

Reprinted 3/19

SENATE FILE 2276

BY COMMITTEE ON STATE GOVERNMENT

Approved 3/2 (p. 641)

(FORMERLY SSB 190)

FILED MAR 2 1984

Passed Senate, Date 3-16-84 (p. 869) Passed House, Date _____

Vote: Ayes 33 Nays 11 Vote: Ayes _____ Nays _____

Approved _____

A BILL FOR

1 An Act relating to the state board of engineering examiners.

2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

SENATE FILE 2276

S-5301

1 Amend Senate File 2276 as follows:

2 1. Page 1, by inserting before line 1 the fol-
3 owing:

4 "Section 1. Section 114.11, Code 1983, is amended
5 to read as follows:

6 114.11 Secretary--duties of. The secretary shall
7 keep on file a record of all certificates of registra-
8 tion granted and shall make annually such revisions
9 of said record as may be necessary. In revising said
10 record the secretary shall communicate annually bi-
11 annually by mail with every professional engineer and
12 surveyor registered hereunder, as provided in section
13 114.18."

14 2. Page 2, line 9, by striking the word "character"
15 and inserting in lieu thereof the word "character".

S-5301 FILED

BY CHARLES P. MILLER

MARCH 8, 1984

Adopted 3/16 (p. 869)

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1 Section 1. Section 114.2, unnumbered paragraph 1, Code
2 1983, is amended to read as follows:

3 The "board" means the state board of engineering and land
4 surveying examiners provided by this chapter.

5 Sec. 2. Section 114.3, Code 1983, is amended to read as
6 follows:

7 114.3 ESTABLISHMENT OF BOARD. There is established a
8 the state board of engineering and land surveying examiners
9 which shall consist of ~~five~~ four members who are registered
10 professional engineers, one member who is a registered land
11 surveyor or a professional engineer who is also a registered
12 land surveyor, and two members who are not registered
13 professional engineers or land surveyors and who shall
14 represent the general public. Members shall be appointed
15 by the governor subject to confirmation by the senate. A
16 registered member shall be actively engaged in the practice
17 of engineering or land surveying and shall have been so engaged
18 for five years preceding the appointment, the last two of
19 which shall have been in Iowa. No two registered members
20 of the board shall be from the same branch of the profession
21 of engineering. Professional associations or societies
22 composed of registered engineers or registered land surveyors
23 may recommend the names of potential board members whose
24 profession is representative of that association or society
25 to the governor, but the governor shall not be bound by the
26 recommendations. A board member shall not be required to
27 be a member of any professional association or society composed
28 of professional engineers or land surveyors.

29 Sec. 3. Section 114.13, Code 1983, is amended to read
30 as follows:

31 114.13 APPLICATIONS AND EXAMINATION FEES. Applications
32 for registration shall be on forms prescribed and furnished
33 by the board, shall contain statements made under oath, showing
34 the applicant's education and ~~detail~~ a detailed summary of
35 ~~his~~ the applicant's technical work, and the board shall not

1 require that a recent photograph of the applicant be attached
2 to the application form. An applicant ~~shall~~ is not be
3 ineligible for registration because of age, citizenship, sex,
4 race, religion, marital status or national origin, although
5 the application form may require citizenship information.
6 The board may consider the past felony record of an applicant
7 only if the felony conviction relates directly to the practice
8 of engineering or land surveying. The board may require that
9 an applicant submit character references, ~~but an applicant~~
10 ~~for examination in fundamentals or for examination in land~~
11 ~~surveying shall not submit a character reference from a~~
12 ~~registered professional engineer.~~ Applications for examination
13 in fundamentals in professional engineering and land surveying
14 shall be accompanied by application fees ~~in amounts~~ determined
15 by the board. The board shall determine the annual cost of
16 administering the examinations and shall set the fees
17 accordingly.

18 Sec. 4. Section 114.14, Code 1983, is amended by adding
19 the following new unnumbered paragraph:

20 NEW UNNUMBERED PARAGRAPH. The board may establish by rule
21 a temporary permit and a fee to permit an engineer to practice
22 for a period of time without applying for registration.

23 Sec. 5. Section 114.20, unnumbered paragraph 2, Code 1983,
24 is amended to read as follows:

25 A temporary permit to practice engineering ~~or land surveying~~
26 may be granted to a person registered in another state, as
27 prescribed by ~~the rules of the board~~ rule, provided that
28 before practicing within ~~this~~ the state ~~he~~ the person shall
29 have applied for registration or for a temporary permit to
30 practice without applying for registration and shall have
31 paid the fee prescribed by the board.

32 Sec. 6. Notwithstanding section 114.3, members of the
33 state board of engineering examiners serving unexpired terms
34 immediately prior to the effective date of this Act shall
35 continue to serve until their terms expire or their office

1 otherwise becomes vacant. However, at the next expired term
2 or vacancy of a registered professional engineer member of
3 the board of engineering and land surveying examiners following
4 the effective date of this Act, a registered land surveyor
5 or a professional engineer who is also a registered land
6 surveyor shall be appointed as a member of the board, if there
7 is not a registered land surveyor on the board at that time.
8 On the effective date of this Act, all rights, liabilities,
9 property, and employees of the state board of engineering
10 examiners vest in or become subject to the jurisdiction of
11 the state board of engineering and land surveying examiners.

12 EXPLANATION

13 Section 1 of this bill amends the name of the state board
14 of engineering examiners to the state board of engineering
15 and land surveying examiners.

16 Section 2 of this bill requires that one member of the
17 state board of engineering and land surveying examiners be
18 a registered land surveyor or a professional engineer who
19 is also a registered land surveyor.

20 Section 3 permits an applicant for an examination to be-
21 come a registered professional engineer or a registered land
22 surveyor to obtain character references from registered pro-
23 fessional engineers.

24 Section 4 permits the state board of engineering and land
25 surveying examiners to establish by rule a temporary permit
26 and a fee for the permit for engineers to practice without
27 applying for registration.

28 Section 5 permits a foreign registrant to receive a
29 temporary permit to practice engineering without applying
30 for registration and eliminates the authority to grant a
31 temporary permit to practice land surveying.

32 Section 6 permits the membership of the board of engineering
33 examiners to remain the same until a member's term expires
34 or a vacancy occurs at which time the appointed member shall
35 be both a registered professional engineer and a registered

1 land surveyor if there is not a registered land surveyor on
2 the board at that time.

3 The bill takes effect July 1 following its enactment.

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1 Section 1. Section 114.11, Code 1983, is amended to read
2 as follows:

3 114.11 SECRETARY--DUTIES OF. The secretary shall keep
4 on file a record of all certificates of registration granted
5 and shall make annually such revisions of said record as may
6 be necessary. In revising said record the secretary shall
7 communicate ~~annually~~ biannually by mail with every professional
8 engineer and surveyor registered hereunder, as provided in
9 section 114.18.

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20 surveyor or a professional engineer who is also a registered
21 land surveyor, and two members who are not registered
22 professional engineers or land surveyors and who shall
23 represent the general public. Members shall be appointed
24 by the governor subject to confirmation by the senate. A
25 registered member shall be actively engaged in the practice
26 of engineering or land surveying and shall have been so engaged
27 for five years preceding the appointment, the last two of
28 which shall have been in Iowa. No two registered members
29 of the board shall be from the same branch of the profession
30 of engineering. Professional associations or societies
31 composed of registered engineers or registered land surveyors
32 may recommend the names of potential board members whose
33 profession is representative of that association or society
34 to the governor, but the governor shall not be bound by the
35 recommendations. A board member shall not be required to

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13 race, religion, marital status or national origin, although
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16 only if the felony conviction relates directly to the practice
17 of engineering or land surveying. The board may require that
18 an applicant submit character references, ~~but an applicant~~
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21 ~~registered professional engineer~~. Applications for examination
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25 administering the examinations and shall set the fees
26 accordingly.

27 Sec. 5. Section 114.14, Code 1983, is amended by adding
28 the following new unnumbered paragraph:

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1 prescribed by ~~the rules of the board~~ rule, provided that
2 before practicing within ~~this~~ the state ~~he~~ the person shall
3 have applied for registration or for a temporary permit to
4 practice without applying for registration and shall have
5 paid the fee prescribed by the board.

6 Sec. 7. Notwithstanding section 114.3, members of the
7 state board of engineering examiners serving unexpired terms
8 immediately prior to the effective date of this Act shall
9 continue to serve until their terms expire or their office
10 otherwise becomes vacant. However, at the next expired term
11 or vacancy of a registered professional engineer member of
12 the board of engineering and land surveying examiners following
13 the effective date of this Act, a registered land surveyor
14 or a professional engineer who is also a registered land
15 surveyor shall be appointed as a member of the board, if there
16 is not a registered land surveyor on the board at that time.
17 On the effective date of this Act, all rights, liabilities,
18 property, and employees of the state board of engineering
19 examiners vest in or become subject to the jurisdiction of
20 the state board of engineering and land surveying examiners.

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SENATE FILE 2276

AN ACT

RELATING TO THE STATE BOARD OF ENGINEERING EXAMINERS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 114.11, Code 1983, is amended to read as follows:

114.11 SECRETARY--DUTIES OF. The secretary shall keep on file a record of all certificates of registration granted and shall make annually such revisions of said record as may be necessary. In revising said record the secretary shall communicate ~~annually~~ biannually by mail with every professional engineer and surveyor registered hereunder, as provided in section 114.18.

Sec. 2. Section 114.2, unnumbered paragraph 1, Code 1983, is amended to read as follows:

The "board" means the state board of engineering and land surveying examiners provided by this chapter.

Sec. 3. Section 114.3, Code 1983, is amended to read as follows:

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professional engineers, one member who is a registered land surveyor or a professional engineer who is also a registered land surveyor, and two members who are not registered professional engineers or land surveyors and who shall represent the general public. Members shall be appointed by the governor subject to confirmation by the senate. A registered member shall be actively engaged in the practice of engineering or land surveying and shall have been so engaged for five years preceding the appointment, the last two of which shall have been in Iowa. No two registered members of the board shall be from the same branch of the profession of engineering. Professional associations or societies composed of registered engineers or registered land surveyors may recommend the names of potential board members whose profession is representative of that association or society to the governor, but the governor shall not be bound by the recommendations. A board member shall not be required to be a member of any professional association or society composed of professional engineers or land surveyors.

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~~for-examination-in-fundamentals-or-for-examination-in-land-surveying-shall-not-submit-a-character-reference-from-a-registered-professional-engineer.~~ Applications for examination in fundamentals in professional engineering and land surveying shall be accompanied by application fees ~~in-amounts~~ determined by the board. The board shall determine the annual cost of administering the examinations and shall set the fees accordingly.

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NEW UNNUMBERED PARAGRAPH. The board may establish by rule a temporary permit and a fee to permit an engineer to practice for a period of time without applying for registration.

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A temporary permit to practice engineering ~~or-land-surveying~~ may be granted to a person registered in another state, as prescribed by ~~the-rules-of-the-board~~ rule, provided that before practicing within ~~the~~ the state he ~~the~~ the person shall have applied for registration ~~or for a temporary permit to practice without applying for registration~~ and shall have paid the fee prescribed by the board.

Sec. 7. Notwithstanding section 114.3, members of the state board of engineering examiners serving unexpired terms immediately prior to the effective date of this Act shall continue to serve until their terms expire or their office otherwise becomes vacant. However, at the next expired term or vacancy of a registered professional engineer member of the board of engineering and land surveying examiners following the effective date of this Act, a registered land surveyor or a professional engineer who is also a registered land surveyor shall be appointed as a member of the board, if there is not a registered land surveyor on the board at that time. On the effective date of this Act, all rights, liabilities, property, and employees of the state board of engineering

examiners vest in or become subject to the jurisdiction of the state board of engineering and land surveying examiners.

ROBERT T. ANDERSON
President of the Senate

DONALD D. AVENSON
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2276, Seventieth General Assembly.

Approved April 17, 1984

K. MARIE THAYER
Secretary of the Senate

TERRY E. BRANSTAD
Governor