

**NOTICE OF RULE ADOPTION—FINAL RULE**

**STATE OF MISSISSIPPI  
MISSISSIPPI STATE BOARD OF REGISTERED PROFESSIONAL GEOLOGISTS**

**Mississippi State Board of Registered Professional Geologists**  
**c/o Rick L. Ericksen, Executive Director**  
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**Specific Legal Authority Authorizing the promulgation of Rule:** 73-63-1 et seq (Mississippi Code, Annotated, 1972)  
**Reference to Rules repealed, amended or suspended by the Proposed Rule:** Rules amended, Rules 4, 8, and 11

**Date Rule Proposed:** July 18, 2006

**Explanation of the Purpose of the Proposed Rule and the reason(s) for proposing the rule:**

The proposed amendments to Rules 4, 8, and 11 are the result of the revision of the Registered Professional Geologists Practice Act, effective July 1, 2006. Rule 4 is being revised to clarify and revise fees charged and change renewals and enrollment fees from a biennial to annual basis. Rule 8 is being revised to clarify what materials are allowed in the examination room when a geologic competency examination is being administered. Rule 11 is being revised to be in compliance with the language contained in the revised Act that was effective July 1, 2006.

**The Agency Rule Making Record for this rule including any written comments received during the comment period and the record of any oral proceeding is available for public inspection by contacting the Agency at the above address.**

An oral proceeding was held on this rule:

Date: {Insert Date}  
Time: {Insert Time}  
Place: {Insert Place}

An oral proceeding was not held on this rule.

**The Agency has considered the written comments and the presentations made in any oral proceedings, and**

This rule as adopted is without variance from the proposed rule.

This rule as adopted differs from the proposed rule as there are minor editorial changes which affect the form rather than the substance of the rule.

The rule as adopted differs from the proposed rule. The differences however are:  
Within the scope of the matters in the Notice of Proposed Rule Adoption, the logical outgrowth of the contents of the Notice of Proposed Rule Adoption and the comments submitted in response thereto, and  
The Notice of Proposed Rule Adoption provided fair warning that the outcome of the proposed rule adoption could be the rule in question.

The entire text of the Proposed Rule including the text of any rule being amended or changed is attached.

**Effective Date of Rule:** September 18, 2006

\_\_\_\_\_, Executive Director  
**Signature and Title of Person Submitting Rule for Filing**

**FINAL REVISED RULES, effective September 18, 2006**

**RULE 4.0 - FEES**

**4.01 - Method of Payment** - Fees are payable to the "Mississippi State Board of Registered Professional Geologists," or "MSBRPG." Payment of fees must be made by check, money order, or via an approved credit/debit card and method acceptable to the Board. Applications received without the proper fee will not be returned to the applicant.

**4.02 - Penalty for Late Renewal or Payment of Required Fees** - Failure on the part of any registrant or enrollee to renew their certificate in January shall not deprive such person of the right of renewal or re-enrollment. All registration or enrollment fees not paid and postmarked in January, or for other payment requests not received within thirty (30) days of the billing date will be subject to Rule 4.03. If registration or enrollment fees remain unpaid at the end of February, or later, the fee schedule and conditions set forth in Rule 4.03 shall further apply. A registrant or enrollee whose registration or enrollment is sixty (60) days past the expiration date of January 1 may, at his/her option, submit a new application for registration or enrollment along with all appropriate and required fees, provide the Board with a letter noting his/her election, and shall also be required to show proof, satisfactory to the Board, of their successful passage of both the ASBOG Fundamentals of Geology and the Practices of Geology examinations in order to be reconsidered for registration or renewal or re-enrollment.

**4.03 - Fee Schedule** - Fees shall be in accordance with the following Fee Schedule.

The Board has adopted fees for the following items:

Registered Professional Geologist Application (Non-refundable) .....	\$140.00
Geologist-In-Training Application (Non-refundable) .....	\$70.00
Registered Professional Geologist Registration/Renewal fee - annually* .....	\$150.00
Geologist-In-Training Enrollment fee - annually* .....	\$75.00
Fundamentals of Geology as an "Exit" Examination, see Rule 8, (Non-refundable) .....	\$175.00
Fundamentals of Geology Examination (Non-refundable) .....	\$200.00
Practices of Geology Examination (Non-refundable) .....	\$200.00
Test cancellation fee (due to illness, accident, etc. - Board must be notified a minimum of 24 hours prior to the examination administration) .....	\$40.00
Missed examination fee (includes failure to notify Board of non-attendance at examination offering or other non-essential absence - may also include forfeiture of examination fee .....	\$50.00
Returned, insufficient fund checks .....	\$40.00
Registration/Enrollment Verification fee .....	\$25.00
Verification and Transmittal of Certified ASBOG Examination Scores .....	\$25.00
Late Payment of other fees due Board (includes application fee and initial Renewal/Enrollment fee) .....	\$35.00/month
Late Payment of Registration or Enrollment renewals (payment postmarked after January 31 of renewal year but prior to March 1) .....	\$35.00*

\* Registration Renewal and Enrollment Renewal fees are due on January 1 of each calendar year and are subject to a \$35.00 late fee if not postmarked by January 31. If payment is postmarked after January 31 and prior to March 1 a \$35.00 late fee shall be imposed.

**Late payment fee schedule:**

Reinstatement of Registration if renewal fee is postmarked after the end of February - only for those who grandfathered without ASBOG examinations, all others must contact the Board. Payment of annual fee plus the following late fee:

March 1 - March 31 .....	\$65.00
April 1 - April 30 .....	\$95.00
May 1 - May 31 .....	\$125.00
June 1 - June 30 .....	\$155.00
July 1 in year of expiration and thereafter .....	\$195.00**

\*\* Also requires submission of a new RPG application and payment of \$140.00 application fee

**Reinstatement of Enrollment if renewal fee is postmarked after the end of February.**

**Payment of annual enrollment fee plus the following late fee:**

March 1 - March 31 .....	\$50.00
April 1 - April 30 .....	\$75.00
May 1 - May 31 .....	\$100.00
June 1 - June 30 .....	\$125.00
July 1 in year of expiration and thereafter .....	\$150.00**

\*\* Also requires submission of a new Enrollment application and payment of \$75.00 application fee

Note - All other fees and/or charges shall be administratively set, but not be limited to, the costs of material(s), labor, research, postage, and other reasonable expenses which may be incurred by the Board. Testing fees may be adjusted by the Board to cover costs associated with the administration of the examinations and/or charges imposed by ASBOG related to the purchase, maintenance, and use of said examinations. The Board's administrator reserves the right to withhold the release of any information authorized by the applicant, registrant, or enrollee if there are any outstanding, unpaid fees.

## **RULE 8.0 - EXAMINATIONS**

**8.05 - *Authorized Materials in Examination Room*** - Examinees may bring only pencils, engineering scales/rulers, protractors, and battery operated, non-printing, non-alpha numeric calculators into the exam site where the ASBOG examinations will be administered. All examinations will be collected at the end of the examination session. Computers or laptops with word processing capabilities are not permitted nor are cellular telephones or any other technological devices that can record or transmit images or voice/sound in any format.

**8.07 - *Failure to Attend an Examination*** - In the event an applicant is unable to attend an examination to which he/she has previously agreed to attend, then the applicant must pay a cancellation fee (see Rule 4 - Fee Schedule). An applicant who fails to appear on the day of the examination will be charged a no-show fee. Non-attendance at an examination does not count as a failure of the examination. However, non-attendance at an examination session without previously providing the Board's Executive Director 24 hours in advance of the examination with a reason acceptable to the Director will result in the assessment of no-show fee and forfeiture of the examination fee.

## **BOARD RULE 11.0 -**

**11.05 - The following activities shall not require registration:**

a) Geological work performed by an employee or a subordinate of a registered professional geologist, provided that the work nor the work related products do not state, portray or infer by any manner or suggestion whatsoever that the employee or subordinate is in responsible charge of the geology or geologic work. Any such geological work and/or work products must be conspicuously signed and sealed by the supervising registered professional geologist of that employee or subordinate.