

45:3-8
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LAWS OF: 1979 **CHAPTER:** 432

NJSA: 45:3-8 (Repeals certain statutes concerning professional and occupational boards)

BILL NO: S3273

SPONSOR(S) Bedell, Merlino

DATE INTRODUCED: May 21, 1979

COMMITTEE: **ASSEMBLY:** ---

SENATE: Labor, Industry and Professions

AMENDED DURING PASSAGE: Yes

DATE OF PASSAGE: **ASSEMBLY:** January 5, 1980

SENATE: November 13, 1979

DATE OF APPROVAL: February 14, 1980

FOLLOWING ARE ATTACHED IF AVAILABLE:

FINAL TEXT OF BILL (Official copy reprint enacted)

S3273

SPONSOR'S STATEMENT: (Begins on page 3 of introduced bill)	Yes
COMMITTEE STATEMENT:	No
ASSEMBLY:	No
SENATE:	Yes
FLOOR AMENDMENT STATEMENT:	No
LEGISLATIVE FISCAL NOTE:	No
VETO MESSAGE:	No
GOVERNOR'S PRESS RELEASE ON SIGNING:	Yes

FOLLOWING WERE PRINTED:

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REPORTS:	No
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NEWSPAPER ARTICLES:	No

LAW

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[OFFICIAL COPY REPRINT]

SENATE, No. 3273

STATE OF NEW JERSEY

INTRODUCED MAY 21, 1979

By Senators BEDELL and MERLINO

Referred to Committee on Labor, Industry and Professions

AN ACT concerning professional and occupational boards and repealing certain statutes.

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

1 1. The following sections, acts and parts of acts, together with all
2 amendments and supplements thereto, are hereby repealed:

3 R. S. 45:3-8, 45:3-11 and 45:3-12;

4 R. S. 45:4A-15, 45:4A-19 and 45:4A-24;

5 R. S. 45:5-12 and 45:5-15;

6 R. S. 45:6-8 and 45:6-25;

7 R. S. 45:9-23, 45:9-26 and 45:9-27.1;

8 R. S. 45:10-9, 45:10-10, 45:10-11 and 45:10-14;

9 R. S. 45:12-12, 45:12-14, 45:12-20 and 45:12-21;

10 R. S. 45:14-37, 45:14-38 and 45:14-39;

11 R. S. 45:16-6;

12 P. L. 1977, c. 144, ss. 18, 20, 21, 25 and 26 (C. 45:2B-18, C.
13 45:2B-20, C. 45:2B-21, C. 45:2B-25 and C. 45:2B-26);

14 P. L. 1967, c. 289, s. 5 (C. 45:3-12.1);

15 P. L. 1938, c. 197, ss. 14, 15 and 29 (C. 45:4-40, C. 45:4-41 and
16 C. 45:4-55);

17 P. L. 1946, c. 133, s. 9 (C. 45:4-50.9);

18 P. L. 1950, c. 155, s. 3 (C. 45:4A-34.1);

19 P. L. 1962, c. 162, ss. 7, 16 and 20 (C. 45:5A-7, C. 45:5A-16 and
20 C. 45:5A-20);

21 P. L. 1968, c. 17, s. 6 (C. 45:5A-22);

22 P. L. 1951, c. 199, ss. 9, 10, 11 and 14 (C. 45:6-15.9, C. 45:6-15.10,
23 C. 45:6-15.11 and C. 45:6-15.14);

24 P. L. 1942, c. 78 (C. 45:6-29.1);

25 P. L. 1948, c. 34, s. 8 (C. 45:6-40);

26 P. L. 1952, c. 340, ss. 31, 35, 36, 38, 39 and 40 (C. 45:7-62, C.

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

27 45:7-66, C. 45:7-67, C. 45:7-69, C. 45:7-70 and C. 45:7-71);
 28 P. L. 1938, c. 342, s. 12 (C. 45:8-38);
 29 P. L. 1968, c. 401, ss. 25, 27 and 28 (C. 45:8B-25, C. 45:8B-27
 30 and C. 45:8B-28);
 31 P. L. 1963, c. 169, ss. 8 and 11 (C. 45:9-37.7 and C. 45:9-37.10);
 32 P. L. 1953, c. 420, ss. 13 and 14 (C. 45:9-42.13 and C. 45:9-42.14);
 33 P. L. 1973, c. 19, ss. 19, 20, 21 and 28 (C. 45:9A-19, C. 45:9A-20,
 34 C. 45:9A-21 and C. 45:9A-28);
 35 P. L. 1975, c. 358, ss. 12 and 14 (C. 45:9B-12 and C. 45:9B-14);
 36 P. L. 1947, c. 262, ss. 10, 14, 16, 17 and 21 (C. 45:11-32, C.
 37 45:11-36, C. 45:11-38, C. 45:11-39 and C. 45:11-43);
 38 P. L. 1968, c. 114, ss. 7 and 10 (C. 45:12A-7 and C. 45:12A-10);
 39 P. L. 1949, c. 93, s. 3 (C. 45:14-26.3);
 40 P. L. 1962, c. 109, ss. 15 and 16 (C. 45:14A-15 and C. 45:14A-16);
 41 P. L. 1966, c. 282, ss. 26 and 27 (C. 45:14B-26 and C. 45:14B-27);
 42 P. L. 1968, c. 362, ss. 22 and 25 (C. 45:14C-22 and C. 45:14C-25);
 43 P. L. 1940, c. 175, ss. 6 and 12 (C. 45:15B-6 and C. 45:15B-12);
 44 P. L. 1952, c. 336, ss. 19, 20 and 22 (C. 52:17B-41.19, C.
 45 52:17B-41.20 and C. 52:17B-41.22).

1 2. The following sections, acts and parts of acts, together with
 2 all amendments and supplements thereto, are hereby repealed:

3 ***[**R. S. 45:4A-18;
 4 R. S. 45:10-4;
 5 P. L. 1942, c. 322, s. 2 (C. 45:4-35.2);
 6 P. L. 1938, c. 197, s. 18 (C. 45:4-44);
 7 P. L. 1964, c. 186, s. 3 (C. 45:6-16.3);**]***
 8 P. L. 1968, c. 401, ss. 22 and 23 (C. 45:8B-22 and C. 45:8B-23);
 9 P. L. 1947, c. 262, ss. 6, 7 and 8 (C. 45:11-28, C. 45:11-29 and C.
 10 45:11-30);
 11 ***[**P. L. 1968, c. 114, s. 5 (C. 45:12A-5);
 12 P. L. 1970, c. 331, s. 6 (C. 45:14-3.1);**]***
 13 P. L. 1966, c. 282, s. 21 (C. 45:14B-21);
 14 P. L. 1940, c. 175, s. 7 (C. 45:15B-7);
 15 P. L. 1952, c. 336, s. 10 (C. 52:17B-41.10).

1 3. The following sections, acts and parts of acts, together with
 2 all amendments and supplements thereto, are hereby repealed:

3 R. S. 45:4A-20;
 4 R. S. 45:9-3;
 5 R. S. 45:14-5;
 6 P. L. 1952, c. 340, s. 11 (C. 45:7-42).

1 4. The following sections, acts and parts of acts, together with
 2 all amendments and supplements thereto, are hereby repealed:

3 P. L. 1968, c. 144, ss. 1 and 2 (C. 45:1-5 and C. 45:1-6);
 4 P. L. 1967, c. 289, s. 2 (C. 45:3-6.1).

1 5. The following sections, acts and parts of acts, together with
2 all amendments and supplements thereto, are hereby repealed:

- 3 P. L. 1962, c. 162, s. 10 (C. 45:5A-10);
4 P. L. 1952, c. 340, ss. 5, 46 and 47 (C. 45:7-36, C. 45:7-77 and C.
5 45:7-78);
6 P. L. 1968, c. 401, ss. 17 and 32 (C. 45:8B-17 and C. 45:8B-32);
7 P. L. 1953, c. 233, ss. 4, 5 and 6 (C. 45:9-41.1, C. 45:9-41.2 and
8 C. 45:9-41.3);
9 P. L. 1954, c. 190, ss. 2 and 3 (C. 45:9-41.14 and C. 45:9-41.15);
10 P. L. 1955, c. 248, s. 1 (C. 45:9-41.16);
11 P. L. 1953, c. 420, s. 5 (C. 45:9-42.5);
12 P. L. 1962, c. 109, ss. 19 and 20 (C. 45:14A-19 and C. 45:14A-20);
13 P. L. 1966, c. 282, ss. 15 and 16 (C. 45:14B-15 and C. 45:14B-16);
14 P. L. 1940, c. 175, s. 5 (C. 45:15B-5).

1 6. The following sections, acts and parts of acts, together with
2 all amendments and supplements thereto, are hereby repealed:

- 3 R. S. 45:3-9;
4 R. S. 45:4A-17 and 45:4A-26.1;
5 R. S. 45:6-30, 45:6-31 and 45:6-32;
6 R. S. 45:9-9, 45:9-10 and 45:9-11;
7 R. S. 45:12-13;
8 R. S. 45:14-28;
9 P. L. 1948, c. 434, s. 6 (C. 45:5-16.1);
10 P. L. 1951, c. 199, s. 13 (C. 45:6-15.13);
11 P. L. 1945, c. 193, s. 2 (C. 45:6-29.2);
12 P. L. 1952, c. 340, ss. 13, 37, 44 and 45 (C. 45:7-44, C. 45:7-68,
13 C. 45:7-75 and C. 45:7-76);
14 P. L. 1944, c. 166, s. 3 (C. 45:9-27.4);
15 P. L. 1947, c. 262, s. 9 (C. 45:11-31);
16 P. L. 1966, c. 282, s. 22 (C. 45:14B-22);
17 P. L. 1968, c. 362, ss. 5 and 23 (C. 45:14C-5 and C. 45:14C-23).

1 7. This act shall take effect immediately.

SENATE, No. 3273

STATE OF NEW JERSEY

INTRODUCED MAY 21, 1979

By Senators BEDELL and MERLINO

Referred to Committee on Labor, Industry and Professions

AN ACT concerning professional and occupational boards and repealing certain statutes.

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1 1. The following sections, acts and parts of acts, together with all
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3 R. S. 45:3-8, 45:3-11 and 45:3-12;

4 R. S. 45:4A-15, 45:4A-19 and 45:4A-24;

5 R. S. 45:5-12 and 45:5-15;

6 R. S. 45:6-8 and 45:6-25;

7 R. S. 45:9-23, 45:9-26 and 45:9-27.1;

8 R. S. 45:10-9, 45:10-10, 45:10-11 and 45:10-14;

9 R. S. 45:12-12, 45:12-14, 45:12-20 and 45:12-21;

10 R. S. 45:14-37, 45:14-38 and 45:14-39;

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12 P. L. 1977, c. 144, ss. 18, 20, 21, 25 and 26 (C. 45:2B-18, C.
13 45:2B-20, C. 45:2B-21, C. 45:2B-25 and C. 45:2B-26);

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27 45:7-66, C. 45:7-67, C. 45:7-69, C. 45:7-70 and C. 45:7-71);

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 10 45:11-30);
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 13 P. L. 1966, c. 282, s. 21 (C. 45:14B-21);
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5 45:7-78);
6 P. L. 1968, c. 401, ss. 17 and 32 (C. 45:8B-17 and C. 45:8B-32);
7 P. L. 1953, c. 233, ss. 4, 5 and 6 (C. 45:9-41.1, C. 45:9-41.2 and
8 C. 45:9-41.3);
9 P. L. 1954, c. 190, ss. 2 and 3 (C. 45:9-41.14 and C. 45:9-41.15);
10 P. L. 1955, c. 248, s. 1 (C. 45:9-41.16);
11 P. L. 1953, c. 420, s. 5 (C. 45:9-42.5);
12 P. L. 1962, c. 109, ss. 19 and 20 (C. 45:14A-19 and C. 45:14A-20);
13 P. L. 1966, c. 282, ss. 15 and 16 (C. 45:14B-15 and C. 45:14B-16);
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2 all amendments and supplements thereto, are hereby repealed:

- 3 R. S. 45:3-9;
4 R. S. 45:4A-17 and 45:4A-26.1;
5 R. S. 45:6-30, 45:6-31 and 45:6-32;
6 R. S. 45:9-9, 45:9-10 and 45:9-11;
7 R. S. 45:12-13;
8 R. S. 45:14-28;
9 P. L. 1948, c. 434, s. 6 (C. 45:5-16.1);
10 P. L. 1951, c. 199, s. 13 (C. 45:6-15.13);
11 P. L. 1945, c. 193, s. 2 (C. 45:6-29.2);
12 P. L. 1952, c. 340, ss. 13, 37, 44 and 45 (C. 45:7-44, C. 45:7-68,
13 C. 45:7-75 and C. 45:7-76);
14 P. L. 1944, c. 166, s. 3 (C. 45:9-27.4);
15 P. L. 1947, c. 262, s. 9 (C. 45:11-31);
16 P. L. 1966, c. 282, s. 22 (C. 45:14B-22);
17 P. L. 1968, c. 362, ss. 5 and 23 (C. 45:14C-5 and C. 45:14C-23).

1 7. This act shall take effect immediately.

SPONSOR'S STATEMENT

This bill repeals sections of Title 45 and 52 of the Revised Statutes. The subject matter of these sections deals with professional and occupational boards. Because the reason advanced for repeal is not similar for all the statutes this bill has been divided into six sections. The reasons for repeal are:

Section 1. The statutes repealed by this section deal with standards for revocation, suspension and other disciplinary sanctions for professional and occupational boards within the Division

of Consumer Affairs in the Department of Law and Public Safety. The boards' investigative, enforcement or penalty powers have either been superseded or repealed by passage of P. L. 1978, c. 73 (C. 45:1-14 *et seq.*).

The chapters affected in Titles 45 and 52 are: Chapter 2B (Certified Public Accountants), Chapter 3 (Architects), Chapter 4 (Barbers), Chapter 4A (Beauty Culture), Chapter 5 (Chiropody), Chapter 5A (Electrical Contractors), Chapter 6 (Dentists), Chapter 7 (Mortuary Science), Chapter 8 (Engineers), Chapter 8B (Marriage Counsellors), Chapter 9 (Medical Examiners), Chapter 9A (Hearing Aid Dispensers), Chapter 9B (Acupuncture), Chapter 10 (Midwifery), Chapter 11 (Nursing), Chapter 12 (Optometry), Chapter 12A (Orthoptics), Chapter 14 (Pharmacy), Chapter 14A (Planners), Chapter 14B (Psychologists), Chapter 14C (Plumbers), Chapter 15B (Shorthand Reporters), Chapter 16 (Veterinary Medical Examiners) and Chapter 17B in Title 52 (Ophthalmic Dispensers and Technicians).

Section 2. The statutes repealed in this section deal with licensing, application or other regulatory fees of professional or occupational boards. These provisions have been superseded by passage of P. L. 1974, c. 46 (C. 45:4-35.2).

The chapters affected in Titles 45 and 52 are: Chapter 4 (Barbers), Chapter 4A (Beauty Culture), Chapter 6 (Dentists), Chapter 8B (Marriage Counsellors), Chapter 10 (Midwifery), Chapter 11 (Nursing), Chapter 12A (Orthoptics), Chapter 14 (Pharmacy), Chapter 14B (Psychologists), Chapter 15B (Shorthand Reporters) and Chapter 17B in Title 52 (Ophthalmic Dispensers and Technicians).

Section 3. The statutes repealed in this section deal with the powers of professional and occupational boards to employ inspectors and other clerical employees. These sections have been superseded by P. L. 1971, c. 134, s. 4 (C. 52:17B-121).

The chapters affected in Title 45 are Chapter 4A (Beauty Culture), Chapter 7 (Mortuary Science), Chapter 9 (Medical Examiners) and Chapter 14 (Pharmacy).

Section 4. The statutes repealed in this section impose a requirement of citizenship as a requirement to obtain a license or sit for a license examination. The Attorney General by F. O. No. 10 (1974) concluded such conditions to be invalid under prior decisions of the United States Supreme Court.

The chapters affected in Title 45 are: Chapter 1 (General Provisions) and Chapter 3 (Architects).

Section 5. The statutes repealed by this section required the performance of an act or acts within a specified time. The time within which the act or acts were to be performed or the date by which they were to be performed has expired.

The chapters affected in Title 45 are: Chapter 5A (Electrical Contractors), Chapter 7 (Mortuary Science), Chapter 8B (Marriage Counsellors), Chapter 9 (Medical Examiners), Chapter 14A (Planners), Chapter 14B (Psychologists) and Chapter 15B (Shorthand Reporters).

Section 6. The statutes repealed by this section have become unnecessary or archaic and should be repealed.

The chapters affected in Title 45 are: Chapter 3 (Architects), Chapter 4A (Beauty Culture), Chapter 5 (Chiropody), Chapter 6 (Dentists), Chapter 7 (Mortuary Science), Chapter 9 (Medical Examiners), Chapter 11 (Nursing), Chapter 12 (Optometry), Chapter 14 (Pharmacy), Chapter 14B (Psychologists) and Chapter 14C (Plumbers).

SENATE LABOR, INDUSTRY AND PROFESSIONS
COMMITTEE

STATEMENT TO

SENATE, No. 3273
with Senate committee amendments

STATE OF NEW JERSEY

DATED: AUGUST 6, 1979

This bill provides for the repeal of certain outmoded sections of law. The Senate Labor, Industry and Professions Committee amended section 2 of the bill which repeals statutes supposedly superseded by the passage of P. L. 1974, c. 46 (C. 45:4-35.2).

P. L. 1974, c. 46 is permissive. It provides that the professional boards and commissions enumerated in the act "may," by regulation, change their charges for examination, licensures and other regulatory fees. Some of the enumerated boards and commissions, however, have not chosen to make these changes. They are still proceeding pursuant to prior statutes, which therefore should not be repealed.

SENATE COMMITTEE AMENDMENTS TO
SENATE, No. 3273

STATE OF NEW JERSEY

ADOPTED AUGUST 6, 1979

Amend page 2, section 2, lines 3-7, omit in entirety.

Amend page 2, section 2, lines 11-12, omit in entirety.

ASSEMBLY COMMERCE, INDUSTRY AND PROFESSIONS
COMMITTEE

STATEMENT TO
SENATE, No. 3273

[OFFICIAL COPY REPRINT]

STATE OF NEW JERSEY

DATED: NOVEMBER 26, 1979

This bill repeals sections of Title 45 and 52 of the Revised Statutes. The subject matter of these sections deals with professional and occupational boards. The section headnotes which were prepared by either the Office of the Secretary of State or West Publishing Co. and are used in the New Jersey Statutes Annotated have been listed in the committee statement to provide a clear indication of the content of the sections being repealed. Because the reason advanced for repeal is not similar for all the statutes this bill has been divided into six sections. The reasons for repeal are:

Section 1. The statutes repealed by this section deal with standards for revocations, suspension and other disciplinary sanctions for professional and occupational boards within the Division of Consumer Affairs in the Department of Law and Public Safety. The boards' investigative, enforcement and penalty powers have either been superseded or repealed by passage of P. L. 1978, c. 73 (C. 45:1-14 et seq.).

The chapters affected in Titles 45 and 52 are:

Chapter 2B (Certified Public Accountants)

1. C. 45:2B-18 Refusal to admit to examination or to issue, suspend or revoke a certificate or registration; imposition of civil penalties; other remedies; grounds.
2. C. 45:2B-20 Hearings.
3. C. 45:2B-21 Subpena; administration of oaths.
4. C. 45:2B-25 Injunction against unlawful acts.
5. C. 45:2B-26 Penalty for violations.

Chapter 3 (Architects)

1. R. S. 45:3-8 Revocation of certificates; hearings.
2. R. S. 45:3-11 Court proceedings for recovery of penalties.
3. R. S. 45:3-12 Judgment; commitment of defendant for nonpayment.
4. C. 45:3-12.1 Habitual violations of chapter; injunctive relief.

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Chapter 4 (Barbers)

1. C. 45:4-40 Grounds for refusal to issue or renew, or for suspension or revocation of certificate of registration.
2. C. 45:4-41 Notice and hearing.
3. C. 45:4-55 Penalties; jurisdiction; summary proceedings; commitment for failure to pay judgment; disposition of penalties.
4. C. 45:4-50.9 Suspension or revocation.

Chapter 4A (Beauty Culture)

1. R. S. 45:4A-15 Refusal, revocation or suspension of license or certificate; grounds; written statement of charges; hearing.
2. R. S. 45:4A-19 Inspection of shops and schools.
3. R. S. 45:4A-24 Enforcement of chapter; penalties for violation; jurisdiction; summary proceedings; process; commitment for failure to pay judgment.
4. C. 45:4A-34.1 Restraining violations.

Chapter 5 (Chiroprody)

1. R. S. 45:5-12 Commitment for failure to pay judgment.
2. R. S. 45:5-15 Penalty for further violations; recovery; commitment for failure to pay; disposition of penalties.

Chapter 5A (Electrical Contractors)

1. C. 45:5A-7 Subpenas; witnesses; oaths and affirmations.
2. C. 45:5A-16 Refusal to grant, suspension, revocation or refusal to renew license or business permit; grounds; charges; hearing.
3. C. 45:5A-20 Penalties; actions.
4. C. 45:5A-22 Violations; injunctive relief.

Chapter 6 (Dentists)

1. R. S. 45:6-8 Notice to accused person; hearing; witnesses.
2. R. S. 45:6-25 Court proceedings for recovery of penalties.
3. C. 45:6-15.9 Suspension or revocation or refusal to grant permit; grounds.
4. C. 45:6-15.10 Notice before revocation or suspension of permit; hearing; subpenas.
5. C. 45:6-15.11 Penalties for violations of act.
6. C. 45:6-15.14 Jurisdiction of Superior Court.
7. C. 45:6-29.1 Restraining violations.
8. C. 45:6-40 Refusal to grant or suspension or revocation of license to practice dental hygiene; relicensing.

Chapter 7 (Mortuary Science)

1. C. 45:7-62 Suspension or revocation of license.
2. C. 45:7-66 Investigations as to violations; complaint; hearing.

3. C. 45:7-67 Investigation of complaint; notice of hearing; rights of accused; record of proceeding.
4. C. 45:7-69 Administering oaths; subpoenas; production of books and papers.
5. C. 45:7-70 Failure to appear before board or produce records or documents or testify; compelling compliance.
6. C. 45:7-71 Violations.

Chapter 8 (Engineers)

1. C. 45:8-38 Revocation of license; grounds; written and sworn charges; service; hearing; reissue of certificate; new certificate on loss or destruction of old.

Chapter 8B (Marriage Counsellors)

1. C. 45:8B-25 Grounds for refusal to grant or renew or for revocation or suspension of license; hearing; review.
2. C. 45:8B-27 Violation; penalty; jurisdiction; process; evidence.
3. C. 45:8B-28 Restraint of violations.

Chapter 9 (Medical Examiners)

1. R. S. 45:9-23 Commitment for failure to pay judgment.
2. R. S. 45:9-26 Penalty for further violations; recovery; commitment for failure to pay penalty; disposition.
3. R. S. 45:9-27.1 Superior Court's jurisdiction to restrain violations.
4. C. 45:9-37.7 Refusal, suspension or revocation of registration.
5. C. 45:9-37.10 Violations.
6. C. 45:9-42.13 Revocation or suspension of license.
7. C. 45:9-42.14 Hearing; practice after suspension or revocation.

Chapter 9A (Hearing Aid Dispensers)

1. C. 45:9A-19 Violations; penalty.
2. C. 45:9A-20 Injunctions.
3. C. 45:9A-21 Hearing; necessity before suspension, revocation or denial of renewal of license or certificate.
4. C. 45:9A-28 Powers of director; inspections; hearings.

Chapter 9B (Acupuncture)

1. C. 45:9B-12 Refusal to grant, suspension or revocation of license; grounds; hearing.
2. C. 45:9B-14 Violations; penalty.

Chapter 10 (Midwifery)

1. R. S. 45:10-9 Refusal, revocation or suspension of licenses; hearing.
2. R. S. 45:10-10 Penalty; enforcement; process.
3. R. S. 45:10-11 Judgment; commitment of defendant for non-payment.

4. C. 45:10-14 Penalty for further violations; committment for failure to pay; disposition.

Chapter 11 (Nursing)

1. C. 45:11-32 Refusual to renew a license; revocation or suspension of a license; notice; hearing; review.
2. C. 45:11-36 Failure to obey subpena.
3. C. 45:11-38 Recovery of penalties provided in section 15 [45:11-37].
4. C. 45:11-39 Judgment; commitment of defendant for nonpayment; disposition.
5. C. 45:11-43 Restraining violations.

Chapter 12 (Optometry)

1. R. S. 45:12-12 Hearing of charges; witnesses; appearance.
2. R. S. 45:12-14 Refusal to renew; revocation or suspension; review of.
3. R. S. 45:12-20 Penalty for illegal practice; enforcement; process.
4. R. S. 45:12-21 Commitment for failure to pay judgment.

Chapter 12A (Orthoptics)

1. C. 45:12A-7 Refusal to register or renew registration; suspension or revocation of registration.
2. C. 45:12A-10 False oath; fraudulent representation to obtain registration; penalty.

Chapter 14 (Pharmacy)

1. R. S. 45:14-37 Penalties; enforcement.
2. R. S. 45:14-38 Enforcement of penalties; commitment for refusal to pay judgment.
3. R. S. 45:14-39 Injunctive relief to prohibit violations.
4. C. 45:14-26.3 Violations; civil action for penalties.

Chapter 14A (Planners)

1. C. 45:14A-15 Revocation or suspension of certificates; grounds; hearing.
2. C. 45:14A-16 Violations; penalties; jurisdiction of courts.

Chapter 14B (Psychologists)

1. C. 45:14B-26 Violations; penalty.
2. C. 45:14B-27 Action to prevent or restrain violation of act.

Chapter 14C (Plumbers)

1. C. 45:14C-22 Suspension or revocation of license; hearings; notice; application for new license.
2. C. 45:14C-25 Violations; penalties.

Chapter 15B (Shorthand Reporters)

1. C. 45:15B-6 Revocation of certificate; administering oaths and taking evidence; findings.
2. C. 45:15B-12 Violations of act; penalty; process.

Chapter 16 (Veterinary Medical Examiners)

1. R. S. 45:16-6 Refusal, suspension, or revocation of licenses; hearing; subsequent practice; relicensing.

Chapter 17B in Title 52 (Ophthalmic Dispensers and Technicians)

1. C. 52:17B-41.19 Refusal or neglect to pay judgment; commitment to jail.
2. C. 52:17B-41.20 Subsequent conviction; penalty; failure to pay penalty; disposition of penalties.
3. C. 52:17B-41.22 Suspension or revocation of license as ophthalmic dispenser or technician; reinstatement.

Section 2. The statutes repealed in this section deal with licensing, application or other regulatory fees of professional or occupational boards. These provisions have been superseded by passage of P. L. 1974, c. 46 (C. 45:1-3.2). This section was amended by the Senate Labor, Industry and Professions Committee because P. L. 1974, c. 46 was permissive and some of the boards have not chosen to change their fees for examination and licensure by regulation and, therefore, continue to use these sections of the statutes.

The chapters affected in Titles 45 and 52 are:

Chapter 8B (Marriage Counsellors)

1. C. 45:8B-22 Fees.
2. C. 45:8B-23 Duration of licenses; renewal.

Chapter 11 (Nursing)

1. C. 45:11-28 Renewal of license.
2. C. 45:11-29 Duplicate licenses.
3. C. 45:11-30 Change of name.

Chapter 14B (Psychologists)

1. C. 45:14B-21 Fees.

Chapter 15B (Shorthand Reporters)

1. C. 45:15B-7 Fees.

Chapter 17B in Title 52 (Ophthalmic Dispensers and Technicians)

1. C. 52:17B-41.10 Examination fee.

Section 3. The statutes repealed in this section deal with the powers of professional and occupational boards to employ inspectors and other clerical employees. These sections have been superseded by P. L. 1971, c. 134, s. 4 (C. 52:17B-121).

The chapters affected in Title 45 are:

Chapter 4A (Beauty Culture)

1. R. S. 45:4A-20 Assistants and employees.

Chapter 7 (Mortuary Science)

1. C. 45:7-42 Inspector of the State Board of Mortuary Science; powers and duties.

Chapter 9 (Medical Examiners)

1. R. S. 45:9-3 Inspector of the State Board of Medical Examiners, appointment; powers; compensation.

Chapter 14 (Pharmacy)

1. R. S. 45:14-5 Appointment and duties of inspectors.

Section 4. The statutes repealed in this section impose a requirement of citizenship as a requirement to obtain a license or sit for a license examination. The Attorney General by F. O. No. 10 (1974) concluded such conditions to be invalid under prior decisions of the United States Supreme Court.

The chapters affected in Title 45 are:

Chapter 1 (General Provisions)

1. C. 45:1-5 Foreign citizens; licensing examination; conditions.
2. C. 45:1-6 Application of act.

Chapter 3 (Architects)

1. C. 45:3-6.1 Citizens of foreign countries; issuance of license; duration and revocation.

Section 5. The statutes repealed by this section required the performance of an act or acts within a specified time. The time within which the act or acts were to be performed or the date by which they were to be performed has expired.

The chapters affected in Title 45 are:

Chapter 5A (Electrical Contractors)

1. C. 45:5A-10 License without examination.

Chapter 7 (Mortuary Science)

1. C. 45:7-36 Transfer of files, books, papers, etc., to State Board of Mortuary Science.
2. C. 45:7-77 Appropriations; transfer.
3. C. 45:7-78 Employees transferred.

Chapter 8B (Marriage Counsellors)

1. C. 45:8B-17 Qualifications for admission to examination of persons applying on or before January 1, 1969.
2. C. 45:8B-32 Appropriation; expenditures.

Chapter 9 (Medical Examiners)

1. C. 45:9-41.1 License without examination; to whom; fee.

2. C. 45:9-41.2 Graduates engaged in practice before July 31, 1944 entitled to license upon passing examination in certain subjects.
3. C. 45:9-41.3 Persons licensed as chiropractors in other states.
4. C. 45:9-41.14 Eligibility of graduates engaged in practice before July 31, 1944, for admission to examination.
5. C. 45:9-41.15 Eligibility of graduates engaged in practice before December, 1952, for admission to examination.
6. C. 45:9-41.16 Eligibility of certain veterans to take examination.
7. C. 45:9-42.5 License without examination.

Chapter 14A (Planners)

1. C. 45:14A-19 Licensing of qualified person for 1 year period from July 1, 1963, without examination.
2. C. 45:14A-20 Qualifications of first five members of board.

Chapter 14B (Psychologists)

1. C. 45:14B-15 Qualifications for persons applying on or before January 1, 1968.
2. C. 45:14B-16 Persons applying on or before January 1, 1968; qualifications for admission to assembled examination.

Chapter 15B (Shorthand Reporters)

1. C. 45:15B-5 Persons already practicing; exemption.

Section 6. The statutes repealed by this section have become unnecessary or archaic and should be repealed.

The chapters affected in Title 45 are:

Chapter 3 (Architects)

1. R. S. 45:3-9 Certified copies of certificates as evidence; refusal or revocation of certificates reviewable by court.

Chapter 4A (Beauty Culture)

1. R. S. 45:4A-17 Appeal.
2. R. S. 45:4A-26.1 Prosecutions; prima facie proof.

Chapter 5 (Chiropody)

1. C. 45:5-16.1 Payment of penalty as equivalent of conviction.

Chapter 6 (Dentists)

1. R. S. 45:6-30 Secretary's certificate showing issuance of license.
2. R. S. 45:6-31 Certificate as evidence.
3. R. S. 45:6-32 Judicial notice of seal.
4. C. 45:6-15.13 Payment of penalty deemed equivalent to conviction.
5. C. 45:6-29.2 Payment of penalty deemed equivalent to conviction.

Chapter 7 (Mortuary Science)

1. C. 45:7-44 Quorum.
2. C. 45:7-68 Appeal.
3. C. 45:7-75 Existing rules and regulations.
4. C. 45:7-76 Pending proceedings.

Chapter 9 (Medical Examiners)

1. R. S. 45:9-9 Requirements for candidates who graduated from medical school prior to July 4, 1903.
2. R. S. 45:9-10 Requirements for candidates who graduated from medical school prior to July 4, 1894.
3. R. S. 45:9-11 Requirements for candidates who entered medical school prior to March 25, 1912.
4. C. 45:9-27.4 Payment of penalty equivalent to conviction.

Chapter 11 (Nursing)

1. C. 45:11-31 Disposition of funds and other property.

Chapter 12 (Optometry)

1. R. S. 45:12-13 Unanimous finding necessary for revocation or suspension of certificate; practice thereafter prohibited.

Chapter 14 (Pharmacy)

1. R. S. 45:14-28 Certificate of board as evidence that defendant not registered.

Chapter 14B (Psychologists)

1. C. 45:14B-22 Annual license.

Chapter 14C (Plumbers)

1. C. 45:14C-5 Quorum.
2. C. 45:14C-23 Appeal.

FROM THE OFFICE OF THE GOVERNOR

FOR IMMEDIATE RELEASE

FOR FURTHER INFORMATION

FEBRUARY 14, 1980

KATHRYN FORSYTH

Governor Brendan Byrne has signed the following bills into law:

S-3273, sponsored by Senator Eugene J. Bedell (D-Monmouth), which repeals various sections of Title 45 and 52, dealing with the professional and occupational boards.

The statutes repealed deal with standards for revocations, suspension and other disciplinary sanctions, as well as fees, for professional and occupational boards within the Division of Consumer Affairs in the Department of Law and Public Safety. The boards' investigative, enforcement and penalty powers have either been superseded or repealed.

S-3324, sponsored by Senator Joseph P. Merlino (D-Mercer), which changes the title of the County Superintendent of Public Works to the County Superintendent of Buildings and Grounds. It also increases the term of the Superintendent from three to five years.

The rationale for the bill is that the title of Superintendent of Public Works was created many years ago, but no longer reflects the present structure of government. Under the Optional County Charter Law, some county governments now have Division Directors of Public Works with subordinate superintendents of various specialties, such as buildings and grounds, bridges and roads. This bill more accurately reflects the scope of the position.

S-3266, sponsored by Senator William V. Musto (D-Hudson), which repeals the "Interim Legislative District and Apportionment Act of 1965."

The provisions of the "Interim Legislative District and Apportionment Act of 1965" applied only to the Legislature elected in November of 1965 for legislative year 1965 for legislative years 1966 and 1967. An Apportionment Commission established pursuant to a Constitutional amendment approved in November of 1966 is now responsible for determining legislative districts.