

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001**

**SESSION LAW 2001-281
HOUSE BILL 722**

AN ACT TO INCREASE THE MEMBERS OF THE NORTH CAROLINA VETERINARY MEDICAL BOARD FROM SEVEN TO EIGHT AND TO ALLOW THE BOARD OF CHIROPRACTIC EXAMINERS TO BRING AN ACTION FOR INJUNCTIVE RELIEF IN SUPERIOR COURT TO PREVENT PERSONS FROM PRACTICING CHIROPRACTIC WITHOUT A LICENSE.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 90-182(a) reads as rewritten:

"(a) In order to properly regulate the practice of veterinary medicine and surgery, there is established a Board to be known as the North Carolina Veterinary Medical Board which shall consist of ~~seven~~ eight members.

Five members shall be appointed by the Governor. Four of these members shall have been legal residents of and licensed to practice veterinary medicine in this State for not less than five years preceding their appointment. The other member shall not be licensed or registered under the Article and shall represent the interest of the public at large. Each member appointed by the Governor shall reside in a different congressional district.

~~The Lieutenant Governor~~ The General Assembly, upon the recommendation of the President Pro Tempore of the Senate, shall appoint to the Board one member who shall have been a resident of and licensed to practice veterinary medicine in this State for not less than five years preceding his ~~the~~ appointment. The General Assembly, upon the recommendation of the Speaker of the House of Representatives, shall appoint to the Board one member who shall have been a legal resident of and registered as a veterinary technician in this State for not less than five years preceding the appointment.

In addition to the ~~six~~ seven members appointed as provided above, the Commissioner of Agriculture shall biennially appoint to the Board the State Veterinarian or another veterinarian from a staff of a North Carolina department or institution. This member shall have been a legal resident of and licensed to practice veterinary medicine in North Carolina for not less than five years preceding his appointment.

Every member shall, within 30 days after notice of appointment, appear before any person authorized to administer the oath of office and take an oath to faithfully discharge the duties of the office."

SECTION 2. G.S. 20-182(c) reads as rewritten:

"(c) All members serving on the board on June 30, 1981, shall complete their respective terms. The Governor shall appoint the public member not later than July 1, 1981. No member appointed to the Board by the Governor, ~~Lieutenant Governor or Speaker of the House of Representatives~~ Lieutenant Governor, Speaker of the House of Representatives, or General Assembly on or after July 1, 1981, shall serve more than two complete consecutive five-year terms, except that each member shall serve until his successor is appointed and qualifies."

SECTION 3. Notwithstanding the provisions of G.S. 90-182(a), as enacted in Section 1 of this act, the member appointed by the General Assembly, upon the recommendation of the Speaker of the House of Representatives, who shall have been a legal resident of and registered as a veterinary technician in this State for not less than

five years preceding his or her appointment, shall be appointed for a five-year term to commence July 1, 2001, and to expire June 30, 2006. The member described in this section shall serve the term for which he or she was appointed and until his or her successor is appointed and qualified.

SECTION 4. G.S. 90-147 reads as rewritten:

"§ 90-147. Practice without license a ~~misdemeanor.~~ misdemeanor; injunctions.

Any person practicing chiropractic in this State without ~~having first obtained~~ possessing a license as provided in this Article shall be guilty of a Class 1 misdemeanor.

The Board of Chiropractic Examiners may appear in its own name in the superior court in an action for injunctive relief to prevent violation of this section, and the superior court shall have the power to grant such injunction regardless of whether criminal prosecution has been or may be instituted. An action under this section shall be commenced in the superior court district in which the respondent resides or has his principal place of business or in which the alleged violation occurred."

SECTION 5. This act is effective when it becomes law.

In the General Assembly read three times and ratified this the 5th day of July, 2001.

s/ Beverly E. Perdue
President of the Senate

s/ Joe Hackney
Speaker Pro Tempore of the House of Representatives

s/ Michael F. Easley
Governor

Approved 2:36 a.m. this 13th day of July, 2001