

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: State Board of Registration for Foresters

RULE CITATION: 21 NCAC 20 .0106

DEADLINE FOR RECEIPT: July 7, 2023

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

Generally, to the Rule: Please identify that rule or statute that sets the “fees” to which the rule applies. G.S. 89B-10 and 11 only set caps on the fees and do not “determine” the fees which is left to the Board. How and when is the fee being determined if not pursuant to the Administrative Procedures Act?

Lines 9-10: What does the Board mean by “hardship circumstances”? Are there factors that the Board will consider in determining whether a circumstance qualifies as a “hardship”?

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

William W. Peaslee
Commission Counsel

Date submitted to agency: June 21, 2023

1 21 NCAC 20 .0106 is amended as published in 37:16 NCR 1105 as follows:

2

3 **21 NCAC 20 .0106 REGISTRATION FEES**

4

5 Fees sent to the Board for any segment of the registration process shall be payable to the Secretary, Board of
6 Registration for Foresters. ~~The application fee for registration is fifty dollars (\$50.00), which shall be submitted by~~
7 ~~the applicant at the time of application. An approved applicant shall submit an additional fee of forty dollars (\$40.00)~~
8 ~~to receive a certificate of registration. Annual renewal fee is forty dollars (\$40.00).~~ The Board shall waive renewal
9 fees for Registered Foresters for hardship circumstances, such as military deployment, extended illness, or other
10 similar circumstances, upon written petition by the Registered Forester or Registered Forester's agent for this
11 exemption.

12

13 *History Note: Authority G.S. 89B-6; 89B-10; 89B-11; 93B-15(b);*

14 *Eff. February 1, 1976;*

15 *Amended Eff. February 1, 1990; May 1, 1985;*

16 *Temporary Amendment Eff. March 1, 1999;*

17 *Amended Eff. August 1, 2010; January 1, 2005; August 1, 2000;*

18 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December*
19 *16, ~~2014.~~ 2014.*

20 *Amended Eff. August 1, 2023.*

21

22