

ENVIRONMENTAL HEALTH SCIENTIST

MODIFICATIONS

2006 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Michael E. Noel

Senate Sponsor: _____

LONG TITLE

General Description:

This bill modifies provisions of the Environmental Health Scientist Act related to unprofessional conduct.

Highlighted Provisions:

This bill:

► expands the unprofessional conduct provisions of the Environmental Health Scientist Act to include providing testimony as an environmental health scientist during an administrative hearing while in the employ of or on behalf of an entity registered with the Division of Corporations and Commercial Code that has not posted a corporate surety bond or cash equivalent required for environmental litigation.

Monies Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

58-20a-501, as enacted by Chapter 95, Laws of Utah 1995



Be it enacted by the Legislature of the state of Utah:

Section 1. Section **58-20a-501** is amended to read:

58-20a-501. Unprofessional conduct.

"Unprofessional conduct" includes:

(1) acting dishonestly or fraudulently in the performance of professional duties as an environmental health scientist or environmental health scientist-in-training;

(2) intentionally filing a false report or record in the performance of professional duties as an environmental health scientist or environmental health scientist-in-training; ~~and~~

(3) willfully impeding or obstructing another person from filing a report in the performance of professional duties as an environmental health scientist or environmental health scientist-in-training[-]; and

(4) providing testimony, as an environmental health scientist, at an administrative hearing that is being held by a state agency and is dealing with environmental issues, while in the employ of or acting on behalf of:

(a) an entity registered with the Division of Corporations and Commercial Code that:

(i) is involved in environmental litigation proceedings as defined in Subsection 13-1a-10(1)(b); and

(ii) has not posted a corporate surety bond or cash equivalent as required under Subsection 13-1a-10(2); or

(b) individuals associated with an entity described in Subsections (4)(a)(i) and (ii).

Legislative Review Note

as of 2-13-06 1:28 PM

Based on a limited legal review, this legislation has not been determined to have a high probability of being held unconstitutional.

Office of Legislative Research and General Counsel

Fiscal Note**Bill Number HB0189****Environmental Health Scientist Modifications***16-Feb-06**4:58 PM*

State Impact

No fiscal impact.

Individual and Business Impact

No fiscal impact.

Office of the Legislative Fiscal Analyst