

Agency: TEXAS BOARD PROFESSIONAL GEOSCIENTISTS TBPG

First Name: Jonathan

Last Name: Jee

Title: Doctor of Philosophy (Ph.D.) in Geology (University of Florida 1993) and Professional Geoscientist (Texas No. 1885)

Organization you are affiliated with: Independent Consultant

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City: Katy

State: Texas

Your Comments About the Staff Report, Including Recommendations Supported or Opposed:

When I became aware of the effort of the Texas Sunset Commission (the Commission) to abolish the Texas Board of Professional Geoscientists (TBPG) and repeal the Texas Geoscience Practice Act and read the statements made to justify this (Project Manager: Morgan Constantino), my response was a mix of consternation, fervent opposition, and profound disapproval. I suppose I would liken it to how one feels when, having left specific instructions on how to correctly perform a task, one returns to find the wrong result, absolutely. Lest the Policy Advisors who might read my comment tire too soon of my explanation, let me quickly and clearly state, "I am NOT in favor of the Commission's recommendation!"

Registration assures that qualified and reputable individuals provide accurate geologic information to the public. I will not here reiterate:

- the long list of practice areas covered by registration;
- the explanation of how today's geological practice affects the health, safety and welfare of the public, the environment, and the economy and feasibility of engineered works;
- The risks presented when unqualified geologists are employed in jobs that affect the public health, safety, and welfare, as well as prudent management of financial interests.

Instead, I refer the Commission to the information provided by the National Association of State Boards of Geology (ASBOG®):

<https://asbog.org/governance/licensure.html> . I will point out that thirty states and one US territory (Puerto Rico) now have registration, licensure, or certification laws. Perhaps other jurisdictions recognize that the public deserves to be protected, even without the impetus of "catastrophic event or public harm." Despite abolition efforts in several states, I understand that all have failed; does the Commission understand why this is so?

I have been employed as a geologist since 1980. My career has spanned the range of geoscientific endeavor, including the petroleum industry, environmental/hydrogeology, as well as academic research and instruction. I obtained my first Professional Geologist (P.G.) license/registration in Florida (No. 812, 4 January 1989).

Subsequently, I became certified to practice in Alabama (No. 859, 23 January 1998), Texas (Geologist No. 1885 (16 August 2003) and most recently, in Louisiana (No. 707, 14 April 2014).

One of the statements of the Commission misconstrued to evince their recommendation is that 78% of current licensees were grandfathered by the TBPG. I assert that this in no way “undermines the promise of competence,” as the Commission alleges. In each of the states where I am duly recognized as a “Professional Geologist,” I fulfilled each and every requirement stipulated by the pertinent statute and (except for those where my license is “inactive”) I am fully qualified to practice. Furthermore, the Commission’s own observation that the TBPG “has never received a complaint that posed significant harm or risk to the public” should properly be interpreted as a testament to the high level of competency exhibited by those professionals to whom it granted licenses.

No profession other than geoscience has comparable education and professional experience that focus directly on the investigation of and uses for earth materials in ways that affect the public or natural environment. Cramer, et al.

(2015) <http://www.geosociety.org/gsatoday/archive/25/12/article/i1052-5173-25-12-36.htm>

report that the geoscience workforce in the United States may be facing a critical shortage of trained personnel. With the American Geosciences Institute predicting more than half of the present geoscience workforce to retire by 2022 and the National Bureau of Labor Statistics projecting a 16% increase in geoscience jobs by that time, we must increase the number of geoscientists to meet our need to research, assess, and utilize our natural resources in an environmentally responsible manner.

Professional regulation provides an important framework in which to continue the growth of the human resource that is the geoscientific workforce.

Typically, individuals who have a college degree in geology have the education needed to embark on their journey of professional development, but it is only with an additional four years of geological work experience, under the guidance of licensed P.G., that the Geologist in Training (GIT) can initially qualify for registration. By serving our profession in training future P.G.s, the body of licensed professionals actually serves the public interests of the future.

Professional regulation of geoscience protects the public in two ways:

1. No one may be represented as a Professional/Registered Geologist unless registered by the State in which they practice.
2. State registration boards are typically granted the authority to monitor and enforce the registration laws, thus ensuring the practice of geology in a competent manner by Professional Geologists within that State.

ASBOG® reports that pass-fail analyses of the Fundamentals of Geology Examination indicate that nearly 50 percent of the applicants who take the examination lack the knowledge and experience to practice geology at a minimum competency level.

The Commission’s recommendation to abolish the TBPG and repeal the Texas Geoscience Practice Act is based on flawed logic that should be rejected. If I may use a gardening analogy, the argument is a bit like, “I have weeded my garden regularly for 17 years. I have few, if any, weeds in my garden.”

The flawed conclusion is, “There was and is no need to weed my garden.”

If I may leave this sadly serious issue with a note of humor (albeit sarcastic), I suggest the Commission watch this YouTube video of a segment entitled, “And Now This: Somebody Please Tell Ryan Zinke He's Not a Geologist,” aired on HBOs “Last Week Tonight by John Oliver:

<https://www.youtube.com/watch?v=NQTMFEgJJYg>

Sincerely,

Jonathan L. Jee, Ph.D., P.G.

Any Alternative or New Recommendations on This Agency: If the current registration fee creates such a whopping surplus in revenue, consider reducing the fee. Perhaps more geologists may consider their option to become licensed.

My Comment Will Be Made Public: I agree