

## 2014 Session

### **Message From Committee Chair Lanier Mathews 6/16/2014**

The Commissioner's bill containing the FSMS proposed and supported amendments to Chapter 472.027 were signed into law by Governor Scott on Friday, June 13th. The changes will become effective on July 1st.

We echo our appreciation to Commissioner Putnam, his Legislative Team and Legal Staff and our Consultants David Daniel and Claire Duchemin and members of the Legislative Committee who assisted with the negotiations.

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### **Message From President Hyatt Regarding Changes To 472.027 5/1/2014**

The Surveying and Mapping Profession in Florida took another step toward the future this week with the passage of an amendment to 472.027 FS, by both the Florida House of Representatives and Florida Senate as part of a bill for the Florida Department of Agriculture and Consumer Services (FDACS) and is on the way to Governor Scott's desk to be signed into law. This legislative initiative was discussed and approved unanimously by our Board of Directors in November of last year and again at the March meeting. The goal of this action is to enhance the Profession by enabling the Board of Professional Surveyors and Mappers to focus on rules other than minimum standards to effectively protect the public. It is important to remember that only the BPSM has the legislative authority to develop or repeal rules and any new rules that will be developed will follow the current rule making process that mandates public notice and allows input. This amendment does not diminish their authority and does not affect the current Minimum Technical Standards.

The amendment effectively changes the term "Minimum Technical Standards" to "Standards of Practice". Additionally, it authorizes and directs the BPSM to adopt rules to address issues which deal with the actual practice of surveying and mapping and its practitioners and not just the final product. Prior to these revisions, the BPSM was authorized by statute only to promulgate rules to dictate and control what had to be included in or on a survey and/or report and establish "minimums". The rules effectively ignored issues related to professional matters, which are the primary reasons for complaints being filed by the public, and the BPSM wasn't authorized by the Legislature to regulate these matters.

Section 472.027 will be divided into four subsections. Subsections 1-3 are almost verbatim from the existing language in the statute. The only real substantive changes are items listed in Subsection 4. Language for this section was required by House legal staff to insure constitutional compliance due to recent court rulings requiring that statutory language granting rule making authority contain certain specificity. Subsection 4 contains a minimal amount of language that addresses their requirements, but does not over reach and is similar to that found in statute for many other professions.

FSMS will work with BPSM on rules that will allow them to effectively meet their mandate of protecting the public and FSMS's mandate of enhancing the stature of the profession.

[Read the Bill](#)