

45:8-35.2 to 45:8-35.10

LEGISLATIVE HISTORY CHECKLIST
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(Land surveyors--certification)

NJSA: 45:8-35.2 to 45:8-35.10

LAWS OF: 1993 **CHAPTER:** 39

BILL NO: S1178

SPONSOR(S) Dorsey

DATE INTRODUCED: October 1, 1992

COMMITTEE: **ASSEMBLY:** Commerce
SENATE: Commerce

AMENDED DURING PASSAGE: Yes ~~Amendments~~ during passage
denoted by asterisks

DATE OF PASSAGE: **ASSEMBLY:** February 1, 1993
SENATE: November 9, 1992

DATE OF APPROVAL: February 4, 1993

FOLLOWING STATEMENTS ARE ATTACHED IF AVAILABLE:

SPONSOR STATEMENT: Yes

COMMITTEE STATEMENT: **ASSEMBLY:** Yes
SENATE: Yes

FISCAL NOTE: No

VETO MESSAGE: No

MESSAGE ON SIGNING: No

FOLLOWING WERE PRINTED:

REPORTS: No

HEARINGS: No

KBG:pp

[FIRST REPRINT]
SENATE, No. 1178

STATE OF NEW JERSEY

INTRODUCED OCTOBER 1, 1992

By Senator DORSEY

1 AN ACT establishing continuing ¹[education] professional
2 competency¹ requirements for land surveyors and
3 supplementing ¹[chapter 8 of Title 45 of the Revised Statutes]
4 P.L.1938, c.342 (C.45:8-27)¹.

5
6 BE IT ENACTED *by the Senate and General Assembly of the*
7 *State of New Jersey:*

8 1. The State Board of Professional Engineers and Land
9 Surveyors shall require each person licensed as a land surveyor, as
10 a condition for biennial certification pursuant to P.L.1938, c.342
11 (C.45:8-27 et seq.) and P.L.1972, c.108 (C.45:1-7), to complete
12 not more than¹ 24 credits of continuing ¹[education]
13 professional competency¹ relating to the practice of land
14 surveying, as provided in section 2 of this act, during each
15 biennial registration period.

16 2. a. The board shall:

17 (1) Establish standards for continuing ¹[education] professional
18 competency¹ in land surveying, including the subject matter and
19 content of courses of study, which shall be in conformity with
20 [the guidelines of] a national model, such as that of¹ the
21 National Council of Examiners for Engineering and Surveying;

22 (2) Approve educational programs offering credit towards the
23 continuing ¹[education] professional competency¹ in land
24 surveying requirements; and

25 (3) Approve other equivalent educational programs, including,
26 but not limited to, meetings of constituents and components of
27 land surveying associations and other appropriate professional
28 and technical associations¹ recognized by the board,
29 examinations, papers, publications, technical presentations,
30 teaching and research appointments and technical exhibits, and
31 shall establish procedures for the issuance of credit upon
32 satisfactory proof of the completion of these programs.

33 b. In the case of education courses and programs, each hour of
34 instruction shall be equivalent to one credit.

35 3. The board shall:

36 a. Establish procedures for monitoring compliance with the
37 land surveying continuing ¹[education] professional competency¹
38 requirements; and

39 b. Establish procedures to evaluate and grant approval to
40 providers of continuing ¹[education] professional competency¹ in
41 land surveying.

42 4. The board may, in its discretion, waive requirements for

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

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Senate SCM committee amendments adopted October 22, 1992.

1 continuing ¹[education] professional competency¹ in land
2 surveying on an individual basis for reasons of hardship such as
3 illness or disability, service in the armed forces of the United
4 States of America, retirement of the license, or other good cause.

5 5. The board shall not require completion of land surveying
6 continuing ¹[education] professional competency¹ credits for
7 initial registration.

8 6. a. The board shall not require completion of land surveying
9 continuing ¹[education] professional competency¹ credits for any
10 certification periods commencing within 12 months of the
11 effective date of this act.

12 b. The board shall require completion of land surveying
13 continuing ¹[education] professional competency¹ credits on a pro
14 rata basis for any certification periods commencing more than 12
15 but less than 24 months following the effective date of this act.

16 7. The board shall accept as proof of completion of continuing
17 ¹[education] professional competency¹ program credits
18 documentation submitted by a person licensed as a land surveyor
19 or by any entity offering a continuing ¹[education] professional
20 competency¹ program approved by the board pursuant to section
21 2 of this act.

22 8. Any person who fails to complete the continuing
23 ¹[education] professional competency¹ requirements established
24 pursuant to section 1 of this act shall be liable to a civil penalty
25 of not more than \$500 or additional hours of continuing
26 ¹[education] professional competency¹ in land surveying, or both,
27 as imposed by the board, for a first offense. A second or
28 subsequent offense by a licensee shall be considered professional
29 misconduct pursuant to the provisions of P.L.1938, c.342
30 (C.45:8-27 et seq.) and P.L.1978, c.73 (C.45:1-14 et seq.).

31 ¹[9. The board shall permit any land surveying association
32 offering a continuing education program approved by the board
33 pursuant to section 2 of this act to impose a reasonable
34 differential in registration fees it charges licensed land surveyors
35 who are not members of that land surveying association for
36 attending that program.]¹

37 ¹[10.] 9.¹ The board shall allow a land surveyor to carry over a
38 maximum of ¹[12] eight¹ continuing ¹[education] professional
39 competency¹ credits to the next biennial certification period.

40 ¹[11.] 10.¹ This act shall take effect on the 180th day
41 following enactment.

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46 Requires land surveyors to complete 24 hours of continuing
47 education during each biennial certification period.

1 continuing education credits on a pro rata basis for any
2 certification periods commencing more than 12 but less than 24
3 months following the effective date of this act.

4 7. The board shall accept as proof of completion of continuing
5 education program credits documentation submitted by a person
6 licensed as a land surveyor or by any entity offering a continuing
7 education program approved by the board pursuant to section 2 of
8 this act.

9 8. Any person who fails to complete the continuing education
10 requirements established pursuant to section 1 of this act shall be
11 liable to a civil penalty of not more than \$500 or additional hours
12 of continuing education in land surveying, or both, as imposed by
13 the board, for a first offense. A second or subsequent offense by
14 a licensee shall be considered professional misconduct pursuant to
15 the provisions of P.L.1938, c.342 (C.45:8-27 et seq.) and
16 P.L.1978, c.73 (C.45:1-14 et seq.).

17 9. The board shall permit any land surveying association
18 offering a continuing education program approved by the board
19 pursuant to section 2 of this act to impose a reasonable
20 differential in registration fees it charges licensed land surveyors
21 who are not members of that land surveying association for
22 attending that program.

23 10. The board shall allow a land surveyor to carry over a
24 maximum of 12 continuing education credits to the next biennial
25 certification period.

26 11. This act shall take effect on the 180th day following
27 enactment.

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STATEMENT

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32 This bill requires land surveyors to complete 24 credits of
33 continuing education relating to the practice of land surveying
34 during each biennial certification period to be eligible for
35 renewal of their certification. In the case of education courses
36 or programs, each credit shall be equivalent to one hour of
37 instruction. The State Board of Professional Engineers and Land
38 Surveyors shall establish standards for continuing education in
39 land surveying and these standards shall be in conformity with the
40 guidelines of the National Council of Examiners for Engineering
41 and Surveying.

42 Waivers of the required continuing professional education shall
43 be granted by the board on an individual basis due to hardship or
44 other good cause. Those land surveyors whose first renewal date
45 occurs within 12 months after the enactment of the bill would not
46 have to complete land surveying education credits to renew their
47 certification. Those whose first renewal falls more than 12 but
48 less than 24 months after the enactment of the bill would be
49 required to complete continuing education credits on a pro rata
50 basis.

51 Any land surveyor who fails to complete the continuing
52 education requirements would be liable to a civil penalty of not
53 more than \$500 or additional hours of continuing education, or
54 both, for a first offense. A subsequent offense by a land surveyor

1 would be considered professional misconduct and would subject
2 the land surveyor to possible suspension or revocation of license.

3 The board is required to permit any land surveying association
4 offering a continuing education program to impose a reasonable
5 differential in registration fees it charges licensed land surveyors
6 who are not members of that land surveying association.

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11 Requires land surveyors to complete 24 hours of continuing
12 education during each biennial certification period.

ASSEMBLY COMMERCE AND REGULATED
PROFESSIONS COMMITTEE

STATEMENT TO

[FIRST REPRINT]

SENATE, No. 1178

STATE OF NEW JERSEY

DATED: NOVEMBER 23, 1992

The Assembly Commerce and Regulated Professions Committee reports favorably Senate Bill No. 1178 [1R].

This bill requires land surveyors to complete not more than 24 credits of continuing professional competency relating to the practice of land surveying during each biennial certification period to be eligible for renewal of their certification. In the case of education courses or programs, each credit shall be equivalent to one hour of instruction. The State Board of Professional Engineers and Land Surveyors shall establish standards for continuing professional competency in land surveying and these standards shall be in conformity with a national model, such as that of the National Council of Examiners for Engineering and Surveying.

Waivers of the required continuing professional competency may be granted by the board on an individual basis due to hardship or other good cause. Those land surveyors whose first renewal date occurs within 12 months after the enactment of the bill would not have to complete the required land surveying continuing professional competency credits to renew their certification. Those whose first renewal falls more than 12 but less than 24 months after the enactment of the bill would be required to complete the required land surveying continuing professional competency credits on a pro rata basis.

Any land surveyor who fails to complete the continuing professional competency requirements would be liable to a civil penalty of not more than \$500, or additional hours of continuing professional competency, or both, for a first offense. A subsequent offense by a land surveyor would be considered professional misconduct and would subject the land surveyor to possible suspension or revocation of license.

The board shall allow a land surveyor to carry over a maximum of eight continuing professional competency credits to the next biennial certification period.

SENATE COMMERCE COMMITTEE

STATEMENT TO

SENATE, No. 1178

with committee amendments

STATE OF NEW JERSEY

DATED: OCTOBER 22, 1992

The Senate Commerce Committee reports favorably and with committee amendments Senate Bill No. 1178.

This bill, as amended, requires land surveyors to complete not more than 24 credits of continuing professional competency relating to the practice of land surveying during each biennial certification period to be eligible for renewal of their certification. In the case of education courses or programs, each credit shall be equivalent to one hour of instruction. The State Board of Professional Engineers and Land Surveyors shall establish standards for continuing professional competency in land surveying and these standards shall be in conformity with a national model, such as that of the National Council of Examiners for Engineering and Surveying.

Waivers of the required continuing professional competency may be granted by the board on an individual basis due to hardship or other good cause. Those land surveyors whose first renewal date occurs within 12 months after the enactment of the bill would not have to complete the required land surveying continuing professional competency credits to renew their certification. Those whose first renewal falls more than 12 but less than 24 months after the enactment of the bill would be required to complete the required land surveying continuing professional competency credits on a pro rata basis.

Any land surveyor who fails to complete the continuing professional competency requirements would be liable to a civil penalty of not more than \$500, or additional hours of continuing professional competency, or both, for a first offense. A subsequent offense by a land surveyor would be considered professional misconduct and would subject the land surveyor to possible suspension or revocation of license.

The board shall allow a land surveyor to carry over a maximum of eight continuing professional competency credits to the next biennial certification period.