

GENERAL ASSEMBLY OF NORTH CAROLINA
1983 SESSION

CHAPTER 108
HOUSE BILL 256

AN ACT TO AMEND CHAPTER 89D, CONCERNING LANDSCAPE
CONTRACTORS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 89D-4(a) is rewritten to read:

"(a) There is created the North Carolina Landscape Contractors' Registration Board (hereinafter called the Board) which shall issue registration certificates of title to landscape contractors. The Board shall be composed of nine members appointed as follows: Two by the Governor to represent the public at large; two by the Commissioner of Agriculture; two practicing nurserymen operating a nursery certified by the North Carolina Department of Agriculture Plant Pest Inspection Program appointed by the Board of Directors of the North Carolina Association of Nurserymen, Inc.; two registered landscape contractors in the business of landscape contracting appointed by the Board of Directors of the North Carolina Landscape Contractors' Association, Inc.; and one registered landscape architect appointed by the Board of Directors of the North Carolina Chapter of the American Society of Landscape Architects. All appointments shall be for three-year terms and no member shall serve more than two complete consecutive terms.

Any vacancy on the Board created by death, resignation or otherwise shall be filled for the unexpired term by the initial appointing authority and all members shall serve until their successors are appointed and qualify."

Sec. 2. The last sentence of G.S. 89D-5(a) is repealed.

Sec. 3. G.S. 89D-5(b) is rewritten to read:

"(b) Any person who applies to the Board to be registered and titled as a landscape contractor shall be required to take an oral or written examination to determine his qualifications. Each application for registration by examination shall be accompanied by an application fee of fifty dollars (\$50.00).

The Board shall compile a manual from which the examination will be prepared. The examination fee shall not exceed twenty- five dollars (\$25.00). Anyone failing to pass an examination may be re-examined upon payment of the same fee as that charged to persons taking the examination for the first time, in accordance with such rules as the Board may adopt pertaining to examinations and re-examinations.

If the results of the examination are satisfactory, the Board shall issue the applicant a certificate authorizing him to be titled as a landscape contractor in the State of North Carolina upon payment of the initial certification fee as outlined in subsection (c)."

Sec. 4. Schedule. All members of the Board serving on the effective date of this act shall complete their respective terms. No member appointed on or after the effective date of this act shall serve more than two complete consecutive three- year terms.

In order to stagger the terms of board members, the following initial appointments shall be made:

The Board of Directors of the North Carolina Association of Nurserymen, Inc., shall appoint one member on December 1, 1983, and one on December 1, 1985.

The Board of Directors of the North Carolina Landscape Contractors Association, Inc., shall appoint one member on December 1, 1983, and one member on December 1, 1985.

The Governor shall appoint one member on December 1, 1984, and one member on December 1, 1985.

The Commissioner of Agriculture shall appoint two members on December 1, 1984.

The Board of Directors of the North Carolina Chapter of the American Society of Landscape Architects shall appoint one member on December 1, 1983.

Sec. 5. This act is effective upon ratification.

In the General Assembly read three times and ratified, this the 28th day of March, 1983.