WEST VIRGINIA LEGISLATURE
Regular Session, 2001

ENROLLED

SENATE BILL NO. 720

(By Senator Wooton, et al.)

PASSED April 14, 2001

In Effect from Passage
ENROLLED

Senate Bill No. 720

(BY SENATORS WOOTON, CALDuell, 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 for a license to engage in the practice of land surveying;
(2) Prepare, conduct and grade an apt and proper written, oral or written and oral examination of applicants for a license and determine the satisfactory passing score thereon;

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

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

(5) Investigate alleged violations of the provisions of this article, reasonable rules promulgated hereunder and orders and final decisions of the board and take appropriate disciplinary action against any licensee for the violation thereof or institute appropriate legal action for the enforcement of the provisions of this article, reasonable rules promulgated hereunder and orders and final decisions of the board or take such disciplinary action and institute such legal action;

(6) Keep accurate and complete records of its proceedings, certify the same as may be appropriate and prepare, from time to time, a list showing the names and addresses of all licensees;

(7) Take such other action as may be reasonably necessary or appropriate to effectuate the provisions of this article; and

(8) Establish standards to evaluate surveying curricula as it relates to the practice of land surveying under the provisions of this article and to determine the amount of experience required under section five of this article which may be substituted for a particular curriculum.
(b) All moneys paid to the board shall be accepted by a person designated by the board and deposited by him with the treasurer of the state and credited to an account to be known as the "board of examiners of land surveyors fund". All of the reasonable compensation of the members of the board, the reimbursement of all reasonable and necessary expenses actually incurred by such members and all other costs and expenses incurred by the board in the administration of this article shall be paid from such fund, and no part of the state's general revenue fund shall be expended for this purpose.

(9) The Legislature finds that an emergency situation exists and, therefore, the board is hereby authorized to establish by emergency rule, pursuant to the provisions of article three-a, chapter twenty-nine-a of this code, a rule to effectuate the purpose of this article, including, but not limited to, continuing education.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originated in the Senate.

In effect from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within bill passed this the 23rd Day of April, 2001.

Governor