

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001**

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HOUSE BILL 722*
Senate Commerce Committee Substitute Adopted 6/6/01

Short Title: Expand Vet. Bd./Injunctions for Chiropractic Bd.

(Public)

Sponsors:

Referred to:

March 22, 2001

A BILL TO BE ENTITLED

1
2 AN ACT TO INCREASE THE MEMBERS OF THE NORTH CAROLINA
3 VETERINARY MEDICAL BOARD FROM SEVEN TO EIGHT AND TO
4 ALLOW THE BOARD OF CHIROPRACTIC EXAMINERS TO BRING AN
5 ACTION FOR INJUNCTIVE RELIEF IN SUPERIOR COURT TO PREVENT
6 PERSONS FROM PRACTICING CHIROPRACTIC WITHOUT A LICENSE.

7 The General Assembly of North Carolina enacts:

8 **SECTION 1.** G.S. 90-182(a) reads as rewritten:

9 "(a) In order to properly regulate the practice of veterinary medicine and surgery,
10 there is established a Board to be known as the North Carolina Veterinary Medical
11 Board which shall consist of ~~seven~~ eight members.

12 Five members shall be appointed by the Governor. Four of these members shall have
13 been legal residents of and licensed to practice veterinary medicine in this State for not
14 less than five years preceding their appointment. The other member shall not be licensed
15 or registered under the Article and shall represent the interest of the public at large.
16 Each member appointed by the Governor shall reside in a different congressional
17 district.

18 ~~The Lieutenant Governor shall appoint to the Board one member who~~ Two members
19 shall be appointed by the President Pro Tempore of the Senate. One of these members
20 shall have been a resident of and licensed to practice veterinary medicine in this State
21 for not less than five years preceding his or her appointment. The other member shall
22 have been a legal resident of and registered as a veterinary technician in this State for
23 not less than five years preceding his or her appointment.

24 In addition to the ~~six~~ seven members appointed as provided above, the
25 Commissioner of Agriculture shall biennially appoint to the Board the State
26 Veterinarian or another veterinarian from a staff of a North Carolina department or
27 institution. This member shall have been a legal resident of and licensed to practice
28 veterinary medicine in North Carolina for not less than five years preceding his
29 appointment.

1 Every member shall, within 30 days after notice of appointment, appear before any
2 person authorized to administer the oath of office and take an oath to faithfully
3 discharge the duties of the office."

4 **SECTION 2.** Notwithstanding the provisions of G.S. 90-182(a), as enacted
5 in Section 1 of this act, the member appointed by the President Pro Tempore of the
6 Senate, who shall have been a legal resident of and registered as a veterinary technician
7 in this State for not less than five years preceding his or her appointment, shall be
8 appointed for a five-year term to commence July 1, 2001, and to expire June 30, 2006.
9 The member described in this section shall serve the term for which he or she was
10 appointed and until his or her successor is appointed and qualified.

11 **SECTION 3.** G.S. 90-147 reads as rewritten:

12 "**§ 90-147. Practice without license a ~~misdemeanor~~. misdemeanor; injunctions.**

13 Any person practicing chiropractic in this State without ~~having first obtained~~
14 possessing a license as provided in this Article shall be guilty of a Class 1 misdemeanor.

15 The Board of Chiropractic Examiners may appear in its own name in the superior
16 court in an action for injunctive relief to prevent violation of this section, and the
17 superior court shall have the power to grant such injunction regardless of whether
18 criminal prosecution has been or may be instituted. An action under this section shall be
19 commenced in the superior court district in which the respondent resides or has his
20 principal place of business or in which the alleged violation occurred."

21 **SECTION 3.** This act is effective when it becomes law.