

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001**

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**SENATE BILL 396
Finance Committee Substitute Adopted 4/12/01**

Short Title: Electrical Contractors.

(Public)

Sponsors:

Referred to:

March 12, 2001

A BILL TO BE ENTITLED

1
2 AN ACT AUTHORIZING THE BOARD OF EXAMINERS OF ELECTRICAL
3 CONTRACTORS TO ACQUIRE REAL PROPERTY, TO ESTABLISH A
4 SYSTEM OF STAGGERED LICENSE RENEWAL, AND TO INCREASE FEES.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** G.S. 87-42 reads as rewritten:

7 **"§ 87-42. Duties and powers of Board.**

8 In order to protect the life, health and property of the public, the State Board of
9 Examiners of Electrical Contractors shall provide for the written examination of all
10 applicants for certification as a qualified individual, as defined in G.S. 87-41.1. The
11 Board shall receive all applications for certification as a qualified individual and all
12 applications for licenses to be issued under this Article, shall examine all applicants to
13 determine that each has met the requirements for certification and shall discharge all
14 duties enumerated in this Article. Applicants for certification as a qualified individual
15 must be at least 18 years of age and shall be required to demonstrate to the satisfaction
16 of the Board their good character and adequate technical and practical knowledge
17 concerning the safe and proper installation of electrical work and equipment. The
18 examination to be given for this purpose shall include, but not be limited to, the
19 appropriate provisions of the National Electrical Code as incorporated in the North
20 Carolina State Building Code, the analysis of electrical plans and specifications,
21 estimating of electrical installations, and the fundamentals of the installation of
22 electrical work and equipment. Certification of qualified individuals shall be issued in
23 the same classifications as provided in this Article for license classifications. The Board
24 shall prescribe the standards of knowledge, experience and proficiency to be required of
25 qualified individuals, which may vary for the various license classifications. The Board
26 shall issue certifications and licenses to all applicants meeting the requirements of this
27 Article and of the Board upon the receipt of the fees prescribed by G.S. 87-44. The
28 Board shall have power to make rules and regulations necessary to the performance of
29 its duties and for the effective implementation of the provisions of this Article. The

1 Board shall have the power to administer oaths and issue subpoenas requiring the
2 attendance of persons and the production of papers and records before the Board in any
3 hearing, investigation, or proceeding conducted by it. Members of the Board's staff or
4 the sheriff or other appropriate official of any county of this State shall serve all notices,
5 subpoenas, and other papers given to them by the Chairman for service in the same
6 manner as process issued by any court of record. Any person who neglects or refuses to
7 obey a subpoena issued by the Board shall be guilty of a Class 1 misdemeanor. The
8 Board shall have the power to acquire, rent, encumber, alienate, and otherwise deal with
9 real property in the same manner as a private person or corporation, subject only to
10 approval of the Governor and the Council of State. Collateral pledged by the Board for
11 an encumbrance is limited to the assets, income, and revenues of the Board. The Board
12 shall keep minutes of all its proceedings and shall keep an accurate record of receipts
13 and disbursements which shall be audited at the close of each fiscal year by a certified
14 public accountant, and the audit report shall be filed with the State of North Carolina in
15 accordance with Chapter 93B of the General Statutes."

16 **SECTION 2.** G.S. 87-44 reads as rewritten:

17 "**§ 87-44. Fees; license term.**

18 The Board shall collect a fee from each applicant before granting or renewing a
19 license under the provisions of this Article; the annual license fee for the limited
20 classification shall not ~~be in excess of thirty dollars (\$30.00)~~ exceed one hundred dollars
21 (\$100.00) for each principal and each branch place of business; the annual license fee
22 for the intermediate classification shall not ~~be in excess of seventy five dollars~~
23 ~~(\$75.00)~~ exceed one hundred fifty dollars (\$150.00) for each principal and each branch
24 place of business; the annual license fee for the unlimited classification shall not ~~be in~~
25 ~~excess of one hundred fifty dollars (\$150.00)~~ exceed two hundred dollars (\$200.00) for
26 each principal and each branch place of business; and the annual license fee for the
27 special restricted classifications and for the single-family detached residential dwelling
28 license shall not ~~be in excess of thirty dollars (\$30.00)~~ exceed one hundred dollars
29 (\$100.00) for each principal and each branch place of business.

30 ~~Each license issued under the provisions of this Article shall expire on June 30~~
31 ~~following the date of its issuance and~~ The Board shall establish a system for the renewal
32 of licenses with varying expiration dates. However, all licenses issued by the Board
33 shall expire one year after the date of issuance. Licenses shall be renewed by the Board,
34 subject to G.S. 87-44.1 and G.S. 87-47, after receipt and evaluation of a renewal
35 application from a licensee and the payment of the required fee. The application shall be
36 upon a form provided by the Board and shall require such information as the Board may
37 prescribe. Renewal applications and fees shall be due 30 days prior to the license
38 expiration date.

39 Upon failure to renew by ~~June 30,~~ the expiration date established by the Board, the
40 license shall be automatically revoked. This license may be reinstated by the Board,
41 subject to G.S. 87-44.1 and G.S. 87-47, upon payment of the license fee, ~~a late renewal~~
42 ~~fee not to exceed twenty five dollars (\$25.00),~~ an administrative fee of twenty-five

1 dollars (\$25.00), and all fees for the lapsed period during which the person, partnership,
2 firm or corporation engaged in electrical contracting, and, further, upon the satisfaction
3 of such experience requirements during the lapse as the Board may prescribe by rule.

4 The Board may collect fees from applicants for examinations in ~~amounts not~~
5 ~~exceeding the maximum annual license fees for the respective license classifications~~
6 ~~prescribed in this Article,~~ an amount not to exceed one hundred twenty-five dollars
7 (\$125.00), except the fee for a specially arranged examination shall not exceed two
8 hundred dollars (\$200.00). In addition, the Board may collect an examination review
9 fee, not to exceed ~~ten dollars (\$10.00)~~, twenty-five dollars (\$25.00), from failed
10 examinees who apply for a supervised review of their failed examinations."

11 **SECTION 3.** Notwithstanding G.S. 87-44, as enacted in Section 2 of this
12 act, all licenses issued by the Board prior to the effective date of this act shall expire on
13 June 30, 2001. The Board may renew some or all of the expired licenses for a period of
14 more than one year to establish the system of staggered license renewal authorized in
15 G.S. 87-44, as enacted in Section 2 of this act. Licensees whose licenses were renewed
16 for more than one year shall pay the annual fee, as authorized in this section, and a
17 prorated annual fee for any additional period of time beyond 12 months. When the
18 Board has fully implemented the system for staggered license renewals, the licensees
19 shall pay only the annual fee.

20 Notwithstanding G.S. 87-44, as enacted in Section 2 of this act, the following
21 fee amounts shall become effective July 1, 2001, and shall remain in effect until
22 changed by permanent rule of the Board:

- 23 (1) The annual license fee for the limited classification shall be sixty
24 dollars (\$60.00).
- 25 (2) The annual license fee for the intermediate classification shall be one
26 hundred dollars (\$100.00).
- 27 (3) The annual license fee for the unlimited classification shall be one
28 hundred fifty dollars (\$150.00).
- 29 (4) The annual license fees for the special restricted classification and for
30 the single-family detached residential dwelling license shall be sixty
31 dollars (\$60.00).
- 32 (5) The examination fees for all examinations administered by the Board,
33 whether written or by computer, shall be seventy-five dollars (\$75.00).

34 **SECTION 4.** This act is effective when it becomes law.