

GENERAL ASSEMBLY OF NORTH CAROLINA  
1987 SESSION

CHAPTER 368  
SENATE BILL 328

AN ACT TO AMEND THE STRUCTURAL PEST CONTROL LAW TO PROVIDE  
FOR CIVIL PENALTIES, APPLICATOR TRAINING AND STAGGERED  
LICENSING.

The General Assembly of North Carolina enacts:

Section 1. Article 4C of Chapter 106 of the General Statutes is amended by adding a new section as follows:

"§ 106-65.41. **Civil Penalties.**—A civil penalty of not more than two thousand dollars (\$2,000) may be assessed by the Committee against any person for any one or more of the causes set forth in G.S. 106-65.28(a)(1) through (11). In determining the amount of any penalty, the Committee shall consider the degree and extent of harm caused by the violation. No civil penalty may be assessed under this section unless the person has been given an opportunity for a hearing pursuant to Chapter 150B of the General Statutes. Assessments may be collected, following judicial review, if any, of the Committee's final decision imposing the assessment, in any lawful manner for the collection of a debt."

Sec. 2. G.S. 106-65.29 is amended by:

(a) changing the period at the end of subdivision (1) thereof to a comma and adding the following:

"and the amount and kind of training required of an applicant for an operator's identification card.";

(b) adding the following new subdivision (9):

"(9) Fees for training materials provided by the Committee or the Division. Such fees may be placed in a revolving fund to be used for training and continuing education purposes and shall not revert to the General Fund."

Sec 3. G.S. 106-65.31 is amended by adding the following new subsection:

"(c) Notwithstanding any other provision of this law, the Committee may adopt rules to provide for the issuance of licenses, certified applicator's cards, and operator's identification cards with staggered expiration dates and may prorate renewal fees on a monthly basis to implement such rules."

Sec. 4. Section 1 of this act shall become effective October 1, 1987. The remainder of this act shall become effective July 1, 1987.

In the General Assembly read three times and ratified this the 15th day of June, 1987.