

NORTH CAROLINA GENERAL ASSEMBLY
1979 SESSION

CHAPTER 819
HOUSE BILL 1061

AN ACT TO AMEND CHAPTER 89C OF THE GENERAL STATUTES RELATING TO
ENGINEERS AND LAND SURVEYORS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 89C-4 is rewritten to read:

"§ 89C-4. **State Board of Registration; appointments; terms.** — A State Board of Registration for Professional Engineers and Land Surveyors, whose duty it is to administer the provisions of this Chapter, is created. The Board shall consist of four registered professional engineers, three registered land surveyors and two public members, who are neither professional engineers nor land surveyors. Of the land surveyor members, one and only one may hold dual registration as a land surveyor and professional engineer. All of the members shall be appointed by the Governor. Appointments of the engineer and land surveyor members shall preferably, but not necessarily, be made from a list of nominees submitted by the professional societies for engineers and land surveyors in this State. Each member of the Board shall receive a certificate of appointment from the Governor and shall file with the Secretary of State his written oath or affirmation for the faithful discharge of his duties.

Members of the Board serve for staggered five-year terms, and no member may be appointed for more than two full terms. Members serve until the expiration of their respective terms and until their respective successors are appointed. If a vacancy occurs during a term, the Governor shall appoint a successor from the same classification as the person causing the vacancy to serve for the remainder of the unexpired term. If the vacancy is not filled within 90 days after it occurs, the Board may appoint a provisional member to serve until the appointment by the Governor becomes effective. The provisional member during his tenure has all the powers and duties of a regular member."

Sec. 2. G.S. 89C-5 is amended on line 2 by deleting the phrase "shall be a citizen of the United States," and further amended on lines 5 and 6 by deleting the phrase "shall be a citizen of the United States," and by adding a new paragraph at the end of the section to read as follows: "Each public member of the Board shall be a resident of North Carolina."

Sec. 3. G.S. 89C-17 is amended by deleting from line 10 the phrase "fifteen dollars (\$15.00)" and inserting in lieu thereof the phrase "thirty dollars (\$30.00)".

Sec. 4. G.S. 89C-17 is further amended by striking out the second sentence of the section beginning with the word "It" in line 4 and ending with the word "certificate" in line 7, and by inserting in lieu thereof the following:

"When necessary to protect the public health, safety, or welfare, the Board shall require such evidence as it deems necessary to establish the continuing competency of engineers and land surveyors as a condition of renewal of licenses. When the Board is satisfied as to the continuing competency of an applicant, it shall issue a renewal of the certificate upon payment by the applicant of a fee fixed by the Board but not to exceed thirty dollars (\$30.00). The Secretary of the Board shall notify by mail every person registered under this Chapter of the date of expiration of his certificate, the amount of the fee required for its renewal for one year, and any requirement as to evidence of continued competency. The notice shall be mailed at least one month in advance of the expiration date of the certificate."

Sec. 5. G.S. Chapter 89C is further amended by inserting the following new section:

"§ 89C-25.1. **Supervision of unregistered individuals by registered person.** — In all circumstances in which unregistered individuals are permitted under this Chapter to perform engineering or land surveying work, or both, under the supervision of a registered engineer, land surveyor, or both, the Board may by regulation establish a reasonable limit on the number of unregistered individuals which a registrant of the Board may directly or personally supervise at one time.

"§ 89C-25.2. **Program of licensure by discipline.** — The Board shall submit to the legislative committees of reference by July 1, 1981, a program of licensure by discipline and an analysis of the costs and merits thereof in order to permit the General Assembly to make a decision on the establishment of such a program. The 'committees of reference' shall be the Senate and House Committees on State Government respectively or such other committees as the respective presiding officers may determine."

Sec. 6. Schedule. To achieve appropriate staggering of terms of members of the Board, those members serving at the time of ratification of this act shall continue to serve for the remainder of the terms for which they were appointed. As soon as practicable after ratification of this act, the Governor shall appoint one public member for an initial term of four years, and one public member for an initial term of five years.

Sec. 7. G.S. 143-34.11 is amended by deleting line 4 of the section, which reads as follows:

"Chapter 89C, entitled 'Engineering and Land Surveying.'"

Sec. 8. This act is effective upon ratification.

In the General Assembly read three times and ratified, this the 7th day of June, 1979.