

ASSEMBLY CONCURRENT RESOLUTION No. 61

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 29, 1996

By Assemblyman CORODEMUS

1 A CONCURRENT RESOLUTION concerning legislative review of Department
2 of Law and Public Safety regulations pursuant to Article V, Section IV,
3 paragraph 6 of the Constitution of the State of New Jersey.

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5 BE IT RESOLVED by the General Assembly of the State of New Jersey
6 (the Senate concurring):

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8 1. Pursuant to Article V, Section IV, paragraph 6 of the Constitution of the
9 State of New Jersey, the Legislature may review any rule or regulation of an
10 administrative agency to determine if the rule or regulation is consistent with
11 the intent of the Legislature.

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13 2. The Legislature finds that regulations adopted by the Department of
14 Law and Public Safety, and more specifically of the State Board of
15 Professional Engineers and Land Surveyors within the Division of Consumer
16 Affairs of the department, concerning continuing professional competency
17 requirements for land surveyors are not consistent with the legislative intent of
18 P.L.1993, c.39 (C.45:8-35.2 et seq.) inasmuch as they fail to provide
19 licensees with adequate information regarding the type of continuing
20 professional competency courses that will satisfy licensing renewal
21 requirements.

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23 3. The Secretary of the Senate and the Clerk of the General Assembly
24 shall transmit a duly authenticated copy of this concurrent resolution to the
25 Governor and the Attorney General.

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27 4. The Department of Law and Public Safety shall, pursuant to Article V,
28 Section IV, paragraph 6 of the Constitution of the State of New Jersey, have
29 30 days following transmittal of this concurrent resolution to amend or
30 withdraw the regulations or the Legislature may, by passage of another
31 concurrent resolution, exercise its authority under the Constitution to invalidate
32 the regulations.

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STATEMENT

This concurrent resolution expresses the finding of the Legislature that regulations adopted by the State Board of Professional Engineers and Land Surveyors within the Division of Consumer Affairs of the Department of Law and Public Safety concerning continuing professional competency requirements for land surveyors are not consistent with the legislative intent of P.L.1993, c.39 (C.45:8-35.2 et seq.) inasmuch as they fail to provide licensees with adequate information regarding the type of continuing professional competency courses that will satisfy licensing renewal requirements.

The Department of Law and Public Safety shall have 30 days following transmittal of this resolution to amend or withdraw the regulations or the Legislature may, by passage of another concurrent resolution, exercise its authority under the Constitution to invalidate the regulations.

Determines that DLPS regulations concerning continuing professional competency requirements for land surveyors are not consistent with legislative intent.