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§§12,13 -
C.45:15B-13 &
45:15B-14
§14 - Repealer
§§15,16 - Note

P.L. 2005, CHAPTER 308, *approved January 11, 2006*
Assembly, No. 3168 (*First Reprint*)

1 **AN ACT** concerning court reporters, amending and supplementing
2 P.L.1940, c.175, and repealing section 11 of P.L.1940, c.175.

3

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

6

7 1. Section 1 of P.L.1940, c.175 (C.45:15B-1) is amended to read
8 as follows:

9 1. There is hereby established **[a]** in the Division of Consumer
10 Affairs in the Department of Law and Public Safety the State Board of
11 **[Shorthand] Court Reporting** (herein referred to as the board) to be
12 composed of **[three]** six members to be appointed by the Governor,
13 **[by and with the consent of the Senate]** three of whom shall be
14 ¹certified¹ court reporters, two of whom shall be public members
15 appointed pursuant to the provisions of section 2 of P.L.1971, c.60
16 (C.45:1-2.2), and one of whom shall be a State executive department
17 member appointed pursuant to the provisions of P.L.1971, c.60
18 (C.45:1-2.1 et seq.). The members of the board, other than the public
19 members and the State executive department member, with the
20 exception of the members first to be appointed, shall be holders of
21 certificates issued under the provisions of this act. ¹Notwithstanding
22 the foregoing, nothing in this section shall prohibit the members
23 appointed as certified court reporters from owning or having
24 ownership interest in, or being a corporate officer of, a court reporting
25 firm.¹ The members first appointed shall be skilled in the art and
26 practice of **[shorthand] court reporting** and shall have been actively
27 and continuously engaged as professional **[shorthand] court reporters**
28 within the State of New Jersey for at least five years preceding their
29 appointments. The members, except for the State executive
30 department member, shall hold office for a term of three years, except
31 that, (1) any member appointed to fill a vacancy occurring prior to the
32 expiration of the term for which his predecessor was appointed shall
33 be appointed for the remainder of such term, and (2) the terms of
34 office of the members first taking office after the date of enactment of
35 this act shall expire, as designated by the Governor at the time of
36 nomination, one at the end of one year, one at the end of two years,
37 and one at the end of three years after such date. The board shall elect
38 one of its members as chairman and one as secretary-treasurer, who

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 SJU committee amendments adopted December 1, 2005.

1 shall hold their respective offices for one year. The secretary-treasurer
2 shall give bond to the State in such sum as may be determined by the
3 board. The board shall make all necessary rules and regulations to
4 carry out the provisions of this act. ¹[Any] ¹[two] ¹[four] A majority
5 of ¹ members ¹appointed to the board¹ shall constitute a quorum for
6 the transaction of business. The board shall keep a complete record of
7 all its proceedings and shall file an annual report with the office of the
8 Secretary of State.

9 (cf: P.L.1940, c.175, s.1)

10

11 2. Section 2 of P.L.1940, c.175 (C.45:15B-2) is amended to read
12 as follows:

13 2. Any person who has received from the board a certificate of his
14 qualifications to practice as a [shorthand] court reporter shall be
15 known and styled as a "certified [shorthand] court reporter," and no
16 other person, and no partnership, all of the members of which have not
17 received such certificate, and no corporation, shall assume such title
18 or the abbreviation "C.S.R.," "C.C.R." or any other words, letters or
19 abbreviations tending to indicate that the person, partnership or
20 corporation so using the same is a certified [shorthand] court
21 reporter.

22 (cf: P.L.1940, c.175, s.2)

23

24 3. Section 3 of P.L.1940, c.175 (C.45:15B-3) is amended to read
25 as follows:

26 3. The board shall grant a certificate as a certified [shorthand]
27 court reporter to any citizen of the United States, residing or having
28 a place for the regular transaction of business in this State, (a) who is
29 over the age of [twenty-one] 18 years, of good moral character, and
30 is a graduate of a high school or has had an equivalent education; and
31 (b) who has[, except as provided in section five of this act,]
32 successfully passed an examination in [shorthand] court reporting
33 under such rules and regulations as the board may prescribe.

34 (cf: P.L.1940, c.175, s.3)

35

36 4. Section 1 of P.L.1999, c.26 (C.45:15B-3.1) is amended to read
37 as follows:

38 1. The State Board of [Shorthand] Court Reporting shall require
39 each [shorthand] court reporter certified pursuant to section 3 of
40 P.L.1940, c.175 (C.45:15B-3) to complete any continuing education
41 requirements imposed by the board pursuant to section 2 of [this act]
42 P.L.1999, c.26 (C.45:15B-3.2).

43 (cf: P.L.1999, c.26, s.1)

44

45 5. Section 2 of P.L.1999, c.26 (C.45:15B-3.2) is amended to read
46 as follows:

47 2. a. The board shall:

1 (1) establish standards for continuing [shorthand] court reporting
2 education, including the subject matter and content of courses of
3 study, the selection of instructors, and the number and type of
4 continuing education credits required of a certified [shorthand] court
5 reporter as a condition for biennial license renewal;

6 (2) approve educational programs offering continuing education
7 credits; and

8 (3) approve other equivalent educational programs and establish
9 procedures for the issuance of credit upon satisfactory proof of the
10 completion of these programs.

11 b. In the case of [shorthand] court reporting education courses
12 and programs, each hour of instruction shall be equivalent to one
13 credit.

14 (cf: P.L.1999, c.26, s.2)

15
16 6. Section 9 of P.L.1940, c.175 (C.45:15B-9) is amended to read
17 as follows:

18 9. ¹a. ¹No person shall engage in the practice of [shorthand] court
19 reporting in this State[, as defined in this act,] unless [he] the person
20 has first obtained a certificate from the board as provided [in this act;
21 provided, that nothing in this act shall be construed to prohibit the
22 temporary employment of any person not holding a certificate until a
23 certified shorthand reporter is available] pursuant to P.L. c. (now
24 before the Legislature as this bill).

25 ¹b. Nothing in this act shall be construed to prohibit the temporary
26 employment or retention of any person not holding a certificate until
27 a certified court reporter is available, provided that such temporary
28 employment shall be permitted only in such circumstances as the board
29 may specify through regulation consistent with this section. In no
30 instance shall a person not holding a certificate engage in court
31 reporting without:

32 (1) registering with the board according to such procedures as the
33 board may adopt through regulation; and

34 (2) disclosing to the participants at a proceeding and obtaining
35 written acknowledgment from such participants, prior to the
36 commencement of any proceeding, that the person does not hold a
37 certificate and is registered with the board to work on a temporary
38 basis.

39 Registration with the board shall be for a period of one year, and
40 shall not be renewable unless specifically authorized by the board.

41 c. A person who is in violation of this section shall be subject to a
42 penalty of not more than \$500 for the first violation, and not more
43 than \$1,000 for each violation thereafter, to be sued for and collected
44 in a summary proceeding by the board pursuant to the "Penalty
45 Enforcement Law of 1999," P.L.1999, c.274 (C.2A:58-10 et seq.). In
46 addition, a person who fails to comply with the requirements of this
47 section is subject to the suspension or revocation of that individual's

1 certificate or temporary registration pursuant to section 8 of P.L.1978,
2 c.73 (C.45:1-21).¹

3 (cf: P.L.1940, c.175, s.9)

4

5 7. Section 10 of P.L.1940, c.175 (C.45:15B-10) is amended to
6 read as follows:

7 10. [The words "shorthand reporting" as used in this act shall be
8 defined to mean the making by use of symbols or abbreviations, of a
9 verbatim record of any testimony given under oath before any court,
10 referee, or board, commission or other body created by statute of this
11 State] As used in this act:

12 "Certified court reporter" means a person who is certified pursuant
13 to the provisions of this act.

14 "Court reporting" means making by use of symbols or
15 abbreviations, of a verbatim record of court proceedings, depositions,
16 other judicial proceedings, meetings of boards, agencies, corporations,
17 or other bodies or groups, and causing that record to be printed in
18 readable form or produced on a computer screen in readable form.

19 ¹["Court reporting agency" means a business entity that provides
20 the services of certified court reporters.

21 "Owner" means a person who has any equity interest in a court
22 reporting agency, whether as a sole proprietor, partner, shareholder,
23 or member, or other form of equity ownership.]¹

24 (cf: P.L.1953, c.43, s.80)

25

26 8. Section 1 of P.L.1971, c.60 (C.45:1-2.1) is amended to read as
27 follows:

28 1. The provisions of this act shall apply to the following boards and
29 commissions: the New Jersey State Board of Accountancy, the New
30 Jersey State Board of Architects, the New Jersey State Board of
31 Cosmetology and Hairstyling, the Board of Examiners of Electrical
32 Contractors, the New Jersey State Board of Dentistry, the State Board
33 of Mortuary Science of New Jersey, the State Board of Professional
34 Engineers and Land Surveyors, the State Board of Marriage and
35 Family Therapy Examiners, the State Board of Medical Examiners, the
36 New Jersey Board of Nursing, the New Jersey State Board of
37 Optometrists, the State Board of Examiners of Ophthalmic Dispensers
38 and Ophthalmic Technicians, the Board of Pharmacy, the State Board
39 of Professional Planners, the State Board of Psychological Examiners,
40 the State Board of Examiners of Master Plumbers, the New Jersey
41 Real Estate Commission, the State Board of [Shorthand] Court
42 Reporting, the State Board of Veterinary Medical Examiners, the
43 Radiologic Technology Board of Examiners, the Acupuncture
44 Examining Board, the State Board of Chiropractic Examiners, the
45 State Board of Respiratory Care, the State Real Estate Appraiser
46 Board, the State Board of Social Work Examiners, the State Board
47 of Public Movers and Warehousemen and the State Board of Physical

1 Therapy Examiners.
2 (cf: P.L.2003, c.18, s.18)

3

4 9. Section 2 of P.L.1971, c.60 (C.45:1-2.2) is amended to read as
5 follows:

6 2. a. All members of the several professional boards and
7 commissions shall be appointed by the Governor in the manner
8 prescribed by law; except in appointing members other than those
9 appointed pursuant to subsection b. or subsection c., the Governor
10 shall give due consideration to, but shall not be bound by,
11 recommendations submitted by the appropriate professional
12 organizations of this State.

13 b. In addition to the membership otherwise prescribed by law, the
14 Governor shall appoint in the same manner as presently prescribed by
15 law for the appointment of members, two additional members to
16 represent the interests of the public, to be known as public members,
17 to each of the following boards and commissions: the New Jersey
18 State Board of Accountancy, the New Jersey State Board of
19 Architects, the New Jersey State Board of Cosmetology and
20 Hairstyling, the New Jersey State Board of Dentistry, the State Board
21 of Mortuary Science of New Jersey, the State Board of Professional
22 Engineers and Land Surveyors, the State Board of Medical Examiners,
23 the New Jersey Board of Nursing, the New Jersey State Board of
24 Optometrists, the State Board of Examiners of Ophthalmic Dispensers
25 and Ophthalmic Technicians, the Board of Pharmacy, the State Board
26 of Professional Planners, the State Board of Psychological Examiners,
27 the New Jersey Real Estate Commission, the State Board of
28 [Shorthand] Court Reporting, the State Board of Social Work
29 Examiners, and the State Board of Veterinary Medical Examiners, and
30 one additional public member to each of the following boards: the
31 Board of Examiners of Electrical Contractors, the State Board of
32 Marriage and Family Therapy Examiners, the State Board of
33 Examiners of Master Plumbers, and the State Real Estate Appraiser
34 Board. Each public member shall be appointed for the term prescribed
35 for the other members of the board or commission and until the
36 appointment of his successor. Vacancies shall be filled for the
37 unexpired term only. The Governor may remove any such public
38 member after hearing, for misconduct, incompetency, neglect of duty
39 or for any other sufficient cause.

40 No public member appointed pursuant to this section shall have any
41 association or relationship with the profession or a member thereof
42 regulated by the board of which he is a member, where such
43 association or relationship would prevent such public member from
44 representing the interest of the public. Such a relationship includes a
45 relationship with members of one's immediate family; and such
46 association includes membership in the profession regulated by the
47 board. To receive services rendered in a customary client relationship

1 will not preclude a prospective public member from appointment. This
2 paragraph shall not apply to individuals who are public members of
3 boards on the effective date of this act.

4 It shall be the responsibility of the Attorney General to insure that
5 no person with the aforementioned association or relationship or any
6 other questionable or potential conflict of interest shall be appointed
7 to serve as a public member of any board regulated by this section.

8 Where a board is required to examine the academic and professional
9 credentials of an applicant for licensure or to test such applicant orally,
10 no public member appointed pursuant to this section shall participate
11 in such examination process; provided, however, that public members
12 shall be given notice of and may be present at all such examination
13 processes and deliberations concerning the results thereof, and,
14 provided further, that public members may participate in the
15 development and establishment of the procedures and criteria for such
16 examination processes.

17 c. The Governor shall designate a department in the Executive
18 Branch of the State Government which is closely related to the
19 profession or occupation regulated by each of the boards or
20 commissions designated in section 1 of P.L.1971, c.60 (C.45:1-2.1)
21 and shall appoint the head of such department, or the holder of a
22 designated office or position in such department, to serve without
23 compensation at the pleasure of the Governor as a member of such
24 board or commission.

25 d. A majority of the voting members of such boards or
26 commissions shall constitute a quorum thereof and no action of any
27 such board or commission shall be taken except upon the affirmative
28 vote of a majority of the members of the entire board or commission.
29 (cf: P.L.1995, c.366, s.21)

30

31 10. Section 1 of P.L.1974, c.46 (C.45:1-3.1) is amended to read as
32 follows:

33 1. The provisions of this act shall apply to the following boards and
34 commissions: the New Jersey State Board of Accountancy, the New
35 Jersey State Board of Architects, the New Jersey State Board of
36 Cosmetology and Hairstyling, the Board of Examiners of Electrical
37 Contractors, the New Jersey State Board of Dentistry, the State Board
38 of Mortuary Science of New Jersey, the State Board of Professional
39 Engineers and Land Surveyors, the State Board of Marriage and
40 Family Therapy Examiners, the State Board of Medical Examiners, the
41 New Jersey Board of Nursing, the New Jersey State Board of
42 Optometrists, the State Board of Examiners of Ophthalmic Dispensers
43 and Ophthalmic Technicians, the Board of Pharmacy, the State Board
44 of Professional Planners, the State Board of Psychological Examiners,
45 the State Board of Examiners of Master Plumbers, the State Board of
46 [Shorthand] Court Reporting, the State Board of Veterinary Medical
47 Examiners, the Radiologic Technology Board of Examiners, the

1 Acupuncture Examining Board, the State Board of Chiropractic
2 Examiners, the State Board of Respiratory Care, the State Real Estate
3 Appraiser Board, the New Jersey Cemetery Board, the State Board of
4 Social Work Examiners and the State Board of Physical Therapy
5 Examiners.

6 (cf: P.L.2003, c.261, s.39)

7

8 11. Section 2 of P.L.1978, c.73 (C.45:1-15) is amended to read as
9 follows:

10 2. The provisions of this act shall apply to the following boards and
11 all professions or occupations regulated by, through or with the advice
12 of those boards: the New Jersey State Board of Accountancy, the
13 New Jersey State Board of Architects, the New Jersey State Board of
14 Cosmetology and Hairstyling, the Board of Examiners of Electrical
15 Contractors, the New Jersey State Board of Dentistry, the State Board
16 of Mortuary Science of New Jersey, the State Board of Professional
17 Engineers and Land Surveyors, the State Board of Marriage and
18 Family Therapy Examiners, the State Board of Medical Examiners, the
19 New Jersey Board of Nursing, the New Jersey State Board of
20 Optometrists, the State Board of Examiners of Ophthalmic Dispensers
21 and Ophthalmic Technicians, the Board of Pharmacy, the State Board
22 of Professional Planners, the State Board of Psychological Examiners,
23 the State Board of Examiners of Master Plumbers, the State Board of
24 **[Shorthand]** Court Reporting, the State Board of Veterinary Medical
25 Examiners, the Acupuncture Examining Board, the State Board of
26 Chiropractic Examiners, the State Board of Respiratory Care, the
27 State Real Estate Appraiser Board, the State Board of Social Work
28 Examiners, the State Board of Physical Therapy Examiners, the
29 Professional Counselor Examiners Committee, the New Jersey
30 Cemetery Board, the Orthotics and Prosthetics Board of Examiners,
31 the Occupational Therapy Advisory Council, the Electrologists
32 Advisory Committee, the Alcohol and Drug Counselor Committee, the
33 Fire Alarm, Burglar Alarm, and Locksmith Advisory Committee, the
34 Home Inspection Advisory Committee, the Massage, Bodywork and
35 Somatic Therapy Examining Committee, and the Audiology and
36 Speech-Language Pathology Advisory Committee.

37 (cf: P.L.2003, c.18, s.20)

38

39 12. (New section) Whenever the term "State Board of Shorthand
40 Reporting" or "shorthand reporter" occurs or any reference is made
41 thereto in any law, contract or document, the same shall be deemed to
42 refer to the "State Board of Court Reporting" and "court reporter,"
43 respectively.

44

45 13. (New section) Any person who is a certified shorthand reporter
46 pursuant to section 3 of P.L.1940, c.175 (C.45:15B-3) on the effective
47 date of this amendatory and supplementary act shall be a certified

1 court reporter under and subject to the provisions of P.L.1940, c.175
2 (C.45:15B-1 et seq.) and this amendatory and supplementary act.

3
4 ¹[14. (New section) a. No court reporting agency shall employ
5 a court reporter or offer court reporting services unless the court
6 reporting agency holds a valid registration obtained from the board
7 pursuant to the provisions of this section. The registration shall be
8 reissued biennially by the board.

9 b. The board shall issue a registration certificate to any court
10 reporting agency which qualifies pursuant to the provisions of this
11 section and submits a properly completed application form and pays
12 the prescribed fee. The registration form shall include, but not be
13 limited to, the following information:

14 (1) The name and address of the court reporting agency owner, and
15 any other similar information regarding the owner that the board may
16 require; and

17 (2) The name and address of the court reporting agency for which
18 the registration is requested.

19 c. Any change in the information required by the board for
20 registration shall be reported by the court reporting agency within 10
21 days after the change occurs.

22 d. A court reporting agency shall hire and retain in employment
23 only certified court reporters, whose certifications are not suspended
24 or revoked.

25 e. A court reporting agency registered pursuant to this section shall
26 be subject to any regulations of the board, including, but not limited
27 to, regulations relating to transcript formatting and business
28 practices.]¹

29
30 ¹[15.] 14.¹ Section 11 of P.L.1940, c.175 (C.45:15B-11) is
31 repealed.

32
33 ¹15. (New section) The State Board of Court Reporting shall adopt
34 such rules and regulations as are necessary for its implementation
35 pursuant to the provisions of the "Administrative Procedures Act,"
36 P.L. 1968, c. 410 (C. 52:14B-1 et seq.) within one year of the date of
37 enactment of P.L. c. (now before the Legislature as this bill).¹

38
39 16. This act shall take effect ¹[on the 180th day]one year¹
40 following ¹the date of ¹enactment¹, except that section 15 shall take
41 effect immediately¹.

42
43
44
45
46 Certifies court reporters.

ASSEMBLY, No. 3168

STATE OF NEW JERSEY

211th LEGISLATURE

INTRODUCED SEPTEMBER 13, 2004

Sponsored by:

Assemblyman ANTHONY IMPREVEDUTO

District 32 (Bergen and Hudson)

Assemblyman NEIL M. COHEN

District 20 (Union)

SYNOPSIS

Certifies court reporters.

CURRENT VERSION OF TEXT

As introduced.



A3168 IMPREVEDUTO, COHEN

2

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2 P.L.1940, c.175, and repealing section 11 of P.L.1940, c.175.

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

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7 1. Section 1 of P.L.1940, c.175 (C.45:15B-1) is amended to read
8 as follows:

9 1. There is hereby established **[a]** in the Division of Consumer
10 Affairs in the Department of Law and Public Safety the State Board of
11 [Shorthand] Court Reporting (herein referred to as the board) to be
12 composed of **[three]** six members to be appointed by the Governor,
13 **[by and with the consent of the Senate]** three of whom shall be court
14 reporters, two of whom shall be public members appointed pursuant
15 to the provisions of section 2 of P.L.1971, c.60 (C.45:1-2.2), and one
16 of whom shall be a State executive department member appointed
17 pursuant to the provisions of P.L.1971, c.60 (C.45:1-2.1 et seq.). The
18 members of the board, other than the public members and the State
19 executive department member, with the exception of the members first
20 to be appointed, shall be holders of certificates issued under the
21 provisions of this act. The members first appointed shall be skilled in
22 the art and practice of **[shorthand]** court reporting and shall have been
23 actively and continuously engaged as professional **[shorthand]** court
24 reporters within the State of New Jersey for at least five years
25 preceding their appointments. The members, except for the State
26 executive department member, shall hold office for a term of three
27 years, except that, (1) any member appointed to fill a vacancy
28 occurring prior to the expiration of the term for which his predecessor
29 was appointed shall be appointed for the remainder of such term, and
30 (2) the terms of office of the members first taking office after the date
31 of enactment of this act shall expire, as designated by the Governor at
32 the time of nomination, one at the end of one year, one at the end of
33 two years, and one at the end of three years after such date. The
34 board shall elect one of its members as chairman and one as
35 secretary-treasurer, who shall hold their respective offices for one
36 year. The secretary-treasurer shall give bond to the State in such sum
37 as may be determined by the board. The board shall make all
38 necessary rules and regulations to carry out the provisions of this act.
39 Any **[two]** four members shall constitute a quorum for the transaction
40 of business. The board shall keep a complete record of all its
41 proceedings and shall file an annual report with the office of the
42 Secretary of State.

43 (cf: P.L.1940, c.175, s.1)

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.

1 2. Section 2 of P.L.1940, c.175 (C.45:15B-2) is amended to read
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4 qualifications to practice as a [shorthand] court reporter shall be
5 known and styled as a "certified [shorthand] court reporter," and no
6 other person, and no partnership, all of the members of which have not
7 received such certificate, and no corporation, shall assume such title
8 or the abbreviation "C.S.R.," "C.C.R." or any other words, letters or
9 abbreviations tending to indicate that the person, partnership or
10 corporation so using the same is a certified [shorthand] court
11 reporter.

12 (cf: P.L.1940, c.175, s.2)

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14 3. Section 3 of P.L.1940, c.175 (C.45:15B-3) is amended to read
15 as follows:

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17 court reporter to any citizen of the United States, residing or having
18 a place for the regular transaction of business in this State, (a) who is
19 over the age of [twenty-one] 18 years, of good moral character, and
20 is a graduate of a high school or has had an equivalent education; and
21 (b) who has[, except as provided in section five of this act,]
22 successfully passed an examination in [shorthand] court reporting
23 under such rules and regulations as the board may prescribe.

24 (cf: P.L.1940, c.175, s.3)

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27 as follows:

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29 each [shorthand] court reporter certified pursuant to section 3 of
30 P.L.1940, c.175 (C.45:15B-3) to complete any continuing education
31 requirements imposed by the board pursuant to section 2 of [this act]
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35 5. Section 2 of P.L.1999, c.26 (C.45:15B-3.2) is amended to read
36 as follows:

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40 study, the selection of instructors, and the number and type of
41 continuing education credits required of a certified [shorthand] court
42 reporter as a condition for biennial license renewal;

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46 procedures for the issuance of credit upon satisfactory proof of the

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13 temporary employment of any person not holding a certificate until a
14 certified shorthand reporter is available] pursuant to P.L. c. (now
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19 read as follows:

20 10. [The words "shorthand reporting" as used in this act shall be
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23 referee, or board, commission or other body created by statute of this
24 State] As used in this act:

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41 1. The provisions of this act shall apply to the following boards and
42 commissions: the New Jersey State Board of Accountancy, the New
43 Jersey State Board of Architects, the New Jersey State Board of
44 Cosmetology and Hairstyling, the Board of Examiners of Electrical
45 Contractors, the New Jersey State Board of Dentistry, the State Board
46 of Mortuary Science of New Jersey, the State Board of Professional
47 Engineers and Land Surveyors, the State Board of Marriage and

1 Family Therapy Examiners, the State Board of Medical Examiners, the
2 New Jersey Board of Nursing, the New Jersey State Board of
3 Optometrists, the State Board of Examiners of Ophthalmic Dispensers
4 and Ophthalmic Technicians, the Board of Pharmacy, the State Board
5 of Professional Planners, the State Board of Psychological Examiners,
6 the State Board of Examiners of Master Plumbers, the New Jersey
7 Real Estate Commission, the State Board of **[Shorthand]** Court
8 Reporting, the State Board of Veterinary Medical Examiners, the
9 Radiologic Technology Board of Examiners, the Acupuncture
10 Examining Board, the State Board of Chiropractic Examiners, the
11 State Board of Respiratory Care, the State Real Estate Appraiser
12 Board, the State Board of Social Work Examiners, the State Board
13 of Public Movers and Warehousemen and the State Board of Physical
14 Therapy Examiners.

15 (cf: P.L.2003, c.18, s.18)

16

17 9. Section 2 of P.L.1971, c.60 (C.45:1-2.2) is amended to read as
18 follows:

19 2. a. All members of the several professional boards and
20 commissions shall be appointed by the Governor in the manner
21 prescribed by law; except in appointing members other than those
22 appointed pursuant to subsection b. or subsection c., the Governor
23 shall give due consideration to, but shall not be bound by,
24 recommendations submitted by the appropriate professional
25 organizations of this State.

26 b. In addition to the membership otherwise prescribed by law, the
27 Governor shall appoint in the same manner as presently prescribed by
28 law for the appointment of members, two additional members to
29 represent the interests of the public, to be known as public members,
30 to each of the following boards and commissions: the New Jersey
31 State Board of Accountancy, the New Jersey State Board of
32 Architects, the New Jersey State Board of Cosmetology and
33 Hairstyling, the New Jersey State Board of Dentistry, the State Board
34 of Mortuary Science of New Jersey, the State Board of Professional
35 Engineers and Land Surveyors, the State Board of Medical Examiners,
36 the New Jersey Board of Nursing, the New Jersey State Board of
37 Optometrists, the State Board of Examiners of Ophthalmic Dispensers
38 and Ophthalmic Technicians, the Board of Pharmacy, the State Board
39 of Professional Planners, the State Board of Psychological Examiners,
40 the New Jersey Real Estate Commission, the State Board of
41 **[Shorthand]** Court Reporting, the State Board of Social Work
42 Examiners, and the State Board of Veterinary Medical Examiners, and
43 one additional public member to each of the following boards: the
44 Board of Examiners of Electrical Contractors, the State Board of
45 Marriage and Family Therapy Examiners, the State Board of
46 Examiners of Master Plumbers, and the State Real Estate Appraiser
47 Board. Each public member shall be appointed for the term prescribed

1 for the other members of the board or commission and until the
2 appointment of his successor. Vacancies shall be filled for the
3 unexpired term only. The Governor may remove any such public
4 member after hearing, for misconduct, incompetency, neglect of duty
5 or for any other sufficient cause.

6 No public member appointed pursuant to this section shall have any
7 association or relationship with the profession or a member thereof
8 regulated by the board of which he is a member, where such
9 association or relationship would prevent such public member from
10 representing the interest of the public. Such a relationship includes a
11 relationship with members of one's immediate family; and such
12 association includes membership in the profession regulated by the
13 board. To receive services rendered in a customary client relationship
14 will not preclude a prospective public member from appointment. This
15 paragraph shall not apply to individuals who are public members of
16 boards on the effective date of this act.

17 It shall be the responsibility of the Attorney General to insure that
18 no person with the aforementioned association or relationship or any
19 other questionable or potential conflict of interest shall be appointed
20 to serve as a public member of any board regulated by this section.

21 Where a board is required to examine the academic and professional
22 credentials of an applicant for licensure or to test such applicant orally,
23 no public member appointed pursuant to this section shall participate
24 in such examination process; provided, however, that public members
25 shall be given notice of and may be present at all such examination
26 processes and deliberations concerning the results thereof, and,
27 provided further, that public members may participate in the
28 development and establishment of the procedures and criteria for such
29 examination processes.

30 c. The Governor shall designate a department in the Executive
31 Branch of the State Government which is closely related to the
32 profession or occupation regulated by each of the boards or
33 commissions designated in section 1 of P.L.1971, c.60 (C.45:1-2.1)
34 and shall appoint the head of such department, or the holder of a
35 designated office or position in such department, to serve without
36 compensation at the pleasure of the Governor as a member of such
37 board or commission.

38 d. A majority of the voting members of such boards or
39 commissions shall constitute a quorum thereof and no action of any
40 such board or commission shall be taken except upon the affirmative
41 vote of a majority of the members of the entire board or commission.
42 (cf: P.L.1995, c.366, s.21)

43

44 10. Section 1 of P.L.1974, c.46 (C.45:1-3.1) is amended to read as
45 follows:

46 1. The provisions of this act shall apply to the following boards and
47 commissions: the New Jersey State Board of Accountancy, the New

1 Jersey State Board of Architects, the New Jersey State Board of
2 Cosmetology and Hairstyling, the Board of Examiners of Electrical
3 Contractors, the New Jersey State Board of Dentistry, the State Board
4 of Mortuary Science of New Jersey, the State Board of Professional
5 Engineers and Land Surveyors, the State Board of Marriage and
6 Family Therapy Examiners, the State Board of Medical Examiners, the
7 New Jersey Board of Nursing, the New Jersey State Board of
8 Optometrists, the State Board of Examiners of Ophthalmic Dispensers
9 and Ophthalmic Technicians, the Board of Pharmacy, the State Board
10 of Professional Planners, the State Board of Psychological Examiners,
11 the State Board of Examiners of Master Plumbers, the State Board of
12 **[Shorthand]** Court Reporting, the State Board of Veterinary Medical
13 Examiners, the Radiologic Technology Board of Examiners, the
14 Acupuncture Examining Board, the State Board of Chiropractic
15 Examiners, the State Board of Respiratory Care, the State Real Estate
16 Appraiser Board, the New Jersey Cemetery Board, the State Board of
17 Social Work Examiners and the State Board of Physical Therapy
18 Examiners.

19 (cf: P.L.2003, c.261, s.39)

20

21 11. Section 2 of P.L.1978, c.73 (C.45:1-15) is amended to read as
22 follows:

23 2. The provisions of this act shall apply to the following boards and
24 all professions or occupations regulated by, through or with the advice
25 of those boards: the New Jersey State Board of Accountancy, the
26 New Jersey State Board of Architects, the New Jersey State Board of
27 Cosmetology and Hairstyling, the Board of Examiners of Electrical
28 Contractors, the New Jersey State Board of Dentistry, the State Board
29 of Mortuary Science of New Jersey, the State Board of Professional
30 Engineers and Land Surveyors, the State Board of Marriage and
31 Family Therapy Examiners, the State Board of Medical Examiners, the
32 New Jersey Board of Nursing, the New Jersey State Board of
33 Optometrists, the State Board of Examiners of Ophthalmic Dispensers
34 and Ophthalmic Technicians, the Board of Pharmacy, the State Board
35 of Professional Planners, the State Board of Psychological Examiners,
36 the State Board of Examiners of Master Plumbers, the State Board of
37 **[Shorthand]** Court Reporting, the State Board of Veterinary Medical
38 Examiners, the Acupuncture Examining Board, the State Board of
39 Chiropractic Examiners, the State Board of Respiratory Care, the
40 State Real Estate Appraiser Board, the State Board of Social Work
41 Examiners, the State Board of Physical Therapy Examiners, the
42 Professional Counselor Examiners Committee, the New Jersey
43 Cemetery Board, the Orthotics and Prosthetics Board of Examiners,
44 the Occupational Therapy Advisory Council, the Electrologists
45 Advisory Committee, the Alcohol and Drug Counselor Committee, the
46 Fire Alarm, Burglar Alarm, and Locksmith Advisory Committee, the
47 Home Inspection Advisory Committee, the Massage, Bodywork and

1 Somatic Therapy Examining Committee, and the Audiology and
2 Speech-Language Pathology Advisory Committee.
3 (cf: P.L.2003, c.18, s.20)

4
5 12. (New section) Whenever the term "State Board of Shorthand
6 Reporting" or "shorthand reporter" occurs or any reference is made
7 thereto in any law, contract or document, the same shall be deemed to
8 refer to the "State Board of Court Reporting" and "court reporter,"
9 respectively.

10
11 13. (New section) Any person who is a certified shorthand reporter
12 pursuant to section 3 of P.L.1940, c.175 (C.45:15B-3) on the effective
13 date of this amendatory and supplementary act shall be a certified
14 court reporter under and subject to the provisions of P.L.1940, c.175
15 (C.45:15B-1 et seq.) and this amendatory and supplementary act.

16
17 14. (New section) a. No court reporting agency shall employ a
18 court reporter or offer court reporting services unless the court
19 reporting agency holds a valid registration obtained from the board
20 pursuant to the provisions of this section. The registration shall be
21 reissued biennially by the board.

22 b. The board shall issue a registration certificate to any court
23 reporting agency which qualifies pursuant to the provisions of this
24 section and submits a properly completed application form and pays
25 the prescribed fee. The registration form shall include, but not be
26 limited to, the following information:

27 (1) The name and address of the court reporting agency owner, and
28 any other similar information regarding the owner that the board may
29 require; and

30 (2) The name and address of the court reporting agency for which
31 the registration is requested.

32 c. Any change in the information required by the board for
33 registration shall be reported by the court reporting agency within 10
34 days after the change occurs.

35 d. A court reporting agency shall hire and retain in employment
36 only certified court reporters, whose certifications are not suspended
37 or revoked.

38 e. A court reporting agency registered pursuant to this section shall
39 be subject to any regulations of the board, including, but not limited
40 to, regulations relating to transcript formatting and business practices.

41
42 15. Section 11 of P.L.1940, c.175 (C.45:15B-11) is repealed.

1 16. This act shall take effect on the 180th day following enactment.

2

3

4

STATEMENT

5

6 This bill updates the statutes regarding the regulation of shorthand
7 reporters by changing references to "shorthand reporters" in the law
8 to the more modern designation "court reporter." Similarly, the name
9 of the licensing board is changed from the "State Board of Shorthand
10 Reporting" to the "State Board of Court Reporting." In addition,
11 various sections in chapter 1 of Title 45 of the Revised Statutes,
12 concerning the establishment of certain uniform standards for board
13 memberships and for uniform board enforcement powers and
14 standards, are amended in the bill so as to make proper reference to
15 the State Board of Court Reporting.

16 The bill also provides that no court reporting agency shall employ
17 a court reporter or offer court reporting services unless the court
18 reporting agency holds a valid registration obtained from the board
19 pursuant to the provisions of the bill. The registration shall be
20 reissued biennially by the board.

ASSEMBLY REGULATED PROFESSIONS AND
INDEPENDENT AUTHORITIES COMMITTEE

STATEMENT TO

ASSEMBLY, No. 3168

STATE OF NEW JERSEY

DATED: SEPTEMBER 23, 2004

The Assembly Regulated Professions and Independent Authorities Committee reports favorably Assembly Bill No. 3168.

This bill updates the statutes regarding the regulation of shorthand reporters by changing references to "shorthand reporters" in the law to the more modern designation "court reporter." Similarly, the name of the licensing board is changed from the "State Board of Shorthand Reporting" to the "State Board of Court Reporting." In addition, various sections in chapter 1 of Title 45 of the Revised Statutes, concerning the establishment of certain uniform standards for board memberships and for uniform board enforcement powers and standards, are amended in the bill so as to make proper reference to the State Board of Court Reporting.

The bill also provides that no court reporting agency shall employ a court reporter or offer court reporting services unless the court reporting agency holds a valid registration obtained from the board pursuant to the provisions of the bill. The registration shall be reissued biennially by the board.

SENATE JUDICIARY COMMITTEE

STATEMENT TO

ASSEMBLY, No. 3168

with committee amendments

STATE OF NEW JERSEY

DATED: DECEMBER 1, 2005

The Senate Judiciary Committee reports favorably and with committee amendments Assembly Bill No. 3168.

This bill updates the statutes regarding the regulation of shorthand reporters by changing references to "shorthand reporters" in the law to the more modern designation "court reporter." Similarly, the name of the licensing board is changed from the "State Board of Shorthand Reporting" to the "State Board of Court Reporting." In addition, various sections in chapter 1 of Title 45 of the Revised Statutes, concerning the establishment of certain uniform standards for board memberships and for uniform board enforcement powers and standards, are amended in the bill so as to make proper reference to the State Board of Court Reporting.

The committee amendments add two new subsections to N.J.S.A. 45:15B-9 (section 6 of the bill) concerning temporary employment or retention of any person not holding a certificate. These amendments permit this temporary employment until a certified court reporter is available as the board may specify through regulation. A person not holding a certificate may not engage in court reporting without: (1) registering with the board according to procedures as adopted; and (2) disclosing to the participants at a proceeding and obtaining written acknowledgment from them that the person does not hold a certificate and is registered to work on a temporary basis. Registration with the board shall be for a period of one year, and shall not be renewable unless specifically authorized by the board. Violation of this section would result in a penalty of not more than \$500 for the first violation, and not more than \$1,000 for each violation thereafter, to be sued for and collected in a summary proceeding by the board. A person who fails to comply with these requirements is subject to the suspension or revocation of that individual's certificate or temporary registration.

Section 7 is amended to omit certain definitions no longer necessary because section 14 of the bill concerning registration with the board by court reporting agencies or firms is omitted. Omitting section 14 means that these agencies, as a general matter, would not be subject to regulation by the State Board of Court Reporting. A

new section 15 is added which provides that the State Board of Court Reporting shall adopt such rules and regulations as are necessary for its implementation pursuant to the provisions of the "Administrative Procedures Act," P.L. 1968, c. 410 (C. 52:14B-1 et seq.) within one year of the date of enactment of the bill.

The effective date is amended to take effect in a year instead of six months except that the rule-making authority shall take effect immediately.

As amended this bill is identical to Senate Bill No. 1700 (1R).

SENATE, No. 1700

STATE OF NEW JERSEY
211th LEGISLATURE

INTRODUCED JUNE 14, 2004

Sponsored by:

Senator JOHN H. ADLER

District 6 (Camden)

Senator WILLIAM L. GORMLEY

District 2 (Atlantic)

Co-Sponsored by:

Senators Lesniak, Gill and Sarlo

SYNOPSIS

Certifies court reporters.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 12/2/2005)

S1700 ADLER, GORMLEY

2

1 AN ACT concerning court reporters, amending and supplementing
2 P.L.1940, c.175, and repealing section 11 of P.L.1940, c.175.

3

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

6

7 1. Section 1 of P.L.1940, c.175 (C.45:15B-1) is amended to read
8 as follows:

9 1. There is hereby established **[a]** in the Division of Consumer
10 Affairs in the Department of Law and Public Safety the State Board of
11 **[Shorthand] Court** Reporting (herein referred to as the board) to be
12 composed of **[three]** six members to be appointed by the Governor,
13 **[by and with the consent of the Senate]** three of whom shall be court
14 reporters, two of whom shall be public members appointed pursuant
15 to the provisions of section 2 of P.L.1971, c.60 (C.45:1-2.2), and one
16 of whom shall be a State executive department member appointed
17 pursuant to the provisions of P.L.1971, c.60 (C.45:1-2.1 et seq.). The
18 members of the board, other than the public members and the State
19 executive department member, with the exception of the members first
20 to be appointed, shall be holders of certificates issued under the
21 provisions of this act. The members first appointed shall be skilled in
22 the art and practice of **[shorthand] court** reporting and shall have been
23 actively and continuously engaged as professional **[shorthand] court**
24 reporters within the State of New Jersey for at least five years
25 preceding their appointments. The members, except for the State
26 executive department member, shall hold office for a term of three
27 years, except that, (1) any member appointed to fill a vacancy
28 occurring prior to the expiration of the term for which his predecessor
29 was appointed shall be appointed for the remainder of such term, and
30 (2) the terms of office of the members first taking office after the date
31 of enactment of this act shall expire, as designated by the Governor at
32 the time of nomination, one at the end of one year, one at the end of
33 two years, and one at the end of three years after such date. The
34 board shall elect one of its members as chairman and one as
35 secretary-treasurer, who shall hold their respective offices for one
36 year. The secretary-treasurer shall give bond to the State in such sum
37 as may be determined by the board. The board shall make all
38 necessary rules and regulations to carry out the provisions of this act.
39 Any **[two]** four members shall constitute a quorum for the transaction
40 of business. The board shall keep a complete record of all its
41 proceedings and shall file an annual report with the office of the
42 Secretary of State.

43 (cf: P.L.1940, c.175, s.1)

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.

S1700 ADLER, GORMLEY

3

1 2. Section 2 of P.L.1940, c.175 (C.45:15B-2) is amended to read
2 as follows:

3 2. Any person who has received from the board a certificate of his
4 qualifications to practice as a [shorthand] court reporter shall be
5 known and styled as a "certified [shorthand] court reporter," and no
6 other person, and no partnership, all of the members of which have not
7 received such certificate, and no corporation, shall assume such title
8 or the abbreviation "C.S.R.," "C.C.R." or any other words, letters or
9 abbreviations tending to indicate that the person, partnership or
10 corporation so using the same is a certified [shorthand] court
11 reporter.

12 (cf: P.L.1940, c.175, s.2)

13

14 3. Section 3 of P.L.1940, c.175 (C.45:15B-3) is amended to read
15 as follows:

16 3. The board shall grant a certificate as a certified [shorthand]
17 court reporter to any citizen of the United States, residing or having
18 a place for the regular transaction of business in this State, (a) who is
19 over the age of [twenty-one] 18 years, of good moral character, and
20 is a graduate of a high school or has had an equivalent education; and
21 (b) who has[, except as provided in section five of this act,]
22 successfully passed an examination in [shorthand] court reporting
23 under such rules and regulations as the board may prescribe.

24 (cf: P.L.1940, c.175, s.3)

25

26 4. Section 1 of P.L.1999, c.26 (C.45:15B-3.1) is amended to read
27 as follows:

28 1. The State Board of [Shorthand] Court Reporting shall require
29 each [shorthand] court reporter certified pursuant to section 3 of
30 P.L.1940, c.175 (C.45:15B-3) to complete any continuing education
31 requirements imposed by the board pursuant to section 2 of [this act]
32 P.L.1999, c.26 (C.45:15B-3.2).

33 (cf: P.L.1999, c.26, s.1)

34

35 5. Section 2 of P.L.1999, c.26 (C.45:15B-3.2) is amended to read
36 as follows:

37 2. a. The board shall:

38 (1) establish standards for continuing [shorthand] court reporting
39 education, including the subject matter and content of courses of
40 study, the selection of instructors, and the number and type of
41 continuing education credits required of a certified [shorthand] court
42 reporter as a condition for biennial license renewal;

43 (2) approve educational programs offering continuing education
44 credits; and

45 (3) approve other equivalent educational programs and establish
46 procedures for the issuance of credit upon satisfactory proof of the

1 completion of these programs.

2 b. In the case of [shorthand] court reporting education courses
3 and programs, each hour of instruction shall be equivalent to one
4 credit.

5 (cf: P.L.1999, c.26, s.2)

6

7 6. Section 9 of P.L.1940, c.175 (C.45:15B-9) is amended to read
8 as follows:

9 9. No person shall engage in the practice of [shorthand] court
10 reporting in this State[, as defined in this act,] unless [he] the person
11 has first obtained a certificate from the board as provided [in this act;
12 provided, that nothing in this act shall be construed to prohibit the
13 temporary employment of any person not holding a certificate until a
14 certified shorthand reporter is available] pursuant to P.L. c. (now
15 before the Legislature as this bill).

16 (cf: P.L.1940, c.175, s.9)

17

18 7. Section 10 of P.L.1940, c.175 (C.45:15B-10) is amended to
19 read as follows:

20 10. [The words "shorthand reporting" as used in this act shall be
21 defined to mean the making by use of symbols or abbreviations, of a
22 verbatim record of any testimony given under oath before any court,
23 referee, or board, commission or other body created by statute of this
24 State] As used in this act:

25 "Certified court reporter" means a person who is certified pursuant
26 to the provisions of this act.

27 "Court reporting" means making by use of symbols or
28 abbreviations, of a verbatim record of court proceedings, depositions,
29 other judicial proceedings, meetings of boards, agencies, corporations,
30 or other bodies or groups, and causing that record to be printed in
31 readable form or produced on a computer screen in readable form.

32 "Court reporting agency" means a business entity that provides the
33 services of certified court reporters.

34 "Owner" means a person who has any equity interest in a court
35 reporting agency, whether as a sole proprietor, partner, shareholder,
36 or member, or other form of equity ownership.

37 (cf: P.L.1953, c.43, s.80)

38

39 8. Section 1 of P.L.1971, c.60 (C.45:1-2.1) is amended to read as
40 follows:

41 1. The provisions of this act shall apply to the following boards
42 and commissions: the New Jersey State Board of Accountancy, the
43 New Jersey State Board of Architects, the New Jersey State Board of
44 Cosmetology and Hairstyling, the Board of Examiners of Electrical
45 Contractors, the New Jersey State Board of Dentistry, the State Board
46 of Mortuary Science of New Jersey, the State Board of Professional

1 Engineers and Land Surveyors, the State Board of Marriage and
2 Family Therapy Examiners, the State Board of Medical Examiners, the
3 New Jersey Board of Nursing, the New Jersey State Board of
4 Optometrists, the State Board of Examiners of Ophthalmic Dispensers
5 and Ophthalmic Technicians, the Board of Pharmacy, the State Board
6 of Professional Planners, the State Board of Psychological Examiners,
7 the State Board of Examiners of Master Plumbers, the New Jersey
8 Real Estate Commission, the State Board of [Shorthand] Court
9 Reporting, the State Board of Veterinary Medical Examiners, the
10 Radiologic Technology Board of Examiners, the Acupuncture
11 Examining Board, the State Board of Chiropractic Examiners, the
12 State Board of Respiratory Care, the State Real Estate Appraiser
13 Board, the State Board of Social Work Examiners, the State Board
14 of Public Movers and Warehousemen and the State Board of Physical
15 Therapy Examiners.

16 (cf: P.L.2003, c.18, s.18)

17

18 9. Section 2 of P.L.1971, c.60 (C.45:1-2.2) is amended to read as
19 follows:

20 2. a. All members of the several professional boards and
21 commissions shall be appointed by the Governor in the manner
22 prescribed by law; except in appointing members other than those
23 appointed pursuant to subsection b. or subsection c., the Governor
24 shall give due consideration to, but shall not be bound by,
25 recommendations submitted by the appropriate professional
26 organizations of this State.

27 b. In addition to the membership otherwise prescribed by law, the
28 Governor shall appoint in the same manner as presently prescribed by
29 law for the appointment of members, two additional members to
30 represent the interests of the public, to be known as public members,
31 to each of the following boards and commissions: the New Jersey
32 State Board of Accountancy, the New Jersey State Board of
33 Architects, the New Jersey State Board of Cosmetology and
34 Hairstyling, the New Jersey State Board of Dentistry, the State Board
35 of Mortuary Science of New Jersey, the State Board of Professional
36 Engineers and Land Surveyors, the State Board of Medical Examiners,
37 the New Jersey Board of Nursing, the New Jersey State Board of
38 Optometrists, the State Board of Examiners of Ophthalmic Dispensers
39 and Ophthalmic Technicians, the Board of Pharmacy, the State Board
40 of Professional Planners, the State Board of Psychological Examiners,
41 the New Jersey Real Estate Commission, the State Board of
42 [Shorthand] Court Reporting, the State Board of Social Work
43 Examiners, and the State Board of Veterinary Medical Examiners, and
44 one additional public member to each of the following boards: the
45 Board of Examiners of Electrical Contractors, the State Board of
46 Marriage and Family Therapy Examiners, the State Board of
47 Examiners of Master Plumbers, and the State Real Estate Appraiser

1 Board. Each public member shall be appointed for the term prescribed
2 for the other members of the board or commission and until the
3 appointment of his successor. Vacancies shall be filled for the
4 unexpired term only. The Governor may remove any such public
5 member after hearing, for misconduct, incompetency, neglect of duty
6 or for any other sufficient cause.

7 No public member appointed pursuant to this section shall have any
8 association or relationship with the profession or a member thereof
9 regulated by the board of which he is a member, where such
10 association or relationship would prevent such public member from
11 representing the interest of the public. Such a relationship includes a
12 relationship with members of one's immediate family; and such
13 association includes membership in the profession regulated by the
14 board. To receive services rendered in a customary client relationship
15 will not preclude a prospective public member from appointment. This
16 paragraph shall not apply to individuals who are public members of
17 boards on the effective date of this act.

18 It shall be the responsibility of the Attorney General to insure that
19 no person with the aforementioned association or relationship or any
20 other questionable or potential conflict of interest shall be appointed
21 to serve as a public member of any board regulated by this section.

22 Where a board is required to examine the academic and professional
23 credentials of an applicant for licensure or to test such applicant orally,
24 no public member appointed pursuant to this section shall participate
25 in such examination process; provided, however, that public members
26 shall be given notice of and may be present at all such examination
27 processes and deliberations concerning the results thereof, and,
28 provided further, that public members may participate in the
29 development and establishment of the procedures and criteria for such
30 examination processes.

31 c. The Governor shall designate a department in the Executive
32 Branch of the State Government which is closely related to the
33 profession or occupation regulated by each of the boards or
34 commissions designated in section 1 of P.L.1971, c.60 (C.45:1-2.1)
35 and shall appoint the head of such department, or the holder of a
36 designated office or position in such department, to serve without
37 compensation at the pleasure of the Governor as a member of such
38 board or commission.

39 d. A majority of the voting members of such boards or
40 commissions shall constitute a quorum thereof and no action of any
41 such board or commission shall be taken except upon the affirmative
42 vote of a majority of the members of the entire board or commission.
43 (cf: P.L.1995, c.366, s.21)

44

45 10. Section 1 of P.L.1974, c.46 (C.45:1-3.1) is amended to read as
46 follows:

47 1. The provisions of this act shall apply to the following boards and

1 commissions: the New Jersey State Board of Accountancy, the New
2 Jersey State Board of Architects, the New Jersey State Board of
3 Cosmetology and Hairstyling, the Board of Examiners of Electrical
4 Contractors, the New Jersey State Board of Dentistry, the State Board
5 of Mortuary Science of New Jersey, the State Board of Professional
6 Engineers and Land Surveyors, the State Board of Marriage and
7 Family Therapy Examiners, the State Board of Medical Examiners, the
8 New Jersey Board of Nursing, the New Jersey State Board of
9 Optometrists, the State Board of Examiners of Ophthalmic Dispensers
10 and Ophthalmic Technicians, the Board of Pharmacy, the State Board
11 of Professional Planners, the State Board of Psychological Examiners,
12 the State Board of Examiners of Master Plumbers, the State Board of
13 **[Shorthand] Court Reporting**, the State Board of Veterinary Medical
14 Examiners, the Radiologic Technology Board of Examiners, the
15 Acupuncture Examining Board, the State Board of Chiropractic
16 Examiners, the State Board of Respiratory Care, the State Real Estate
17 Appraiser Board, the New Jersey Cemetery Board, the State Board of
18 Social Work Examiners and the State Board of Physical Therapy
19 Examiners.

20 (cf: P.L. 2003, c.261, s.39)

21

22 11. Section 2 of P.L.1978, c.73 (C.45:1-15) is amended to read as
23 follows:

24 2. The provisions of this act shall apply to the following boards and
25 all professions or occupations regulated by, through or with the advice
26 of those boards: the New Jersey State Board of Accountancy, the
27 New Jersey State Board of Architects, the New Jersey State Board of
28 Cosmetology and Hairstyling, the Board of Examiners of Electrical
29 Contractors, the New Jersey State Board of Dentistry, the State Board
30 of Mortuary Science of New Jersey, the State Board of Professional
31 Engineers and Land Surveyors, the State Board of Marriage and
32 Family Therapy Examiners, the State Board of Medical Examiners, the
33 New Jersey Board of Nursing, the New Jersey State Board of
34 Optometrists, the State Board of Examiners of Ophthalmic Dispensers
35 and Ophthalmic Technicians, the Board of Pharmacy, the State Board
36 of Professional Planners, the State Board of Psychological Examiners,
37 the State Board of Examiners of Master Plumbers, the State Board of
38 **[Shorthand] Court Reporting**, the State Board of Veterinary Medical
39 Examiners, the Acupuncture Examining Board, the State Board of
40 Chiropractic Examiners, the State Board of Respiratory Care, the
41 State Real Estate Appraiser Board, the State Board of Social Work
42 Examiners, the State Board of Physical Therapy Examiners, the
43 Professional Counselor Examiners Committee, the New Jersey
44 Cemetery Board, the Orthotics and Prosthetics Board of Examiners,
45 the Occupational Therapy Advisory Council, the Electrologists
46 Advisory Committee, the Alcohol and Drug Counselor Committee, the
47 Fire Alarm, Burglar Alarm, and Locksmith Advisory Committee, the

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1 Home Inspection Advisory Committee, the Massage, Bodywork and
2 Somatic Therapy Examining Committee, and the Audiology and
3 Speech-Language Pathology Advisory Committee.
4 (cf: P.L.2003, c.18, s.20)

5
6 12. (New section) Whenever the term "State Board of Shorthand
7 Reporting" or "shorthand reporter" occurs or any reference is made
8 thereto in any law, contract or document, the same shall be deemed to
9 refer to the "State Board of Court Reporting" and "court reporter,"
10 respectively.

11
12 13. (New section) Any person who is a certified shorthand reporter
13 pursuant to section 3 of P.L.1940, c.175 (C.45:15B-3) on the effective
14 date of this amendatory and supplementary act shall be a certified
15 court reporter under and subject to the provisions of P.L.1940, c.175
16 (C.45:15B-1 et seq.) and this amendatory and supplementary act.

17
18 14. (New section) a. No court reporting agency shall employ a
19 court reporter or offer court reporting services unless the court
20 reporting agency holds a valid registration obtained from the board
21 pursuant to the provisions of this section. The registration shall be
22 reissued biennially by the board.

23 b. The board shall issue a registration certificate to any court
24 reporting agency which qualifies pursuant to the provisions of this
25 section and submits a properly completed application form and pays
26 the prescribed fee. The registration form shall include, but not be
27 limited to, the following information:

28 (1) The name and address of the court reporting agency owner, and
29 any other similar information regarding the owner that the board may
30 require; and

31 (2) The name and address of the court reporting agency for which
32 the registration is requested.

33 c. Any change in the information required by the board for
34 registration shall be reported by the court reporting agency within 10
35 days after the change occurs.

36 d. A court reporting agency shall hire and retain in employment
37 only certified court reporters, whose certifications are not suspended
38 or revoked.

39 e. A court reporting agency registered pursuant to this section shall
40 be subject to any regulations of the board, including, but not limited
41 to, regulations relating to transcript formatting and business practices.

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43 15. Section 11 of P.L.1940, c.175 (C.45:15B-11) is repealed.

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45 16. This act shall take effect on the 180th day following enactment.

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STATEMENT

This bill updates the statutes regarding the regulation of shorthand reporters by changing references to "shorthand reporters" in the law to the more modern designation "court reporter." Similarly, the name of the licensing board is changed from the "State Board of Shorthand Reporting" to the "State Board of Court Reporting." In addition, various sections in chapter 1 of Title 45 of the Revised Statutes, concerning the establishment of certain uniform standards for board memberships and for uniform board enforcement powers and standards, are amended in the bill so as to make proper reference to the State Board of Court Reporting.

The bill also provides that no court reporting agency shall employ a court reporter or offer court reporting services unless the court reporting agency holds a valid registration obtained from the board pursuant to the provisions of the bill. The registration shall be reissued biennially by the board.

SENATE JUDICIARY COMMITTEE

STATEMENT TO

SENATE, No. 1700

with committee amendments

STATE OF NEW JERSEY

DATED: DECEMBER 1, 2005

The Senate Judiciary Committee reports favorably and with committee amendments Senate Bill No. 1700.

This bill updates the statutes regarding the regulation of shorthand reporters by changing references to "shorthand reporters" in the law to the more modern designation "court reporter." Similarly, the name of the licensing board is changed from the "State Board of Shorthand Reporting" to the "State Board of Court Reporting." In addition, various sections in chapter 1 of Title 45 of the Revised Statutes, concerning the establishment of certain uniform standards for board memberships and for uniform board enforcement powers and standards, are amended in the bill so as to make proper reference to the State Board of Court Reporting.

The committee amendments add two new subsections to N.J.S.A. 45:15B-9 (section 6 of the bill) concerning temporary employment or retention of any person not holding a certificate. These amendments permit this temporary employment until a certified court reporter is available as the board may specify through regulation. A person not holding a certificate may not engage in court reporting without: (1) registering with the board according to procedures as adopted; and (2) disclosing to the participants at a proceeding and obtaining written acknowledgment from them that the person does not hold a certificate and is registered to work on a temporary basis. Registration with the board shall be for a period of one year, and shall not be renewable unless specifically authorized by the board. Violation of this section would result in a penalty of not more than \$500 for the first violation, and not more than \$1,000 for each violation thereafter, to be sued for and collected in a summary proceeding by the board. A person who fails to comply with these requirements is subject to the suspension or revocation of that individual's certificate or temporary registration.

Section 7 is amended to omit certain definitions no longer necessary because section 14 of the bill concerning registration with the board by court reporting agencies or firms is omitted. Omitting section 14 means that these agencies, as a general matter, would not be subject to regulation by the State Board of Court Reporting. A

new section 15 is added which provides that the State Board of Court Reporting shall adopt such rules and regulations as are necessary for its implementation pursuant to the provisions of the "Administrative Procedures Act," P.L. 1968, c. 410 (C. 52:14B-1 et seq.) within one year of the date of enactment of the bill.

The effective date is amended to take effect in a year instead of six months except that the rule-making authority shall take effect immediately.

As amended this bill is identical to Assembly Bill No. 3168 (1R).