

STATE OF NEW JERSEY

INTRODUCED APRIL 26, 1938

By Mr. HENDRICKSON

Referred to Committee on Revision and Amendment of Laws

AN ACT to correct erroneous internal references in sections 45:3-1, 45:3-2, 45:6-1, 45:7-1, 45:9-1, 45:9-5, 45:12-2, 45:12-18 and 45:16-1 of the Revised Statutes.

1 BE IT ENACTED by the Senate and General Assembly of the State of New
2 Jersey:

1 1. Section 45:3-1 of the Revised Statutes is hereby amended to read as
2 follows:

3 45:3-1. The New Jersey State Board of Architects, hereinafter in this
4 chapter designated as the "board," created and established by an act enti-
5 tled "An act to regulate the practice of architecture," approved March
6 twenty-fourth, one thousand nine hundred and two (L. 1902, c. 29, p. 54), as
7 amended and supplemented, is continued. The board shall consist of five
8 members, at least four of whom shall be architects residing in this State
9 and shall have been engaged in the practice of their profession for at least
10 ten years. Upon the expiration of the term of office of any member, his suc-
11 cessor shall be appointed by the Governor, subject to the provisions of sec-
12 tion [45:1-3] 45:1-2 of this Title, for a term of two years. Each member
13 shall hold his office until his successor has qualified. Any vacancy in the
14 membership of the board shall be filled for the unexpired term in the man-
15 ner provided for an original appointment. Except as hereinafter provided,
16 the members of the board shall serve without compensation.

1 2. Section 45:3-2 of the Revised Statutes is hereby amended to read as
2 follows:

3 45:3-2. The members of the board shall, before entering upon the dis-
4 charge of their duties, and within thirty days after their appointment, take
5 and subscribe an oath, for the faithful performance of their duties, before an
6 officer authorized to administer oaths in this State, and file the same with
7 the secretary of State. They shall annually elect from their number a presi-
8 dent, and a secretary who shall also be treasurer, each of whom shall hold
9 office for one year and until his successor has qualified. The secretary shall
10 receive compensation for his services as provided by section [45:1-5]
11 45:1-4 of this Title. Special meetings of the board shall be called by the sec-
12 retary upon the request of any two members by giving at least five days'
13 written notice of the meeting to each member. Three members of the board
14 shall constitute a quorum.

1 3. Section 45:6-1 of the Revised Statutes is hereby amended to read as
2 follows:

3 45:6-1. The State Board of Registration and Examination in dentistry,
4 hereinafter in this chapter designated as the "board," created and estab-
5 lished by an act entitled "An act to regulate the practice of dentistry in
6 the State of New Jersey, and to repeal certain acts now relating to the
7 same," approved March thirty-first, one thousand nine hundred and fifteen
8 (L. 1915, c. 146, p. 261), as amended and supplemented, is continued.

9 The board shall consist of eight members, each of whom shall have re-
10 sided and practiced dentistry in this State for at least ten years immedi-
11 ately preceding his appointment. Upon the expiration of the term of office
12 of any member, his successor shall be appointed by the Governor, subject
13 to the provisions of section [45:1-3] 45:1-2 of this Title, for a term of four
14 years. Each member shall hold his office until his successor has qualified.
15 Any vacancy in the membership of the board shall be filled by the Governor
16 for the unexpired term only. Upon cause being shown before him, the Gov-
17 ernor may remove a member from office upon proven charges of inefficiency,
18 incompetency, immorality or professional misconduct.

1 4. Section 45:7-1 of the Revised Statutes is hereby amended to read as
2 follows:

3 45:7-1. The board of embalmers and funeral directors of the State of
4 New Jersey, hereinafter in this chapter designated as the "board," created
5 and established by an act entitled "An act to regulate the business of deal-
6 ing with dead human bodies, including their preparation, preservation and
7 disposal and the business of funeral directing, embalming and undertaking
8 and to license those engaged in the business of funeral directing, undertak-
9 ing, embalming and the preparation and preservation and disposal of dead
10 human bodies and to punish persons violating the provisions thereof," ap-
11 proved March twenty-eighth, one thousand nine hundred and twenty-seven
12 (L. 1927, c. 156, p. 295), as amended and supplemented, is continued.

13 The board shall consist of five members, each of whom shall have had
14 experience of at least five years both as a practical embalmer and funeral
15 director. Upon the expiration of the term of office of a member, his suc-
16 cessor shall be appointed by the Governor, subject to the provisions of sec-
17 tion [45:1-3] 45:1-2 of this Title, for a term of three years from July first of
18 the year of appointment. Each member shall hold his office until his suc-
19 cessor has qualified. The board shall enjoy all the powers of its predecessor,
20 the board of undertakers and embalmers of the State of New Jersey, created
21 and established by the act of May twelfth, one thousand nine hundred and
22 six (L. 1906, c. 219, p. 420), as well as the powers conferred by this chapter,
23 except as otherwise provided. Any vacancies occurring in the board shall
24 be filled by the Governor for the unexpired term only.

1 5. Section 45:9-1 of the Revised Statutes is hereby amended to read as
2 follows:

3 45:9-1. The State Board of Medical Examiners, hereinafter in this
4 chapter designated as the "board," created and established by the act en-
5 titled "An act to regulate the practice of medicine and surgery, to license
6 physicians and surgeons, and to punish persons violating the provisions
7 thereof," approved May twenty-second, one thousand eight hundred and

8 ninety-four (L. 1894, c. 306, p. 454), as supplemented by an act approved
9 April second, one thousand nine hundred and thirteen (L. 1913, c. 224, p.
10 408), and by an act approved March thirty-first, one thousand nine hundred
11 and twenty-one (L. 1921, c. 136, p. 263), is continued. The board shall con-
12 sist of eleven members, who shall be persons of recognized professional
13 ability and honor and of whom five shall be old-school physicians, three shall
14 be homoeopaths, one an eclectic, one an osteopathic physician practicing
15 osteopathy in this State, and one a chiropractor practicing chiropractic in
16 this State. Said osteopathic physician and said chiropractor shall be gradu-
17 ates of a legally incorporated school or college of osteopathy and a school or
18 college of chiropractic, respectively, requiring personal attendance and shall
19 represent in the board the respective schools of practice to which they be-
20 long. Upon the expiration of the term of office of a member his successor
21 shall be appointed for a term of three years by the Governor subject to the
22 provisions of section [45:1-3] 45:1-2 of this Title. Vacancies in the mem-
23 berships shall be filled for the unexpired terms in the manner provided for
24 an original appointment. Each member shall hold his office until his suc-
25 cessor has qualified. Said appointees shall, within thirty days after the re-
26 ceipt of their respective commissions, take and subscribe the oath or affirma-
27 tion prescribed by law and file the same in the office of the Secretary of
28 State.

1 6. Section 45:9-5 of the Revised Statutes is hereby amended to read as
2 follows:

3 45:9-5. The board shall hold meetings once a month, and shall hold
4 meetings for examinations on the third Tuesday of June and October each
5 year, which shall be held at the capitol building if space is available there-
6 for, and at such other times and places as it may deem expedient. The
7 secretary of the board shall receive an annual salary as provided by section
8 [45:1-5] 45:1-4 of this Title and each member thereof, including said sec-
9 retary, shall receive the sum of two hundred and fifty dollars for each regu-
10 lar examination so held, which sum shall be paid from the receipts of the

11 board before the same are paid to the State Treasurer; but if an appropria-
12 tion is made for the expenses of the board such sums may be paid from
13 such appropriation. The board shall keep an official record of all its meet-
14 ings and an official register of all applicants for a license to practice medi-
15 cine and surgery in this State. The register shall show the name, age, na-
16 tivity, last and intended place of residence of each applicant the time he has
17 spent in obtaining a competent academic and medical education as hereinafter
18 provided, and the names and location of all medical schools or examining
19 and licensing boards which have granted the applicant any degree or certifi-
20 cate of attendance upon lectures upon medicine and surgery or State ex-
21 aminations. The register shall also show whether the applicant was li-
22 censed or rejected under this article; if licensed, whether the applicant was
23 examined or licensed without examination, and the register shall be prima
24 facie evidence of all matters therein contained.

1 7. Section 45:12-2 of the Revised Statutes is hereby amended to read as
2 follows:

3 45:12-2. The New Jersey State Board of Optometrists, hereinafter in
4 this chapter designated as the "board," created and established by the act
5 entitled "An act to regulate the practice of optometry, to license optome-
6 trists, and to punish persons violating the provisions thereof," approved
7 April seventeenth, one thousand nine hundred and fourteen (L. 1914, c. 222,
8 p. 448), as amended and supplemented, is continued. The board shall con-
9 sist of five members, each of whom shall possess sufficient knowledge of theo-
10 retical and practical optics to practice optometry, and shall have been a resi-
11 dent of this State engaged in the practice of optometry for at least five years.
12 Upon the expiration of the term of office of a member, his successor shall be
13 appointed by the Governor, subject to the provisions of section [45:1-3]
14 45:1-2 of this Title, for a term of three years from July first of the year of
15 appointment. Each member shall hold his office until his successor has
16 qualified. Any vacancy in the membership of the board shall be filled for
17 the unexpired term in the manner provided for an original appointment.

1 8. Section 45:12-18 of the Revised Statutes is hereby amended to read
2 as follows:

3 45:12-18. An itemized account of all the receipts and expenditures of the
4 board shall be kept by the secretary-treasurer, and a detailed report thereof
5 each year, ending with June thirtieth, duly verified by the affidavit of said
6 secretary-treasurer, shall be filed with the State Comptroller within ten days
7 thereafter. Nothing in this section or section 45:12-17 of this Title shall be
8 construed as modifying in any respect the provisions of sections [45:1-4 and
9 45:1-5] 45:1-3 and 45:1-4 of this Title.

1 9. Section 45:16-1 of the Revised Statutes is hereby amended to read as
2 follows:

3 45:16-1. The State Board of Veterinary Medical Examiners, hereinafter
4 in this chapter designated as the "board," created and established by an act
5 entitled "An act to regulate the practice of veterinary medicine, surgery and
6 dentistry in the State of New Jersey, to license veterinarians and to punish
7 persons violating the provisions thereof," approved March seventeenth,
8 one thousand nine hundred and two (L. 1902, c. 18, p. 36), as amended and
9 supplemented, is continued. The board shall consist of five members, each of
10 whom shall be a person of recognized professional ability and honor in the
11-12 veterinary profession in this State and shall have practiced veterinary medi-
13 cine and surgery for at least five years immediately preceding his appoint-
14 ment. Upon the expiration of the term of office of a member, his successor
15 shall be appointed by the Governor, subject to the provisions of section
16 [45:1-3] 45:1-2 of this Title, for a term of three years from the first Mon-
17 day of May of the year of appointment. Each member shall hold his office
18 until his successor has qualified.

1 10. This act shall take effect immediately.

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STATEMENT

This bill corrects the internal references in the sections amended so that such references will relate in the Revised Statutes to the section or sections referred to in the original enactments from which the sections were drawn.

This bill is recommended by the Commission on Revision and Consolidation of Public Statutes.