

State of Arizona
House of Representatives
Fifty-second Legislature
First Regular Session
2015

HOUSE BILL 2127

AN ACT

AMENDING SECTIONS 32-106, 32-107 AND 32-123, ARIZONA REVISED STATUTES;
RELATING TO THE BOARD OF TECHNICAL REGISTRATION.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:
2 Section 1. Section 32-106, Arizona Revised Statutes, is amended to
3 read:
4 32-106. Powers and duties
5 A. The board shall:
6 1. Adopt rules for the conduct of its meetings and performance of
7 duties imposed ~~upon~~ ON it by law.
8 2. Adopt an official seal for attestation of certificates of
9 registration and other official papers and documents.
10 3. Consider and ~~pass-upon~~ ACT ON OR DELEGATE THE AUTHORITY TO ACT ON
11 applications for registration or certification.
12 4. Conduct examinations for in-training and professional registration
13 except for an alarm business or an alarm agent.
14 5. Hear and ~~pass-upon~~ ACT ON complaints or charges or direct an
15 administrative law judge to hear and ~~pass~~ ACT on complaints and charges.
16 6. Compel attendance of witnesses, administer oaths and take testimony
17 concerning all matters coming within its jurisdiction. In exercising these
18 powers, the board may issue subpoenas for the attendance of witnesses and the
19 production of books, records, documents and other evidence it deems relevant
20 to an investigation or hearing.
21 7. Keep a record of its proceedings.
22 8. Keep a register ~~which shall show~~ THAT SHOWS the date of each
23 application for registration or certification, the name of the applicant, the
24 practice or branch of practice in which the applicant has applied for
25 registration, if applicable, and the disposition of the application.
26 9. Do other things necessary to carry out the purposes of this
27 chapter.
28 B. The board shall specify the proficiency designation in the branch
29 of engineering in which the applicant has designated proficiency on the
30 certificate of registration and renewal card issued to each registered
31 engineer and shall authorize the engineer to use the title of registered
32 professional engineer. The board shall decide what branches of engineering
33 it shall recognize.
34 C. The board may hold membership in and be represented at national
35 councils or organizations of proficiencies registered under this chapter and
36 may pay the appropriate membership fees. The board may conduct standard
37 examinations on behalf of national councils and may establish fees for those
38 examinations.
39 D. The board may employ and pay on a fee basis persons, including
40 full-time employees of a state institution, bureau or department, to prepare
41 and grade examinations given to applicants for registration and may fix the
42 fee to be paid for these services. These employees are authorized to
43 prepare, grade and monitor examinations and perform other services the board
44 authorizes, and to receive payment for these services from the technical
45 registration fund. The board may contract with an organization to administer

1 the registration examination, including selecting the test site, scheduling
2 the examination, billing and collecting the fee directly from the applicant
3 and grading the examination if a national council of which the board is a
4 member or a professional association approved by the board does not provide
5 these services. If a national council of which the board is a member or a
6 professional association approved by the board does provide these services,
7 the board shall enter into an agreement with the national council or
8 professional association to administer the registration examination.

9 E. The board may rent necessary office space and pay the cost of this
10 office space from the technical registration fund.

11 F. The board may adopt rules establishing rules of professional
12 conduct for registrants.

13 G. The board may require evidence it deems necessary to establish the
14 continuing competency of registrants as a condition of renewal of licenses.

15 H. Subject to title 41, chapter 4, article 4, the board may employ
16 persons as it deems necessary.

17 I. The board shall issue a certificate and renewal card to each drug
18 laboratory site remediation firm, remediation supervisor and on-site worker.

19 J. The board shall issue or may authorize the executive director to
20 issue a certificate or renewal certificate to each alarm business and a
21 certification or renewal certification card to each alarm agent if the
22 qualifications prescribed by this chapter are met.

23 Sec. 2. Section 32-107, Arizona Revised Statutes, is amended to read:

24 32-107. Executive director; duties; compensation

25 A. The board may employ an executive director to conduct
26 investigations and carry out the purposes of this chapter.

27 B. The executive director shall be the custodian of the records of the
28 board, receive applications for registration **AND CERTIFICATION** and, ~~lay them~~
29 ~~before~~ **IF AUTHORITY IS DELEGATED BY THE BOARD, ISSUE REGISTRATIONS AND**
30 **CERTIFICATIONS AS AUTHORIZED BY THE BOARD,** file complaints with the proper
31 officials against violators of any provision of this chapter, assist in the
32 prosecution of such cases and perform other duties the board prescribes.

33 C. The executive director is eligible to receive compensation as
34 determined pursuant to section 38-611.

35 Sec. 3. Section 32-123, Arizona Revised Statutes, is amended to read:

36 32-123. Application for registration and certification; denial;
37 hearing

38 A. A person desiring to practice any board-regulated profession or
39 occupation shall ~~make application~~ **APPLY** for registration or certification on
40 a form prescribed by the board, subscribed under penalty of perjury and
41 accompanied by the appropriate application fee prescribed by the board. If
42 the evidence submitted satisfies the board that the applicant is fully
43 qualified to practice the profession or occupation for which registration or
44 certification is asked, ~~it~~ **THE BOARD OR THE EXECUTIVE DIRECTOR AS AUTHORIZED**
45 **BY THE BOARD** shall grant the applicant a certificate of registration or

1 certification, signed by the chairman and secretary and attested by the
2 official seal. If the applicant seeks registration as a professional
3 engineer, the certificate of registration shall list the proficiency
4 designation in the branch of engineering in which the applicant has
5 demonstrated proficiency.

6 B. A registered professional engineer who desires to practice land
7 surveying shall apply for professional registration as a land surveyor and
8 satisfy the requirements set forth in section 32-122.01, subsection B.

9 C. If in the judgment of the board the applicant has not furnished
10 satisfactory evidence of qualifications for registration or certification, it
11 may require additional data or may require the applicant to submit to an
12 additional oral or written examination specified by the board in its rules.

13 D. AN APPLICANT WHOSE APPLICATION IS DENIED MAY REQUEST A FORMAL
14 HEARING PURSUANT TO TITLE 41, CHAPTER 6, ARTICLE 10. If the application is
15 ~~denied~~ GRANTED AFTER A FORMAL HEARING, the application fee shall be
16 returned, ~~less the cost of considering the application, as determined by the~~
17 ~~board.~~