HOUSE BILL NO. 725

INTRODUCED BY UNDERDAL

BY REQUEST OF

THE DEPARTMENT OF PROFESSIONAL AND OCCUPATIONAL LICENSING

IN THE HOUSE

February	12,	1981	Introduced and referred to Com- mittee on Business and Industry.
February	16,	1981	Fiscal note requested.
February	21,	1981	Fiscal note returned.
			Committee recommend bill do pass as amended. Report adopted.
February	23,	1981	Bill printed and placed on members desks.
February	24,	1981	Second reading, do pass.
			On motion rules suspended and bill placed on third reading this day.
Pebruary	25,	1981	Third reading, passed. Ayes, 93; Noes, 5. Transmitted to Senate.
		in the set	IATE
March 3,	1981	L	Introduced and referred to Com- mittee on State Administration.
March 13	, 198	31	Committee recommend bill be concurred in as amended. Report adopted.
March 16	, 198	31	Motion pass consideration.
March 17	, 198	31	Second reading, concurred in.

March 19, 1981

Third reading, concurred in as amended. Ayes, 44; Noes, 3.

IN THE HOUSE

March 20, 1981

April 8, 1981

April 9, 1981

Returned from Senate with amendments.

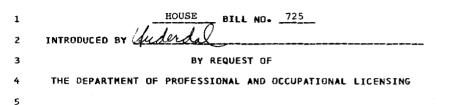
Second reading, amendments concurred in.

Third reading, amendments concurred in. Ayes, 94; Noes, 0. Sent to enrolling.

Reported correctly enrolled.

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6 A BILL FOR AN ACT ENTITLED: "AN ACT TO REVISE THE LICENSING 7 LAWS FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS; 8 INCREASING REGISTRATION FEES; CLARIFYING REQUIREMENTS FOR 9 REGISTRATION AS A SURVEYOR; AND AMENDING SECTIONS 37-67-303, 10 37-67-308, AND 37-67-315, MCA."

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12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

13 Section 1. Section 37-67-303, MCA, is amended to read: *37-67-303. Application -- contents -- fees. (1) 14 15 Applications for registration shall be on forms prescribed 16 by the board and furnished by the department, shall contain statements made under oath showing the applicant's education 17 18 and a detailed summary of his technical work, and shall 19 contain not less than five references, of whom three or more 20 shall be engineers or land surveyors having personal 21 knowledge of his engineering or land surveying experience. 22 (2) The fee for engineer-in-training is as prescribed 23 by the board but may not exceed \$30 \$45, which shall 24 accompany the application and shall include the cost of one 25 examination. No additional fee is required for issuance of a 1 certificate.

2 (3) The application fee for registration as a 3 professional engineer is as prescribed by the board but may 4 not exceed \$40 \$60 for those holding an engineer-in-training 5 certificate validated for Montana. For those holding a valid engineer-in-training certificate from some other state, the 6 7 application fee is as prescribed by the board but may not exceed \$58 \$75, which includes cost of transfer verification 8 9 of engineer-in-training certification and one examination. Upon approval of application for registration as a 10 11 professional engineer, an additional fee equal to the 12 existing renewal fee must be paid before issuance of a 13 certificate as a professional engineer.

14 (4) The department, subject to approval by the board, 15 may, on approval of the application, and payment of a fee as 16 prescribed by the board but not to exceed \$60 \$90. and 17 payment_of_an_additional_fee_equal_to_the appropriate 18 renewal fee, issue a certificate of registration as a 19 professional engineer to a person who holds a certificate of 20 qualification or registration issued to him by the committee 21 on national engineering certification of the national 22 council of engineering examiners or by a state, territory, 23 or possession of the United States or by another country if the applicant's qualifications meet the requirements of this 24 25 chapter and the rules of the board.

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1 (5) The fee for land surveyor-in-training is as 2 prescribed by the board but may not exceed \$30 \$45, which 3 shall accompany the application and shall include the cost 4 of one examination. No additional fee is required for 5 issuance of a certificate.

(6) The application fee for registration as a land 6 surveyor is as prescribed by the board but may not exceed 7 \$40 \$60 for those holding a land surveyor-in-training 8 certificate validated in Montana. For those holding a valid 9 10 land surveyor-in-training certificate from some other state; 11 the application fee is as prescribed by the board but may not exceed \$50 \$75, which includes cost of transfer of the 12 certification. No-additional-fee-is-required-for-issuance-of 13 a-certificates Upon approval of application for registration 14 as a land surveyor, an additional fee equal to the existing 15 renewal fee must be paid before issuance of a certificate as 16 17 a land surveyor.

(7) The application fee for registration as both a 18 professional engineer and land surveyor is as prescribed by 19 the board but may not exceed \$60 \$120 for those holding 20 land surveyor-in-training and 21 engineer-in-training certificates validated in Montana. For those holding valid 22 and land surveyor-in-training engineer-in-training 23 certificates from another state, the application fee is as 24 prescribed by the board but may not exceed \$100 If The 25

1 fee shall accompany the application. Upon approval of 2 application for registration as a professional engineer and 3 land surveyor, an additional fee equal to the existing 4 renewal fee must be paid before issuance of a certificate. 5 (8) If the board denies issuance of a certificate of 6 registration to any applicant, the initial fee deposited 7 shall be retained as an application fee."

8 Section 2. Section 37-67-308. MCA. is amended to read: 9 . "37-67-308. General qualifications of applicants for 10 registration as land surveyor or land surveyor-in-training. 11 (1) To be eligible for admission to examination for land 12 surveyor or land surveyor-in-training, an applicant must be 13 of good character and reputation. The applicant shall submit 14 five references with his application for registration as a 15 land surveyor, three of which references shall be registered 16 land surveyors having personal knowledge of his land 17 surveying experience. In the case of an application for 18 certification as a land surveyor-in-training, the applicant 19 shall submit three references, one of whom shall be a 20 registered land surveyor having personal knowledge of the 21 applicant's land surveying experience.

(2) The evaluation of a land surveyor applicant's
qualifications involves a consideration of his education,
technical and land surveying experience, exhibits of land
surveying projects of which he has beer in charge,

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recommendations by references, and a reviewing of these 1 categories. An interview may be held at the board's 2 Educational credit for institute courses, 3 discretion. correspondence courses, etc., shall be determined by the 4 board. Minimal educational requirements must include 40 5 6 ouarter credit hours in surveying techniques and principles 7 and practices of surveying curricula prescribed by the board." 8

Section 3. Section 37-67-315, MCA, is amended to read: 9 #37-67-315. Annual renewal -- fee -- verification of 10 competency. (1) Certificates of registration expire on 11 December 31 of the appropriate year and become invalid on 12 that date unless renewed. The department shall notify every 13 person registered under this chapter of the date of the 14 expiration of his certificate and the amount of the fee 15 required for its renewal for 2 years. This notice shall be 16 mailed at least 1 month in advance of the date of the 17 expiration of the certificate. Renewal may be made during 18 the month of December of the appropriate year by the payment 19 20 of a fee, not to exceed \$60 biennially, as set by the board for either a professional engineer or land surveyory--or 21 both. for renewal of a dual license as both a professional 22 engineer and land surveyor, the fee shall be set by the 23 24 board, not to exceed \$90. 25

(2) No certificate may be renewed unless the

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1 registrant submits a verified statement to the effect and 2 the board is satisfied that he has maintained competency by: (a) the continued practice of engineering or land 3 surveying; or 4

(b) engaging in other activities that provide for the 5 maintenance of competency as prescribed by board rule. 6

7 (3) Failure on the part of a registrant to renew his certificate biennially in the month of December of the R appropriate year does not deprive him of the right of 9 10 renewal; however, a registrant who fails to pay the renewal fee for an additional renewed-period year of the biennium 11 shall be considered a new applicant and is required to 12 13 submit a new application.

14 (4) The fee for any registrant who fails to renew his 15 certificate by December 31 of the appropriate year shall be 16 increased by an amount equal to 50% of his renewal fee. 17 Renewal may not be completed until all fees are paid." 18 Section 4. Coordination instruction. If ____Bill No.____ [LC 1288], including the section of that bill relating to 19 20 professional engineers and land surveyors, is passed and 21 approved, the specific dollar amounts of fee changes in sections 1 and 3 will not become effective. The fees will be 22 23 established as provided in ____Bill No.____[LC 1288]. The remaining parts of this act will be unaffected by ____Bill 24 25 No.___ [LC 1288].

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STATE OF MONTANA

REQUEST NO. 383-81

FISCAL NOTE

Form BD-15

In compliance with a written request received <u>February 16</u>, 19 <u>81</u>, there is hereby submitted a Fiscal Note for <u>House Bill 725</u> pursuant to Title 5, Chapter 4, Part 2 of the Montana Code Annotated (MCA). Background information used in developing this Fiscal Note is available from the Office of Budget and Program Planning, to members of the Legislature upon request.

Description of Proposed Legislation

An act to revise the licensing laws for professional engineers and land surveyors; increasing registration fees; clarifying requirements for registration as a surveyor.

Assumption

- 1. There are 3500 licensed professional engineers and land surveyors, and 1700 EIT's and LSIT's certified.
- 2. Board licenses professional engineer and engineer-surveyor classification half each year (A-M odd-numbered years, N-Z even-numbered years).

3. Assume fees will be set by the Board at the maximum statutory limit.

Fiscal Impact

Revenue		FY 1982	FY 1983
Current Proposed	an a	\$65,000 97,500	\$65,000 97,500
Increased Revenue		\$32,500	\$32,500

The funds involved are earmarked revenue, departed in the Board's account.

BUDGET DIRECTOR Office of Budget and Program Planning Date: <u>2-27-81</u>

47th Legislature

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Approved by Committee on Business and Industry

L	HOUSE BILL NO. 725
Z	INTRODUCED BY UNDERDAL
3	BY REQUEST OF
4	THE DEPARTMENT OF PROFESSIONAL AND OCCUPATIONAL LICENSING
5	
6	A BILL FOR AN ACT ENTITLED: "AN ACT TO REVISE THE LICENSING
7	LAWS FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS;
8	INCREASING REGISTRATION FEES; CLARIFYING REQUIREMENTS FOR
9	REGISTRATION AS A <u>LAND</u> SURVEYOR; AND AMENDING SECTIONS
10	37-67-303, 37-67-308, AND 37-67-315, MCA."
11	
12	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
13	Section 1. Section 37-67-303, MCA, is amended to read:
14	#37-67-303. Application contents fees. (1)
15	Applications for registration shall be on forms prescribed
16	by the board and furnished by the department, shall contain
17	statements made under oath showing the applicant's education
18	and a detailed summary of his technical work, and shall
19	contain not less than five references, of whom three or more
20	shall be engineers or land surveyors having personal
21	knowledge of his engineering or land surveying experience.
22	(2) The fee for engineer-in-training is as prescribed
23	by the board but may not exceed \$30 <u>\$45</u> , which shall
24	accompany the application and shall include the cost of one
25	examination. No additional fee is required for issuance of a

1 certificate.

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(3) The application fee for registration as a 2 professional engineer is as prescribed by the board but may 3 not exceed \$40 \$60 for those holding an engineer-in-training 4 certificate validated for Montana. For those holding a valid 5 engineer-in-training certificate from some other state, the 6 application fee is as prescribed by the board but may not 7 8 exceed 450 \$75, which includes cost of transfer verification 9 of engineer-in-training certification and one examination. Upon approval of application for registration as a 10 11 professional engineer, an additional fee equal to the existing renewal fee must be paid before issuance of a 12 13 certificate as a professional engineer. (4) The department, subject to approval by the board. 14 15 may, on approval of the application, and payment of a fee as

prescribed by the board but not to exceed \$60 \$90; and 16 17 payment of an additional fee equal to the appropriate 18 renewal fee, issue a certificate of registration as a 19 professional engineer to a person who holds a certificate of 20 qualification or registration issued to him by the committee 21 on national engineering certification of the national 22 council of engineering examiners or by a state, territory, 23 or possession of the United States or by another country if the applicant's qualifications meet the requirements of this 24 25 chapter and the rules of the board.

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SECOND READING

1 (5) The fee for land surveyor-in-training is as 2 prescribed by the board but may not exceed #30 145, which 3 shall accompany the application and shall include the cost 4 of one examination. No additional fee is required for 5 issuance of a certificate.

(6) The application fee for registration as a land 6 surveyor is as prescribed by the board but may not exceed 7 \$40 \$60 for those holding a land surveyor-in-training 8 certificate validated in Montana. For those holding a valid 9 land surveyor-in-training certificate from some other state. 10 the application fee is as prescribed by the board but may 11 not exceed \$50 \$75, which includes cost of transfer 12 YEBIEICATION of the certification. No-additional-feeris 13 required-for-issuance-of-a--certificatev Upon approval of 14 application for registration as a land surveyor, an 15 additional fee equal to the existing renewal fee must be 16 paid before issuance of a certificate as a land surveyor. 17

(7) The application fee for registration as both a 18 professional engineer and land surveyor is as prescribed by 19 the board but may not exceed \$60 \$120 for those holding 20 and 😱 land surveyor-in-training engineer-in-training 21 certificates validated in Montana. For those holding valid 22 surveyor-in-training engineer-in-training and land 23 certificates from another state, the application fee is as 24 prescribed by the board but may not exceed \$100 \$150. The 25

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fee shall: accompany the application. Upon approval of application for registration as a professional engineer and land surveyor. an additional fee equal to the existing renewal fee must be paid before issuance of a certificate. (8) If the board denies issuance of a certificate of registration to any applicant. the initial fee deposited shall be retained as an application fee."

Section 2. Section 37-67-308, MCA, is amended to read: 8 #37-67-308. General qualifications of applicants for 9 registration as land surveyor or land surveyor-in-training. 10 (1) To be eligible for admission to examination for land 11 surveyor or land surveyor-in-training, an applicant must be 12 of good character and reputation. The applicant shall submit 13 five references with his application for registration as a 14 tand surveyor, three of which references shall be registered 15 land surveyors having personal knowledge of his land 16 surveying experience. In the case of an application for 17 certification as a land surveyor-in-training, the applicant 18 shall submit three references, one of whom shall be a 19 registered land surveyor having personal knowledge of the 20 applicant's land surveying experience. 21

22 (2) The evaluation of a land surveyor applicant's
23 qualifications involves a consideration of his education,
24 technical and land surveying experience, exhibits of land
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1 recommendations by references, and a reviewing of these 2 categories. An interview may be held at the board's 3 discretion. Educational credit for institute courses, correspondence courses, etc., shall be determined by the 4 5 board. Minimal educational requirements must include 40 6 guarter credit hours in surveying techniques and principles 7 and practices of surveying curricula prescribed by the 8 board.*

9 Section 3. Section 37-67-315, MCA, is amended to read: "37-67-315. Annual renewal -- fee -- verification of 10 11 competency. (1) Certificates of registration expire on 12 December 31 of the appropriate year and become invalid on 13 that date unless renewed. The department shall notify every 14 person registered under this chapter of the date of the expiration of his certificate and the amount of the fee 15 required for its renewal for 2 years. This notice shall be 16 17 mailed at least 1 month in advance of the date of the expiration of the certificate. Renewal may be made during 18 19 the month of December of the appropriate year by the payment of a fee, not to exceed \$60 biennially, as set by the board 20 21 for either a professional engineer or land surveyor -- or both. For renewal of a dual license as both a professional 22 23 engineer and land surveyor, the fee_shall be set by the 24 board, not to exceed \$90.

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registrant submits a verified statement to the effect and
 the board is satisfied that he has maintained competency by:
 (a) the continued practice of engineering or land
 surveying; or
 (b) engaging in other activities that provide for the

maintenance of competency as prescribed by board rule.
7 (3) Failure on the part of a registrant to renew his

8 certificate biennially in the month of December of the 9 appropriate year does not deprive him of the right of 10 renewal; however, a registrant who fails to pay the renewal 11 fee for an additional renewal-period year of the biennium 12 shall be considered a new applicant and is required to 13 submit a new application.

(4) The fee for any registrant who fails to renew his

15 certificate by December 31 of the appropriate year shall be

16 increased by an amount equal to 50% of his renewal fee.

17 Renewal may not be completed until all fees are paid."

Section 4. Coordination instruction. If ___Bill No.___ [LC 1288], including the section of that bill relating to professional engineers and land surveyors, is passed and approved, the specific dollar amounts of fee changes in sections 1 and 3 will not become effective. The fees will be established as provided in ___Bill No.___ [LC 1288]. The remaining parts of this act will be unaffected by ___Bill

25 No.__ [LC 1288].

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2	INTRODUCED BY UNDERDAL
3	BY REQUEST OF
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1 certificate.

2 (3) The application fee for registration as a professional engineer is as prescribed by the board but may 3 not exceed \$48 \$60 for those holding an engineer-in-training 4 certificate validated for Montana. For those holding a valid 5 engineer-in-training certificate from some other state, the 6 application fee is as prescribed by the board but may not 7 R exceed \$50 \$75, which includes cost of transfer verification of engineer-in-training certification and one examination. 9 10 Upon approval of application for registration as a 11 professional engineer, an additional fee equal to the 12 existing renewal fee must be paid before issuance of a certificate as a professional engineer. 13

(4) The department, subject to approval by the board, 14 15 may, on approval of the application, and payment of a fee as prescribed by the board but not to exceed \$60 \$90, and 16 17 payment of an additional fee equal to the appropriate 18 renewal fee, issue a certificate of registration as a 19 professional engineer to a person who holds a certificate of qualification or registration issued to him by the committee 20 21 on national engineering certification of the national 22 council of engineering examiners or by a state, territory, 23 or possession of the United States or by another country if 24 the applicant's qualifications meet the requirements of this 25 chapter and the rules of the board.

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THIRD READING

1 (5) The fee for land surveyor-in-training is as 2 prescribed by the board but may not exceed \$30 145, which 3 shall accompany the application and shall include the cost 4 of one examination. No additional fee is required for 5 issuance of a certificate.

(6) The application fee for registration as a land 6 surveyor is as prescribed by the board but may not exceed 7 \$40 \$60 for those holding a land surveyor-in-training 8 certificate validated in Montana. For those holding a valid 9 land surveyor-in-training certificate from some other state, 10 the application fee is as prescribed by the board but may 11 not exceed \$50 \$75, which includes cost of transfer 12 VERIFICATION of the certification. No-additional-feeris 13 required-for-issuance-of-o--certificatev Upon approval of 14 application for registration as a land surveyor, an 15 additional fee equal to the existing renewal fee must be 16 paid before issuance of a certificate as a land surveyor. 17

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surveyor or land surveyor-in-training, an applicant must be 12 of good character and reputation. The applicant shall submit 13 five references with his application for registration as a 14 land surveyor, three of which references shall be registered 15 land surveyors having personal knowledge of his land 16 surveying experience. In the case of an application for 17 certification as a land surveyor-in-training, the applicant 16 shall submit three references, one of whom shall be a 19 registered land surveyor having personal knowledge of the 20 applicant's land surveying experience. 21

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(2) No certificate may be renewed unless the

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(b) engaging in other activities that provide for the 5 maintenance of competency as prescribed by board rule. 6

7 (3) Failure on the part of a registrant to renew his certificate biennially in the month of December of the A 0 appropriate year does not deprive him of the right of 10 renewal; however, a registrant who fails to pay the renewal 11 fee for an additional renewal-period year of the biennium shall be considered a new applicant and is required to 12 13 submit a new application.

14 (4) The fee for any registrant who fails to renew his 15 certificate by December 31 of the appropriate year shall be increased by an amount equal to 50% of his renewal fee. 16 17 Renewal may not be completed until all fees are paid." 18 Section 4. Coordination instruction. If ____Bill No.____ [LC 1288], including the section of that bill relating to 19

professional engineers and land surveyors, is passed and 20 approved, the specific dollar amounts of fee changes in 21 sections 1 and 3 will not become effective. The fees will be 22 23 established as provided in ____Bill No.___ [LC 1288]. The remaining parts of this act will be unaffected by ____Bill 24 25 No.___ [LC 1288].

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47th Legislature

HB 0725/03

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14 (4) The department, subject to approval by the board, 15 may, on approval of the application, and payment of a fee as prescribed by the board but not to exceed \$60 \$90+ and 16 17 payment of an additional fee equal to the appropriate renewal_fee+ issue a certificate of registration as a 18 19 professional engineer to a person who holds a certificate of 20 qualification or registration issued to him by the committee 21 on national engineering certification of the national 22 council of engineering examiners or by a state, territory, 23 or possession of the United States or by another country if 24 the applicant's qualifications meet the requirements of this 25 chapter and the rules of the board.

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REFERENCE BILL

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1 (5) The fee for land surveyor-in-training is as 2 prescribed by the board but may not exceed **\$3**9 <u>\$45</u>, which 3 shall accompany the application and shall include the cost 4 of one examination. No additional fee is required for 5 issuance of a certificate.

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18 (7) The application fee for registration as both a 19 professional engineer and land surveyor is as prescribed by 20 the board but may not exceed \$68 \$120 for those holding 21 engineer-in-training and land surveyor-in-training 22 certificates validated in Montana. For those holding valid 23 engineer-in-training and 1 and surveyor-in-training 24 certificates from another state, the application fee is as 25 prescribed by the board but may not exceed \$100. The

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recommendations by references, and a reviewing of these 1 categories. An interview may be held at the board's Z Educational credit for institute courses, 3 discretion. 4 correspondence courses, etc., shall be determined by the 5 board. Minimal educational requirements must include 40 -6 quarter credit hours in surveying techniques and principles and practices of surveying curricula prescribed by the 7 8 board."

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9 Section 3. Section 37-67-315, MCA, is amended to read: "37-67-315. Annual renewal -- fee -- verification of 10 11 competency. (1) Certificates of registration expire on 12 December 31 of the appropriate year and become invalid on 13 that date unless renewed. The department shall notify every 14 person registered under this chapter of the date of the expiration of his certificate and the amount of the fee 15 required for its renewal for 2 years. This notice shall be 16 17 mailed at least 1 month in advance of the date of the 18 expiration of the certificate. Renewal may be made during 19 the month of December of the appropriate year by the puyment 20 of a fee, not to exceed \$60 biennially, as set by the board for either a professional engineer or land surveyory--or 21 22 both. For renewal of a dual license as both a professional 23 engineer and land surveyor, the fee shall be set by the 24 board, not to exceed \$90.

25 (2) No certificate may be renewed unless the

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registrant submits a verified statement to the effect and
 the board is satisfied that he has maintained competency by:
 (a) the continued practice of engineering or land
 surveying; or

5 (b) engaging in other activities that provide for the 6 maintenance of competency as prescribed by board rule.

7 (3) Failure on the part of a registrant to renew his 8 certificate biennially in the month of December of the 9 appropriate year does not deprive him of the right of 10 renewal; however, a registrant who fails to pay the renewal 11 fee for an additional renewal-period year of the biennium 12 shall be considered a new applicant and is required to 13 submit a new application.

14 <u>(4) The fee for any registrant who fails to renew his</u> 15 <u>certificate by December 31 of the appropriate year shall be</u> 16 <u>increased by an amount equation NOT TO EXCEED 50% of his</u> 17 <u>renewal fee. Renewal may not be completed until all fees are</u> 18 <u>paid.</u>"

19 Section 4. Coordination instruction. If ___Bill No.___ 20 {LC 1288], including the section of that bill relating to 21 professional engineers and land surveyors, is passed and 22 approved, the specific dollar amounts of fee changes in 23 sections 1 and 3 will not become effective. The fees will be 24 established as provided in ___Bill No.___ [LC 1288]. The 25 remaining parts of this act will be unaffected by ___Bill

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ารที่สาวอิจกรร้างการทำได้เองสนุมหาวินังกรรณฐกินที่ที่มาได้เป็นของการมีที่มีกร้างกรรมการกระจะที่สุดที่ของกระจะผู

للألف بالانتخاب فيما فالماد المحا

1 No.___ [LC 1288].

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SENATE STANDING COMMITTEE REPORT (State Administration)

That House Bill No. 725 be amended as follows:

1. Page 6, line 16.
Following: "amount"
Strike: "equal to"
Insert: "not to exceed"

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