

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2001**

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**SENATE BILL 396**

Short Title: Electrical Contractors.

(Public)

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Sponsors: Senator Miller.

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Referred to: Finance.

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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

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

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

19 "**§ 87-44. Fees; license term.**

20 The Board shall collect a fee from each applicant before granting or renewing a  
21 license under the provisions of this Article; the annual license fee for the limited  
22 classification shall not ~~be in excess of thirty dollars (\$30.00)~~ exceed one hundred dollars  
23 (\$100.00) for each principal and each branch place of business; the annual license fee  
24 for the intermediate classification shall not ~~be in excess of seventy five dollars~~  
25 ~~(\$75.00)~~ exceed one hundred fifty dollars (\$150.00) for each principal and each branch  
26 place of business; the annual license fee for the unlimited classification shall not ~~be in~~  
27 ~~excess of one hundred fifty dollars (\$150.00)~~ exceed two hundred dollars (\$200.00) for  
28 each principal and each branch place of business; and the annual license fee for the  
29 special restricted classifications and for the single-family detached residential dwelling  
30 license shall not ~~be in excess of thirty dollars (\$30.00)~~ exceed one hundred dollars  
31 (\$100.00) for each principal and each branch place of business.

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

41 Upon failure to renew by ~~June 30,~~ the expiration date established by the Board, the  
42 license shall be automatically revoked. This license may be reinstated by the Board,  
43 subject to G.S. 87-44.1 and G.S. 87-47, upon payment of the license fee, a ~~late renewal~~  
44 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, after this act  
21 becomes effective and until changed by permanent rule of the Board, the annual license  
22 fee for the limited classification shall be sixty dollars (\$60.00), the fee for the  
23 intermediate classification shall be one hundred dollars (\$100.00), the fee for the  
24 unlimited classification shall be one hundred fifty dollars (\$150.00), and the fee for the  
25 special restricted classification and for the single-family detached residential dwelling  
26 license shall be sixty dollars (\$60.00). The examination fees for all examinations  
27 administered by the Board, whether written or by computer, shall be seventy-five  
28 dollars (\$75.00).

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