

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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SENATE BILL 275
Second Edition Engrossed 3/28/89

Short Title: Structural Pest Committee Changes.

(Public)

Sponsors: Senator Speed.

Referred to: Agriculture.

February 23, 1989

1 A BILL TO BE ENTITLED
2 AN ACT TO ADD A PUBLIC MEMBER AND A HEALTH REPRESENTATIVE TO
3 THE STRUCTURAL PEST CONTROL COMMITTEE.

4 The General Assembly of North Carolina enacts:

5 Section 1. G.S. 106-65.23 reads as rewritten:

6 "**§ 106-65.23. Structural Pest Control Division of Department of Agriculture**
7 **recreated; Director; Structural Pest Control Committee created;**
8 **appointment; terms; quorum.**

9 There is hereby recreated, within the North Carolina Department of Agriculture, a
10 Division thereof, to be known as the Structural Pest Control Division of said
11 Department. The Commissioner of Agriculture is hereby authorized to appoint a
12 Director of said Division whose duties and authority shall be determined by the
13 Commissioner. Said Director shall act as secretary to the Structural Pest Control
14 Committee herein created.

15 There is hereby created a Structural Pest Control Committee to be composed of ~~five~~
16 the following members. The Commissioner of Agriculture shall designate one member
17 of the Board of Agriculture who shall serve as an ex officio member of said Committee
18 for such time as he is a member of the Board of Agriculture. The Commissioner of
19 Agriculture shall designate an employee of the Department of Agriculture to serve on
20 said Committee at the pleasure of the Commissioner. The dean of the School of
21 Agriculture of North Carolina State University at Raleigh shall appoint one member of
22 the Committee who shall serve for one term of two years and who shall be a member of
23 the entomology faculty of said University. The vacancy occurring on the Committee by

1 the expired term of the member from the entomology faculty of said University shall be
2 filled by the dean of the School of Agriculture of North Carolina State University at
3 Raleigh who shall designate any person of his choice from the entomology faculty of
4 said University to serve on said Committee at the pleasure of the dean. The dean of the
5 School of Public Health of The University of North Carolina at Chapel Hill shall
6 appoint one member of the Committee who shall serve for one term of two years,
7 commencing July 1, 1989, and who shall be a member of the epidemiology faculty of
8 said School. The vacancy occurring on the Committee by the expired term of the
9 member from the epidemiology faculty of the School of Public Health shall be filled by
10 the dean of the School of Public Health who shall designate any person of his choice
11 from the epidemiology faculty of the School of Public Health to serve on the Committee
12 at the pleasure of the dean. The Governor shall appoint two members of said
13 Committee who are actively engaged in the pest control industry, who are licensed in at
14 least two phases of structural pest control as provided under G.S. 106-65.25(a), and who
15 are residents of the State of North Carolina but not affiliates of the same company. The
16 initial Committee members from the pest control industry shall be appointed as follows:
17 one for a two-year term and one for a three-year term. The Governor shall appoint one
18 member of the Committee who is a public member and who is unaffiliated with the
19 structural pest control industry, the pesticide industry, the Department of Agriculture,
20 the School of Public Health of The University of North Carolina at Chapel Hill and the
21 School of Agriculture at North Carolina State University at Raleigh. The initial public
22 member shall be appointed for a term of two years, commencing July 1, 1991. After the
23 initial appointments by the Governor, all ensuing appointments by the Governor shall be
24 for terms of four years. Any vacancy occurring on the Committee by reason of death,
25 resignation, or otherwise shall be filled by the Governor or the Commissioner of
26 Agriculture, as the case may be, for the unexpired term of the member whose seat is
27 vacant. A member of the Committee appointed by the Governor shall not succeed
28 himself.

29 The Committee shall make final decisions under this Article concerning licenses,
30 certified applicator cards, and identification cards. The Committee shall report annually
31 to the Board of Agriculture the action taken in the Committee's final decisions and the
32 financial status of the Structural Pest Control Division.

33 The Director shall be responsible for and answerable to the Commissioner of
34 Agriculture as to the operation and conduct of the Structural Pest Control Division.

35 Each member of the Committee who is not an employee of the State shall receive as
36 compensation for services per diem and necessary travel expenses and registration fees
37 in accordance with the provisions as outlined for members of occupational licensing
38 boards and currently provided for in G.S. 93B-5. Such per diem and necessary travel
39 expenses and registration fees shall apply to the same effect that G.S. 93B-5 might
40 hereafter be amended.

41 ~~Three~~ Four members of the Committee shall constitute a quorum but no action at any
42 meeting of the Committee shall be taken without ~~three~~ four votes in accord. The
43 chairman shall be entitled to vote at all times.

1 The Committee shall meet at such times and such places in North Carolina as the
2 chairman shall direct; provided, however, that ~~three~~four members of the Committee
3 may call a special meeting of the Committee on five days' notice to the other members
4 thereof.

5 Except as otherwise provided herein, all ~~all~~ members of the Committee shall be
6 appointed or designated, as the case may be, prior to and shall commence their
7 respective terms on July 1, 1967.

8 At the first meeting of the Committee they shall elect a chairman who shall serve as
9 such at the pleasure of the Committee."

10 Sec. 2. This act is effective upon ratification.