

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001**

**SESSION LAW 2001-159
SENATE BILL 396**

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

The General Assembly of North Carolina enacts:

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

"§ 87-42. Duties and powers of Board.

In order to protect the life, health and property of the public, the State Board of Examiners of Electrical Contractors shall provide for the written examination of all applicants for certification as a qualified individual, as defined in G.S. 87-41.1. The Board shall receive all applications for certification as a qualified individual and all applications for licenses to be issued under this Article, shall examine all applicants to determine that each has met the requirements for certification and shall discharge all duties enumerated in this Article. Applicants for certification as a qualified individual must be at least 18 years of age and shall be required to demonstrate to the satisfaction of the Board their good character and adequate technical and practical knowledge concerning the safe and proper installation of electrical work and equipment. The examination to be given for this purpose shall include, but not be limited to, the appropriate provisions of the National Electrical Code as incorporated in the North Carolina State Building Code, the analysis of electrical plans and specifications, estimating of electrical installations, and the fundamentals of the installation of electrical work and equipment. Certification of qualified individuals shall be issued in the same classifications as provided in this Article for license classifications. The Board shall prescribe the standards of knowledge, experience and proficiency to be required of qualified individuals, which may vary for the various license classifications. The Board shall issue certifications and licenses to all applicants meeting the requirements of this Article and of the Board upon the receipt of the fees prescribed by G.S. 87-44. The Board shall have power to make rules and regulations necessary to the performance of its duties and for the effective implementation of the provisions of this Article. The Board shall have the power to administer oaths and issue subpoenas requiring the attendance of persons and the production of papers and records before the Board in any hearing, investigation, or proceeding conducted by it. Members of the Board's staff or the sheriff or other appropriate official of any county of this State shall serve all notices, subpoenas, and other papers given to them by the Chairman for service in the same manner as process issued by any court of record. Any person who neglects or refuses to obey a subpoena issued by the Board shall be guilty of a Class 1 misdemeanor. The Board shall have the power to acquire, rent, encumber, alienate, and otherwise deal with real property in the same manner as a private person or corporation, subject only to approval of the Governor and the Council of State. Collateral pledged by the Board for an encumbrance is limited to the assets, income, and revenues of the Board. The Board shall keep minutes of all its proceedings and shall keep an accurate record of receipts and disbursements which shall be audited at the close of each fiscal year by a certified public accountant, and the audit report shall be filed with the State of North Carolina in accordance with Chapter 93B of the General Statutes."

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

"§ 87-44. Fees; license term.

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

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

Upon failure to renew by ~~June 30,~~ the expiration date established by the Board, the license shall be automatically revoked. This license may be reinstated by the Board, subject to G.S. 87-44.1 and G.S. 87-47, upon payment of the license fee, ~~a late renewal fee not to exceed twenty five dollars (\$25.00),~~ an administrative fee of twenty-five dollars (\$25.00), and all fees for the lapsed period during which the person, partnership, firm or corporation engaged in electrical contracting, and, further, upon the satisfaction of such experience requirements during the lapse as the Board may prescribe by rule.

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

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

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

- (1) The annual license fee for the limited classification shall be sixty dollars (\$60.00).
- (2) The annual license fee for the intermediate classification shall be one hundred dollars (\$100.00).
- (3) The annual license fee for the unlimited classification shall be one hundred fifty dollars (\$150.00).

- (4) The annual license fees for the special restricted classification and for the single-family detached residential dwelling license shall be sixty dollars (\$60.00).
- (5) The examination fees for all examinations administered by the Board, whether written or by computer, shall be seventy-five dollars (\$75.00).

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

In the General Assembly read three times and ratified this the 21st day of May, 2001.

s/ Marc Basnight
President Pro Tempore of the Senate

s/ James B. Black
Speaker of the House of Representatives

s/ Michael F. Easley
Governor

Approved 11:27 a.m. this 31st day of May, 2001