

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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SENATE BILL 837

Agriculture/Environment/Natural Resources Committee Substitute Adopted 6/13/95

Short Title: Licensing of Soil Scientists.

(Public)

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Sponsors:

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Referred to: Finance

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April 25, 1995

1 A BILL TO BE ENTITLED  
2 AN ACT TO PROVIDE FOR THE LICENSING OF SOIL SCIENTISTS.

3 The General Assembly of North Carolina enacts:

4 Section 1. The General Statutes are amended by adding a new Chapter to read:

5 **"CHAPTER 89F.**

6 **"NORTH CAROLINA SOIL SCIENTIST LICENSING ACT.**

7 **"§ 89F-1. Short title.**

8 This Chapter may be cited as the North Carolina Soil Scientist Licensing Act.

9 **"§ 89F-2. Purposes.**

10 The purposes of this Chapter are to protect life, property, health, and public welfare  
11 through regulation of the practice of soil science in the State; to define the practice of soil  
12 science as a profession by establishing minimum standards of ethical conduct and  
13 professional responsibility and by establishing professional education and experience  
14 requirements; and to prevent abuses in the practice of soil science by untrained or  
15 unprincipled individuals.

16 **"§ 89F-3. Definitions.**

17 As used in this Chapter, unless the context otherwise requires:

18 (1) 'Board' means the North Carolina Board for Licensing of Soil Scientists.

- 1           (2) 'License' means a certificate issued by the Board to an individual who  
2           meets the requirements established for a licensed soil scientist by this  
3           Chapter and rules adopted pursuant to this Chapter.
- 4           (3) 'Licensed soil scientist' means a person who is licensed as a soil scientist  
5           under this Chapter.
- 6           (4) 'Practice of soil science' means any service or work, the adequate  
7           performance of which requires education in the physical, chemical, and  
8           biological sciences, as well as soil science; training and experience in  
9           the application of special knowledge of these sciences to the use and  
10           management of soils by accepted principles and methods; and  
11           investigation, evaluation, and consultation; and in which the  
12           performance is related to the public welfare by safeguarding life, health,  
13           property, and the environment. 'Practice of soil science' includes, but is  
14           not limited to, investigating and evaluating the interaction between  
15           water, soil, nutrients, plants, and other living organisms that are used to  
16           prepare soil scientists' reports for: subsurface ground absorption  
17           systems, including infiltration galleries; land application of residuals  
18           such as sludge, septage, and other wastes; spray irrigation of  
19           wastewater; soil remediation at conventional rates; land application of  
20           agricultural products; processing residues, bioremediation, and  
21           volatilization; soil erodibility and sedimentation; identification of hydric  
22           soil; and redoxomorphic features.
- 23           (5) 'Responsible charge of work' means the independent control and  
24           direction by the use of initiative, skill, and independent judgment in the  
25           practice of soil science or supervision of the practice of soil science by  
26           soil scientists-in-training and subordinates.
- 27           (6) 'Soil' means the site or environmental setting consisting of soil material,  
28           saprolite, weathered materials, and soil rock interface. 'Soil' includes  
29           the solid materials, waters, gases, and other biological, chemical, and  
30           contaminant materials in the soil environment.
- 31           (7) 'Soil science' means the science dealing with soils as an environmental  
32           resource. 'Soil science' includes the following tasks: soil  
33           characterization, classification, and mapping, and the physical,  
34           chemical, hydrologic, mineralogical, biological, and microbiological  
35           analysis of soil per se, and to its assessment, analysis, modeling, testing,  
36           evaluation, and use for the benefit of mankind when specifically  
37           required to complete the investigation and evaluation of interactions  
38           between water, soil, nutrients, plants, and other living organisms  
39           described in subdivision (5) of this section. 'Soil science' does not  
40           include design or creative works, the adequate performance of which  
41           requires extensive geological, engineering, or land surveying education,  
42           training, and experience or requires licensing as a geologist under

Chapter 89E of the General Statutes or as a professional engineer or land surveyor under Chapter 89C of the General Statutes.

(8) 'Soil scientist' means a person who practices soil science.

(9) 'Soil scientist-in-training' means a person who has passed the examination and satisfied all other requirements for licensure under this Chapter except for the professional work experience requirement.

(10) 'Subordinate' means any person who assists a licensed soil scientist in the practice of soil science without assuming the responsible charge of work.

**"§ 89F-4. North Carolina Board for Licensing of Soil Scientists.**

(a) Creation; Membership. – The North Carolina Board for Licensing of Soil Scientists is created. The Board shall consist of seven members appointed as follows:

(1) One member appointed by the Governor, who shall be a soil scientist employed by a federal or State agency.

(2) One member appointed by the Governor, who shall be a soil scientist employed by a local government agency.

(3) One member appointed by the Governor, who shall be a soil scientist employed by an institution of higher education.

(4) One member appointed by the General Assembly upon recommendation of the Speaker of the House of Representatives, who shall be a soil scientist who is privately employed.

(5) One member appointed by the General Assembly upon recommendation of the Speaker of the House of Representatives, who shall be a member of the public who is not a soil scientist.

(6) One member appointed by the General Assembly upon recommendation of the President Pro Tempore of the Senate, who shall be a soil scientist who is privately employed.

(7) One member appointed by the General Assembly upon recommendation of the President Pro Tempore of the Senate, who shall be a member of the public who is not a soil scientist.

(b) Ex Officio Member. – In addition to the members of the Board appointed pursuant to subsection (a) of this section, the President of the Soil Science Society of North Carolina, or a member of the Society appointed by its President, shall serve as a nonvoting ex officio member of the Board.

(c) Terms. – Members shall serve staggered terms of office of three years. No member shall serve more than six consecutive years without an interruption in service of at least one year. The terms of office of members filling positions four and six shall expire on 30 June of years evenly divisible by three. The terms of office of members filling positions five and seven shall expire on 30 June of years that follow by one year those years that are evenly divisible by three. The terms of office of members filling positions one, two, and three shall expire on 30 June of years that precede by one year those years that are evenly divisible by three. Terms shall expire as provided by this

1 subsection except that members of the Board shall serve until their successors are  
2 appointed and duly qualified as provided by G.S 128-7.

3 (d) Vacancies; Removal. – Vacancies in appointments shall be filled for the  
4 unexpired term. Vacancies in appointments made by the General Assembly shall be  
5 filled in accordance with G.S. 120-122. The Governor shall have the power to remove, in  
6 accordance with G.S 143B-13, any member appointed by the Governor. The General  
7 Assembly shall have the power to remove, in accordance with G.S 143B-13, any member  
8 appointed by the General Assembly.

9 (e) Quorum. – A majority of the members of the Board appointed pursuant to  
10 subsection (a) of this section shall constitute a quorum for the transaction of business.

11 (f) Compensation; Expenses. – Subject to the availability of funds, members of  
12 the Board may receive compensation for their services and be reimbursed for expenses  
13 incurred in the performance of duties required by this Chapter at the rates prescribed in  
14 G.S. 138-5.

15 **§ 89F-5. Powers and duties of the Board.**

16 (a) The Board shall:

17 (1) Administer and enforce the provisions of this Chapter.

18 (2) Elect from its membership a Chair, a Vice-Chair, and a Secretary-  
19 Treasurer.

20 (3) Examine and pass on the qualifications of all applicants for licensing  
21 under this Chapter and issue a license to each successful applicant.

22 (4) Hold at least two regular meetings each year.

23 (5) Establish and receive fees as required by this Chapter. In establishing  
24 fees, the Board may provide for reduced fees or an exemption from fees  
25 for persons licensed under this Chapter who practice soil science for less  
26 than 15 days per calendar year.

27 (6) Adopt rules that establish standards or approve reasonable standards for  
28 licensing and renewal of licenses of soil scientists, including adopting  
29 examination materials and accreditation standards of any recognized  
30 accrediting agency.

31 (7) Establish reasonable standards for continuing professional education for  
32 soil scientists. No examination shall be required for a renewal of a  
33 license.

34 (8) Submit two nominees to the appropriate appointing authority for each  
35 position to be filled on the Board.

36 (9) Have any other powers and duties as are necessary to implement the  
37 provisions of this Chapter and adopt any rules needed to implement this  
38 Chapter.

39 (b) The Board may adopt a seal that may be affixed to all licenses issued by the  
40 Board.

41 (c) The Secretary-Treasurer shall deposit funds received by the Board in one or  
42 more funds in banks or other financial institutions carrying deposit insurance and  
43 authorized to do business in the State. Interest earned on funds may remain in the

1 account and may be expended as authorized by the Board to carry out the provisions of  
2 this Chapter. The Board may authorize expenditures deemed necessary to carry out the  
3 provisions of this Chapter, and all expenses shall be paid upon the warrant of the  
4 Secretary-Treasurer. During any fiscal year, expenditures shall not exceed the revenues  
5 of the Board.

6 (d) The Board may employ the necessary personnel for the performance of its  
7 functions and shall fix their compensation within the limits of funds available to the  
8 Board. The Board may procure personal property in accordance with the provisions of  
9 Article 3 of Chapter 143 of the General Statutes.

10 (e) The Board may adopt rules in accordance with Chapter 150B of the General  
11 Statutes and shall administer this Chapter in accordance with Chapter 150B of the  
12 General Statutes.

13 **"§ 89F-6. Corporate, partnership, or sole proprietorship practice of soil science.**

14 A corporation organized under Chapter 55B of the General Statutes, a partnership, or  
15 a sole proprietorship may engage in the practice of soil science in this State. A licensed  
16 soil scientist shall be in responsible charge of all practice of soil science by the  
17 corporation, partnership, or sole proprietorship.

18 **"§ 89F-7. Exemptions.**

19 (a) Except as provided in subsection (b) of this section, any person who practices  
20 or offers to practice soil science in this State is subject to the provisions of this Chapter.

21 (b) The following are exempt from the provisions of this Chapter:

- 22 (1) Persons engaged solely in teaching soil science or engaged solely in soil  
23 science research.
- 24 (2) Officers and employees of the United States, the State, and units of local  
25 government who practice soil science solely in the capacity of their  
26 office or employment.
- 27 (3) Officers and employees of companies engaged in the practice of soil  
28 science, when the officers and employees practice soil science solely in  
29 the capacity of their employment and who do not offer their services to  
30 the public for hire.

31 **"§ 89F-8. Limitations.**

32 This Chapter shall not prevent:

- 33 (1) The practice of any profession or trade for which a license is required  
34 under any other law of this State.
- 35 (2) Registered professional engineers from lawfully practicing soil  
36 mechanics, foundation engineering, or other professional engineering  
37 practices for which a license is required pursuant to Chapter 89C of the  
38 General Statutes.
- 39 (3) Registered land surveyors licensed pursuant to Chapter 89C of the  
40 General Statutes from practicing surveying.
- 41 (4) Architects licensed pursuant to Chapter 83A of the General Statutes or  
42 landscape architects licensed pursuant to Chapter 89A of the General  
43 Statutes from lawfully practicing architecture or landscape architecture.

- 1           (5) Geologists licensed pursuant to Chapter 89E of the General Statutes  
2 from practicing geology.
- 3           (6) The practice of soil science for 30 days or less in any calendar year by a  
4 person who is not a resident of this State and who has no established  
5 place of business in this State if the person:
- 6           a. Is licensed to practice soil science in another state where the  
7 requirements for a license equal or exceed the requirements for  
8 licensure under this Chapter;
- 9           b. Files a statement giving the person's name, address, the license  
10 number, and issuing authority with the Board within 10 days of  
11 commencing the practice of soil science in this State; and
- 12           c. Files a statement with the Board detailing the total time that the  
13 person engaged in the practice of soil science in the State within  
14 10 days of the day on which the practice of soil science is  
15 completed.
- 16           (7) The practice of soil science by a person who is not a resident of this  
17 State and who has no established place of business in this State, the  
18 practice of soil science by a person who has become a resident of this  
19 State within the preceding 30 days, or the practice or an offer to practice  
20 soil science for more than 30 days in any calendar year by a person who  
21 is licensed as a soil scientist in another state, who meets the licensing  
22 requirements of this Chapter, and who has filed an application for a  
23 license with the Board and paid the application fee. The practice of soil  
24 science under this subdivision shall continue only until the Board acts  
25 on the application for licensure under this Chapter.

26 **"§ 89F-9. Applications.**

27 An application for a license as a soil scientist shall be made under oath, shall show the  
28 applicant's education and a summary of the applicant's professional work experience as a  
29 soil scientist, and shall show any other relevant criteria as determined by the Board.

30 **"§ 89F-10. Minimum qualifications.**

31           (a) To be eligible for a license as a soil scientist in this State, an applicant shall  
32 satisfy the following minimum qualifications:

- 33           (1) Be of good moral and ethical character as attested to by (i) four letters  
34 of reference, two of which shall be written by licensed soil scientists or  
35 persons who are eligible for licensure under this Chapter, and (ii) an  
36 agreement signed by the applicant to adhere to the Code of Professional  
37 Conduct adopted pursuant to G.S. 89F-17. For purposes of this  
38 requirement, 'good moral and ethical character' means character that  
39 tends to ensure faithful discharge of the duties of a licensed soil  
40 scientist.

- 41           (2) Hold at least a bachelor of science degree from an accredited college or  
42 university with a minimum of 30 semester hours or 45 quarter hours in  
43 agricultural, biological, physical, or earth sciences and at least 15

1           semester hours or an equivalent number of quarter hours in soil science.  
2           The Board may adopt rules specifying combinations of education and  
3           experience that an applicant may substitute for a bachelor of science  
4           degree.

5           (3) Successfully pass an examination established by the Board. The  
6           examination shall be designed to demonstrate whether the applicant has  
7           the necessary knowledge and requisite skill to exercise the  
8           responsibilities of the practice of soil science.

9           (4) Subject to subsection (b) of this section, have at least three years of  
10           professional work experience as a soil scientist under the supervision of  
11           a licensed soil scientist, or a soil scientist who is eligible for licensure,  
12           under this Chapter, or a minimum of three cumulative years of  
13           professional work experience as a soil scientist in responsible charge of  
14           work satisfactory to the Board and in accordance with standards  
15           established by the Board by rule.

16           (b) An applicant may substitute an advanced degree in soil science for a portion of  
17           the professional work experience requirement. The Board, in its discretion, may allow an  
18           applicant to substitute a masters degree in soil science for one year of professional work  
19           experience and to substitute a doctoral degree in soil science for two years of professional  
20           work experience. The Board, in its discretion, may allow an applicant to substitute  
21           experience gained through teaching upper level soil science courses at the college or  
22           university level or research in soil science for all or any portion of the professional work  
23           experience requirement if the Board finds the teaching or research to be equivalent to the  
24           responsible charge of work by a soil scientist.

25           (c) The Board shall designate an applicant who meets all the requirements for a  
26           license under this Chapter except the professional work experience requirement as a soil  
27           scientist-in-training. A soil scientist-in-training may apply for a license upon completion  
28           of the professional work experience requirement.

29           **"§ 89F-11. Examinations.**

30           Examinations shall be formulated and conducted by the Board at the time and place as  
31           determined by the Board, and shall be held at least annually.

32           **"§ 89F-12. Comity.**

33           A person who holds a license to engage in the practice of soil science on the basis of  
34           comparable licensing requirements issued to that person by a proper authority by another  
35           state, by a territory, or by a possession of the United States or the District of Columbia,  
36           and who, as determined by the Board, meets the requirements of this Chapter based upon  
37           verified evidence, may, upon application, be licensed without taking an examination  
38           pursuant to G.S. 89F-10(a)(3).

39           **"§ 89F-13. Issuance, renewal, and replacement of licenses.**

40           (a) The Board shall issue a license to any applicant who has satisfactorily met the  
41           requirements of this Chapter including the payment of the license fee. A license shall be  
42           valid for the period of time established by the Board by rule. Each license shall state the  
43           full name of the registrant, shall have a serial number, shall state the date on which the

1 license expires, shall be signed by the Chair and Secretary-Treasurer of the Board, and  
2 shall bear the seal of the Board. The issuance of a license by the Board shall be prima  
3 facie evidence that the person named on the license is entitled to all the rights and  
4 privileges of a licensed soil scientist for the period the license remains in effect.

5 (b) The Board shall renew the license of any licensee who continues to meet the  
6 requirements of this Chapter and who pays the renewal fee prior to the expiration of the  
7 license. The Board shall reinstate the license of any licensee whose license has expired,  
8 who continues to meet the requirements of this Chapter, and who pays the restoration fee.

9 (c) If a license is lost, destroyed, or mutilated, the Board may issue a replacement  
10 license subject to rules adopted by the Board.

11 **"§ 89F-14. Seals; requirements.**

12 Upon the issuance of a license, each soil scientist shall obtain from the Secretary-  
13 Treasurer a seal bearing the licensee's name and the legend 'Licensed Soil Scientist –  
14 State of North Carolina'. The Board shall ensure that the design of the seal is easily  
15 distinguished from other professional seals. All drawings, reports, or other soil science  
16 papers or documents involving the practice of soil science that are prepared or approved  
17 by a licensed soil scientist or a subordinate under his or her direction shall be signed by  
18 the soil scientist and impressed with the seal. The impression of the seal indicates his or  
19 her responsibility for the practice of soil science.

20 **"§ 89F-15. Records.**

21 (a) The Board shall maintain a record of its proceedings and a register of all  
22 applications for licensure under this Chapter. For each applicant the register shall show:

23 (1) The name, age, and home address of the applicant.

24 (2) The date of application.

25 (3) The applicant's place of business.

26 (4) The applicant's education, professional work experience, and other  
27 qualifications.

28 (5) Whether the applicant was required to take an examination.

29 (6) Whether a license was issued to the applicant.

30 (7) Whether the applicant is currently licensed.

31 (8) The date and nature of any action by the Board with respect to the  
32 applicant or licensee.

33 (9) Any other information that the Board determines to be necessary to  
34 meet the requirements of this Chapter or rules adopted pursuant to this  
35 Chapter.

36 (b) The Board shall treat as confidential and not subject to disclosure, except to the  
37 extent required by law or by rule of the Board, individual applications, related  
38 information, and examination scores.

39 **"§ 89F-16. Roster of licensed soil scientists.**

40 The Secretary-Treasurer of the Board shall keep a record and shall publish annually a  
41 roster showing the names, places of business, and residence addresses of all soil scientists  
42 licensed under this Chapter. Copies of this roster shall be made available to the public  
43 upon request and payment of a reasonable fee, established by the Board, for copying.



1 **"§ 89F-17. Code of Professional Conduct.**

2 The Board shall prepare and adopt by rule a Code of Professional Conduct that shall  
3 be made known in writing to every licensee and applicant for licensing under this Chapter  
4 and that shall be published by the Board. Publication of the Code of Professional  
5 Conduct is due notice to all licensees of its contents. The Board may revise and amend  
6 this Code of Professional Conduct. Prior to adoption of any revision or amendments, all  
7 licensed members and the public shall receive due notice and an opportunity to be heard.

8 **"§ 89F-18. Complaints.**

9 Any person may file written charges of violations of this Chapter or any rules adopted  
10 pursuant to this Chapter with the Board against any licensee. Any charges or allegations  
11 shall be in writing, shall be sworn to by the person making them, and shall be filed with  
12 the Secretary-Treasurer of the Board. The Board shall investigate reasonably all valid  
13 complaints.

14 **"§ 89F-19. Prohibitions; unlawful acts.**

15 (a) It is unlawful for any person other than a licensed soil scientist or a subordinate  
16 under the soil scientist's direction to conduct or participate in any practice of soil science  
17 or prepare any soil science reports, maps, or documents related to the public welfare or  
18 the safeguarding of life, health, property, or the environment.

19 (b) It is unlawful for any person, including a soil scientist-in-training or a  
20 subordinate, to practice, or offer to practice, soil science in this State, or to use in  
21 connection with his or her name, otherwise assume, or advertise any title or description  
22 tending to convey the impression that he or she is a licensed soil scientist, unless that  
23 person has been duly licensed or is exempted under the provisions of this Chapter.

24 (c) It is unlawful for anyone other than a licensed soil scientist to stamp or seal  
25 any soils-related plans, maps, reports, or other soils-related documents with the seal or  
26 stamp of a licensed soil scientist, or use in any manner the title 'soil scientist', unless that  
27 person is licensed under this Chapter.

28 (d) It is unlawful for any person to affix his or her signature to, stamp, or seal any  
29 soils-related plans, maps, reports, or other soils-related documents after the license of the  
30 person has expired, been suspended, or revoked.

31 (e) It is unlawful for a licensed soil scientist to prepare plats and maps so as to  
32 engage in the practice of land surveying by a registered land surveyor, as defined in G.S.  
33 89C-3, unless the licensed soil scientist is also a registered land surveyor, as defined in  
34 G.S. 89C-3.

35 (f) It is unlawful for a licensed soil scientist to engage in the design of engineering  
36 works and systems, as that phrase is used in G.S. 89C-3(6), unless the licensed soil  
37 scientist is also a registered professional engineer, as defined in G.S. 89C-3.

38 **"§ 89F-20. Disciplinary procedures.**

39 (a) The Board may, consistent with the provisions of Chapter 150B of the General  
40 Statutes, refuse to grant or to renew, suspend, or revoke the license of any person licensed  
41 under this Chapter who:

42 (1) Violates the provisions of this Chapter or a rule adopted by the Board.

43 (2) Has been convicted of a misdemeanor under this Chapter.

1           (3) Has been convicted of a felony.

2           (4) Has been found by the Board to have engaged in unprofessional  
3 conduct, dishonest practice, incompetence, fraud or deceit in obtaining a  
4 license, or who aids another person who obtains or attempts to obtain a  
5 license by fraud or deceit.

6       (b) In lieu of revoking a license, the Board may enter a probationary order and  
7 assess a civil penalty not to exceed one thousand dollars (\$1,000). In determining the  
8 amount of a penalty under this section, the Board shall consider the following factors:

9           (1) The degree and extent of harm to the natural resources of the State, to  
10 the public health, or to private property resulting from the violation.

11          (2) The duration and gravity of the violation.

12          (3) The effect on water quality.

13          (4) The cost of rectifying the damage.

14          (5) The cost to the State of enforcement procedures.

15          (6) The prior record of the violator in complying or failing to comply with  
16 this Chapter or a rule adopted pursuant to this Chapter.

17 **"§ 89F-21. Reissuance of license.**

18       The Board may, by a vote of the quorum, reissue a license to any person whose  
19 license has been revoked if the Board finds, after written application by the applicant, that  
20 there is good cause to justify the reissuance of the license.

21 **"§ 89F-22. Misdemeanors.**

22       A person who does any of the following shall be guilty of a Class 2 misdemeanor:

23          (1) Willfully practices soil science or offers to practice soil science for any  
24 other person in this State without being licensed in accordance with the  
25 provisions of this Chapter.

26          (2) Presents, or attempts to use as his or her own, the license or the seal of  
27 any other soil scientist.

28          (3) Gives any false or forged evidence in the course of applying for a  
29 license under this Chapter.

30          (4) Impersonates a licensed soil scientist.

31          (5) Attempts to use an expired or revoked license, or practice at any time  
32 while the license is suspended or revoked.

33          (6) Violates the provisions of this Chapter or rules adopted pursuant to this  
34 Chapter.

35 **"§ 89F-23. Injunctive relief.**

36       The Board may seek injunctive relief to enjoin and restrain any natural or corporate  
37 person from violating this Chapter. The Board shall not be required to post bond in  
38 connection with obtaining either provisional, preliminary, or permanent injunctive relief.

39 **"§ 89F-24. Legal advisor.**

40       The Attorney General or his designee shall act as legal advisor to the Board.

41 **"§ 89F-25. Fees.**

42       The Board shall determine fees for the following services that shall not exceed the  
43 amounts specified in this section:

1		
2	<u>Application</u>	<u>\$50.00</u>
3	<u>Examination</u>	<u>125.00</u>
4	<u>License</u>	<u>85.00</u>
5	<u>Renewal</u>	<u>85.00</u>
6	<u>Restoration</u>	<u>110.00</u>
7	<u>Replacement license</u>	<u>50.00</u>
8	<u>Seal</u>	<u>30.00."</u>

9           Sec. 2. Notwithstanding the provisions of G.S. 89F-10, as enacted in Section 1  
10 of this act, the North Carolina Board for Licensing of Soil Scientists shall issue a license  
11 without an examination to any applicant who applies for licensure under Chapter 89F of  
12 the General Statutes, as enacted in Section 1 of this act, within one year of the initial  
13 meeting of the North Carolina Board for Licensing of Soil Scientists and who meets all  
14 licensing requirements other than the examination requirement.

15           Sec. 3. In order to establish a schedule of staggered terms of three years for the  
16 North Carolina Board for Licensing of Soil Scientists established by G.S. 89F-4, as  
17 enacted by Section 1 of this act, the terms of members of the Board who are initially  
18 appointed to fill positions one, two, and three shall be two years; the terms of members of  
19 the Board who are initially appointed to fill positions four and six shall be three years;  
20 and the terms of members of the Board who are initially appointed to fill positions five  
21 and seven shall be one year. In the event that the General Assembly fails to appoint  
22 initial members to the North Carolina Board for Licensing of Soil Scientists during the  
23 1995 Regular Session, the failure to make initial appointments shall be treated as though  
24 vacancies had occurred and these vacancies may be filled by appointments as provided in  
25 G.S. 120-122. The North Carolina Board for Licensing of Soil Scientists shall hold an  
26 initial meeting in the City of Raleigh within 30 days after all appointments to the Board  
27 are made as provided in this act.

28           Sec. 4. This act becomes effective 1 July 1995, except for G.S. 89F-19, 89F-  
29 22, 89F-23, as enacted in Section 1 of this act, which become effective 1 January 1997.