



NORTH CAROLINA BOARD FOR LICENSING OF SOIL SCIENTISTS

March 1, 2006

VIA EMAIL

Senator Marc Basnight
2007 Legislative Building
Raleigh, NC 27601-2808

Representative James B. Black
2304 Legislative Building
Raleigh, NC 27601-3451

Re: Request for Consultation with the Joint Legislative
Commission on Governmental Operations Regarding
Fee Changes Proposed by the North Carolina Board for
Licensing of Soil Scientists

As rulemaking coordinator for the North Carolina Board for
Licensing of Soil Scientists, I am writing on behalf of the Board
to make a request for consultation, pursuant to N. C. Gen. Stat.
§ 12-3.1, regarding a proposed license renewal fee increase to be
published in the March 1, 2006, North Carolina Register, Volume
20, Issue 17. The rule citation is 21 NCAC § 69 .0104 (5). A
copy of this rule is attached.

The proposed amendment would increase the annual license renewal
fee from \$50.00 to \$85.00, as authorized by N.C. Gen. Stat. §89F-
25, which states as follows: "The Board shall determine fees for
the following services that shall not exceed the amounts
specified in this section:Renewal 85.00." A copy of the
statute is attached.

For the first time since the Board was established, an increase
in the renewal fee is necessary to maintain the financial
solvency of the Board. In the past two years, the Board has had
a significant increase in activity requiring staff and attorney
time, both of which are paid from Board receipts. This has
resulted in expenses exceeding revenue. A budget analysis was
performed and the proposed increase in renewal fee should allow
for receipts to equal proposed costs of operation. The Board's
budget projections show a deficit of \$7000 annually. The Board
has recently pulled funds from its Short Term Investment Fund
(STIF) account to handle the running deficit. With an increase
of \$35 per licensee as authorized by NC Gen. Stat. Sect. 89F-25

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and about 200 licensees, the Board will gain the \$7000 annual deficit and become solvent again. Increased costs over the past two years are due to increased workloads on the staff, much of which is manifested with audits, new state-required reports for business management plans, continuity plans, disaster plans, etc. Also the Board has had more complaints to deal with resulting in additional attorney time and fees.

I am requesting that this rule be placed on the agenda for consideration at the April 18, 2006, Statewide/Capital/General Government Subcommittee meeting. My understanding is that if the Commission does not hold a meeting regarding this request for consultation within ninety days after March 1, 2006, the date the notice of text for these rules is published in the NC Register, then the consultation requirement of G.S. § 12.3.1 will be satisfied. Please notify me in the event such a meeting is scheduled.

Thank you.

Respectfully submitted,

Karl A. Shaffer
APA Rule-making Coordinator
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Attachment: 21 NCAC § 69 .0104 (5)
Attachment: N.C. Gen Stat. § 89F-25

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