

FILED

2001 APR 23 P 4: 14

OFFICE WEST VIRGINIA
SECRETARY OF STATE

WEST VIRGINIA LEGISLATURE

Regular Session, 2001

ENROLLED

SENATE BILL NO. 720

(By Senator Wooten, et al **)**

PASSED April 14, 2001

In Effect from **Passage**

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Senate Bill No. 720

(BY SENATORS WOOTON, CALDWELL, DEEM, FACEMYER,
FANNING, HUNTER, KESSLER, MINARD, MITCHELL,
ROSS AND ROWE)

[Passed April 14, 2001; in effect from passage.]

AN ACT to amend and reenact section four, article thirteen-a, chapter thirty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to authorizing the board of examiners of land surveyors to promulgate emergency and legislative rules.

Be it enacted by the Legislature of West Virginia:

That section four, article thirteen-a, chapter thirty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

ARTICLE 13A. LAND SURVEYORS.

§30-13A-4. Powers and duties of board; funds.

- 1 (a) The board shall have the power and duty to:
- 2 (1) Examine applicants and determine their eligibility
- 3 for a license to engage in the practice of land surveying;

4 (2) Prepare, conduct and grade an apt and proper
5 written, oral or written and oral examination of applicants
6 for a license and determine the satisfactory passing score
7 thereon;

8 (3) Promulgate reasonable rules implementing the
9 provisions of this article and the powers and duties
10 conferred upon the board hereby, all of which reasonable
11 rules shall be promulgated in accordance with the provi-
12 sions of article three, chapter twenty-nine-a of this code;

13 (4) Issue, renew, deny, suspend or revoke licenses to
14 engage in the practice of land surveying in accordance
15 with the provisions of this article;

16 (5) Investigate alleged violations of the provisions of this
17 article, reasonable rules promulgated hereunder and
18 orders and final decisions of the board and take appropri-
19 ate disciplinary action against any licensee for the viola-
20 tion thereof or institute appropriate legal action for the
21 enforcement of the provisions of this article, reasonable
22 rules promulgated hereunder and orders and final deci-
23 sions of the board or take such disciplinary action and
24 institute such legal action;

25 (6) Keep accurate and complete records of its proceed-
26 ings, certify the same as may be appropriate and prepare,
27 from time to time, a list showing the names and addresses
28 of all licensees;

29 (7) Take such other action as may be reasonably neces-
30 sary or appropriate to effectuate the provisions of this
31 article; and

32 (8) Establish standards to evaluate surveying curricula
33 as it relates to the practice of land surveying under the
34 provisions of this article and to determine the amount of
35 experience required under section five of this article which
36 may be substituted for a particular curriculum.

37 (b) All moneys paid to the board shall be accepted by a
38 person designated by the board and deposited by him with
39 the treasurer of the state and credited to an account to be
40 known as the "board of examiners of land surveyors
41 fund". All of the reasonable compensation of the members
42 of the board, the reimbursement of all reasonable and
43 necessary expenses actually incurred by such members and
44 all other costs and expenses incurred by the board in the
45 administration of this article shall be paid from such fund,
46 and no part of the state's general revenue fund shall be
47 expended for this purpose.

48 (9) The Legislature finds that an emergency situation
49 exists and, therefore, the board is hereby authorized to
50 establish by emergency rule, pursuant to the provisions of
51 article three-a, chapter twenty-nine-a of this code, a rule
52 to effectuate the purpose of this article, including, but not
53 limited to, continuing education.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

[Handwritten Signature]
.....
Chairman Senate Committee

[Handwritten Signature]
.....
Chairman House Committee

Originated in the Senate.

In effect from passage.

[Handwritten Signature]
.....
Clerk of the Senate

[Handwritten Signature]
.....
Clerk of the House of Delegates

[Handwritten Signature]
.....
President of the Senate

[Handwritten Signature]
.....
Speaker House of Delegates

The within *is approved* this the *23^d*
Day of *April*, 2001.

[Handwritten Signature]
.....
Governor

PRESENTED TO THE

GOVERNOR

Date 4/20/01

Time 4:00 pm