



March 30, 2011

Committee on Labor, Commerce, Research and Economic Development  
c/o Legislative Information  
Attention: Senator Rector  
100 State House Station  
Augusta, ME 04333

Re: LD 947, "An Act to Encourage Professionals to Move to the State"

Dear Senator Rector:

Thank you for this opportunity to comment on LD 947, "An Act to Encourage Professionals to Move to the State". The Maine Association of Professional Soil Scientists (MAPSS) is opposed to this legislation for several reasons.

#### **SOILS ARE DIFFERENT BETWEEN STATES**

The soils in the State of Maine are the result of a unique combination of climate, geology, biological factors, and geographic relief. These soils have varying abilities to buffer excess nutrient loading, protect groundwater, produce agricultural crops, and provide water regulation and attenuation functions. The ability of a Maine Certified Soil Scientist to accurately identify and provide use and management recommendations for the soil types in Maine directly influences our ground and lake water quality, crop productivity, and building and infrastructure safety. As an example, there are 60-acre properties in Maine that have more soil variability than entire counties in the mid-western United States.

Therefore, the practice of soil science involves not just a general knowledge of soil principles (which is applicable universally) but also relies on regional knowledge about the dominant factors and influences of the region. The certification process for Soil Scientists reflects this emphasis: Three years of experience working under the guidance of a Certified Soil Scientist is required to apply for the certification examination. Additional criteria such as mandatory university coursework, letters of recommendation, background checks, business practices, and other safeguards for the public are required. A national standardized examination developed by the Council of Soil Science Examiners for use by states is administered on the Fundamental of Soil Science, followed by a Professional Practice examination that determines the applicant's understanding of Maine soils and was developed in Maine. It is critical to assure the protection of the public welfare that the Board of Certification for Geologists and Soil Scientists maintains the ability to set standards for the profession, including standards which define reciprocity.

#### **PROVISIONS FOR RECIPROCITY EXIST**

The Maine Association of Professional Soil Scientists is a professional organization of individuals with a profession in, or an interest in, soil science, and more broadly, natural resources. Many of our members are practicing Certified Soil Scientists, who are licensed by the State of Maine, and whose practice is in

part governed by the Board of Certification for Geologists and Soil Scientists. Many of our members are licensed in other states via the reciprocity of Maine's licensing.

This Board has in place a set of standards for evaluating licensed individuals from other states:

"The Board, in its discretion, may extend complete or partial reciprocity to currently registered geologists and soil scientists of other states or countries, where the Board determines that the education, experience and testing requirements of the other jurisdiction are equivalent to those set forth in this Act."

02-070 CMR, Chapter 4

The Board of Certification, in its role to protect the health, safety, and welfare of the people of the State of Maine, is the appropriate body to hold the authority to determine those candidates from other states who are suitable for reciprocity, or those from whom additional experience or testing is required. To our knowledge there have been no issues of concern regarding the timeliness whereby requests for reciprocity are acted on by the Board. We favor an approach that allows individual Boards to determine the stipulations surrounding reciprocity agreements with other states, rather than a universal approach that fails to recognize differences among professions and regions. It is our opinion that the low number of complaints against Maine Certified Soil Scientists is a direct result of a number of Board policies, including the discretion to extend reciprocity.

Thank you again for the opportunity to provide comments to the Committee. Please do not hesitate to contact me to discuss any of our comments.

Sincerely,

**Maine Association of Professional Soil Scientists**

A handwritten signature in black ink that reads "Johanna Szillery". The signature is written in a cursive, flowing style.

Johanna E. Szillery, C. S. S.  
President

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