

## CHAPTER Geo 100 DEFINITIONS, ORGANIZATION AND PUBLIC INFORMATION

### PART Geo 101 PURPOSE AND SCOPE

Geo 101.01 Purpose and Scope. The rules of this title implement the statutory responsibilities of the New Hampshire board of professional geologists created by RSA 310-A:119. These provisions regulate the licensing of professional geologists and the practice of the profession of geology in the state of New Hampshire.

### PART Geo 102 DEFINITIONS

Geo. 102.01 Terms Used. As used in these rules, the following terms shall have the meanings indicated:

(a) “Licensed professional geologist” means, “licensed professional geologist” as defined in RSA 310-A:118, IV namely “a person who, by reason of advanced knowledge of geology and the supporting physical and life sciences, acquired by education and experience, is technically and legally qualified to engage in the practice of geology as defined in this section and has successfully passed the examination as may be required in this subdivision and who is licensed by the board or otherwise authorized by this subdivision to engage in the practice of the profession of geology.”

(b) "Practice of the profession of geology" means, “practice of the profession” of geology as defined in RSA 310-A:118, V, namely “the performance of work defined as geology in this subdivision including, but not limited to researching, investigating, consulting, geological mapping, describing the natural processes that act upon the earth's materials, predicting the probable occurrence of natural resources, predicting and locating natural or man-induced phenomena which may be useful or hazardous to mankind recognizing, determining and evaluating geological factors, and the inspection and performance of geological work and the responsible supervision thereof in furtherance of the health, safety, and welfare of the public and the environment. The term shall not include the application of geologic information in the identification or determination of engineered solutions to protect the health, safety, and welfare of the public and the environment. The term shall not include the practice of engineering, land surveying, architecture, soil science or wetland science for which separate licensure or certification is required.”

(c) “Board” means the New Hampshire board of professional geologists created by RSA 310-A:118.

(d) “Board administrator” means the board’s staff director, a person with delegated authority to perform administrative and clerical functions for the board.

### PART Geo 103 BOARD ORGANIZATION

Geo 103.01 Duties and Responsibilities The board shall administer the provisions of RSA 310-A:118-139 which include but are not limited to safeguarding life, health, and property,

to promoting public welfare and maintaining a high standard of integrity regarding the practice of the profession of geology in this state.

Geo 103.02 Composition of the Board. The board shall consist of 6 members who meet the eligibility requirements of RSA 310-A:120.

Geo 103.03 The Chairperson and Vice Chairperson. The chairperson shall preside at all meetings. In the absence of the chairperson, the vice-chairperson shall preside.

Geo 103.04 Staff. The board shall designate a board administrator and such other staff members as are necessary to perform the record-keeping and other statutory functions of the board and to oversee the board's day-to-day operations.

Geo 103.05 Organization. Beginning with the regular meeting in November and annually thereafter, the board shall meet and organize and, by election from among its members, select a chairperson, vice-chairperson and secretary.

Geo 103.06 Seal. The seal of the board shall be an embossed circular seal consisting of 2 concentric circles, the outer circle having a diameter of 1 7/8 inches and an inner circle having a diameter of 1 3/8 inches. In the space between the 2 circles at the top of the seal there shall be the words "Board of Professional Geologists" At the bottom of the seal, in the space between the 2 circles, shall be the words "State of New Hampshire." In the center space there shall be a representation of the Old Man of the Mountain with a dark green background.

Geo 103.07 Office Hours, Office Location, Mailing Address and Telephone.

(a) The board's office shall be located at the New Hampshire Joint Board, 57 Regional Drive, Concord, N.H., and shall be open to the public weekdays, excluding holidays, from 8:00 a.m. to 4:00 p.m.

(b) Correspondence shall be addressed to the board's administrator at:

New Hampshire Joint Board  
57 Regional Drive  
Concord, N.H. 03301

(c) The board's telephone number shall be (603)-271-2219.

## PART GEO 104 PUBLIC INFORMATION

Geo. 104.01 Record of Board Actions. Minutes shall be kept of board meetings and of official actions taken by the board. Minutes of board actions which are not confidential under RSA 91-A:3, II or RSA 91-A:5 shall be public records and shall be available for inspection during the board's ordinary office hours within 144 hours from the close of the meeting or vote in question unless the 72 hours availability requirement of RSA 91-A:3, III is applicable.

Geo 104.02 Custodian of Records. Persons desiring copies of board records shall submit a request which identifies as particularly as possible the information being sought and agrees to pay the actual costs incurred by the board for the documents provided. If records are requested which contain

both public and confidential information, the board shall delete the confidential information and provide the remaining information.

Geo. 104.03 Roster Distribution Copies of a roster containing names, addresses, and assigned numbers of licensed professional geologists shall be furnished upon request. The fee shall be \$20.00.

#### PART GEO 105 MEETINGS, DELIBERATIONS AND DECISIONS

Geo 105.01 Meetings. Regular meetings shall be held at least 3 times per year. Special meetings, shall be called by order of the chairperson or secretary for consideration of appropriate board business. Each member of the board shall be notified in writing of each meeting and such notice shall contain the place, date, time, and subject of the meeting. Notice of meetings shall be posted at the board office and the state house.

Geo 105.02 Quorum. A quorum of the board shall consist of not less than 3 members and a majority vote by the members present shall be necessary to pass a motion unless otherwise specified by law. In the absence of the chair, vice chair, or secretary, the chair shall designate a pro tempore officer for the officer or officers absent.

Geo 105.03 Board Meeting Procedures. The board shall conduct its meetings in the following order:

- (a) Reading of the minutes;
- (b) Interviews/meetings;
- (c) Reading of communications;
- (d) Reading and consideration of applications;
- (e) Unfinished business;
- (f) New business; and
- (g) Adjournment.

Geo 105.04 Procedures. Roberts Rules of Order, 9th edition dated 1990 shall govern the procedures of the board.

#### Geo. 105.05 Tentative Decisions

(a) When necessary to conduct the board's business in a timely and efficient manner, the board shall instruct its staff or a committee of the board to prepare a draft document, subject to subsequent review and approval by the board. Such instructions shall be known as tentative decisions.

(b) Tentative decisions shall not be final actions, and shall not be binding upon the board. Changes in the form or the substance of a tentative decision shall be made as often as necessary to produce a final document, which satisfactorily sets forth the final result the board intends to reach. The

board's final decision shall be issued only when the necessary majority has voted in favor of the final form of the proposed action, allowing time for printing or servicing the document in question.

(c) A member who was absent from the meeting at which a tentative decision was made or revised may vote on a final proposal derived from the member's evaluation of a tentative decision if the member is otherwise qualified to vote on the matter in question.

## PART GEO 106 APPOINTMENT OF COMMITTEES

### Geo 106.01 Committees

(a) A committee shall consist of one or more board members who have been directed by the board to investigate and make recommendations on matters which could be handled by the full board.

(b) When expressly authorized by the board, the authority of a committee shall include:

- (1) The retention of voluntary assistance from qualified non-board members; and
- (2) The retention of paid advisors or consultants pursuant to RSA 332:G-3.