

RECEIVED

AUG 3 1989

RAW LIBRARY

The **NORTH CAROLINA REGISTER**

IN THIS ISSUE.....

EXECUTIVE ORDER

PROPOSED RULES

Education

General Contractors

Insurance

Justice

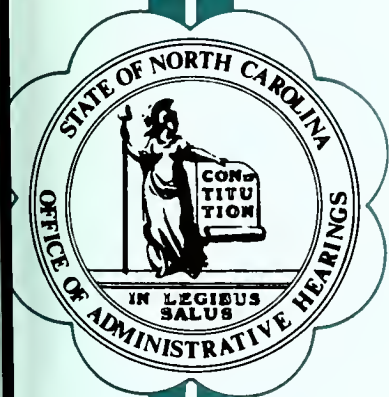
NRCD

FINAL RULES

List of Rules Codified

ISSUE DATE: AUGUST 1, 1989

Volume 4 • Issue 9 • Pages 478-521



INFORMATION ABOUT THE NORTH CAROLINA REGISTER AND ADMINISTRATIVE CODE

NORTH CAROLINA REGISTER

The *North Carolina Register* is published bi-monthly and contains information relating to agency, executive, legislative and judicial actions required by or affecting Chapter 150B of the General Statutes. All proposed, administrative rules and amendments filed under Chapter 150B must be published in the Register. The Register will typically comprise approximately fifty pages per issue of legal text.

State law requires that a copy of each issue be provided free of charge to each county in the state and to various state officials and institutions. The *North Carolina Register* is available by yearly subscription at a cost of one hundred and five dollars (\$105.00) for 24 issues.

Requests for subscriptions to the *North Carolina Register* should be directed to the Office of Administrative Hearings, P. O. Drawer 11666, Raleigh, N. C. 27604, Attn: *Subscriptions*.

ADOPTION, AMENDMENT, AND REPEAL OF RULES

An agency intending to adopt, amend, or repeal a rule must first publish notice of the proposed action in the *North Carolina Register*. The notice must include the time and place of the public hearing; a statement of how public comments may be submitted to the agency either at the hearing or otherwise; the text of the proposed rule or amendment; a reference to the Statutory Authority for the action and the proposed effective date.

The Director of the Office of Administrative Hearings has authority to publish a summary, rather than the full text, of any **amendment** which is considered to be too lengthy. In such case, the full text of the rule containing the proposed amendment will be available for public inspection at the Rules Division of the Office of Administrative Hearings and at the office of the promulgating agency.

Unless a specific statute provides otherwise, at least 30 days must elapse following publication of the proposal in the *North Carolina Register* before the agency may conduct the required public hearing and take action on the proposed adoption, amendment or repeal.

When final action is taken, the promulgating agency must file any adopted or amended rule for approval by the Administrative Rules Review Commission. Upon approval of ARRC, the adopted or amended rule must be filed with the Office of Administrative Hearings. If it differs substantially from the proposed form published as part of the public notice, upon request by the agency, the adopted version will again be published in the *North Carolina Register*.

A rule, or amended rule cannot become effective earlier than the first day of the second calendar month after the adoption is filed with the Office of Administrative Hearings for publication in the NCAC.

Proposed action on rules may be withdrawn by the promulgating agency at any time before final action is taken by the agency.

TEMPORARY RULES

Under certain conditions of an emergency nature, some agencies may issue temporary rules. A temporary rule becomes effective when adopted and remains in

effect for the period specified in the rule or 180 days, whichever is less. An agency adopting a temporary rule must begin normal rule-making procedures on the permanent rule at the same time the temporary rule is adopted.

NORTH CAROLINA ADMINISTRATIVE CODE

The North Carolina Administrative Code (NCAC) is a compilation and index of the administrative rules of 25 state agencies and 38 occupational licensing boards. The NCAC comprises approximately 15,000 letter size, single spaced pages of material of which approximately 35% is changed annually. Compilation and publication of the NCAC is mandated by G.S. 150B-63(b).

The Code is divided into Titles and Chapters. Each state agency is assigned a separate title which is further broken down by chapters. Title 21 is designated for occupational licensing boards.

The NCAC is available in two formats.

- (1) Single pages may be obtained at a minimum cost of two dollars and 50 cents (\$2.50) for 10 pages or less, plus fifteen cents (\$0.15) per each additional page.
- (2) The full publication consists of 52 volumes, totaling in excess of 15,000 pages. It is supplemented monthly with replacement pages. A one year subscription to the full publication including supplements can be purchased for seven hundred and fifty dollars (\$750.00). Individual volumes may also be purchased with supplement service. Renewal subscriptions for supplements to the initial publication available.

Requests for pages of rules or volumes of the NCAC should be directed to the Office of Administrative Hearings.

NOTE

The foregoing is a generalized statement of the procedures to be followed. For specific statutory language, it is suggested that Articles 2 and 5 of Chapter 150B of the General Statutes be examined carefully.

CITATION TO THE NORTH CAROLINA REGISTER

The *North Carolina Register* is cited by volume, issue, page number and date. **1:1 NCR 101-201, April 1, 1986** refers to Volume 1, Issue 1, pages 101 through 201 of the *North Carolina Register* issued on April 1, 1986.

North Carolina Register. Published bi-monthly by the Office of Administrative Hearings, P.O. Drawer 11666, Raleigh, North Carolina 27604, pursuant to Chapter 150B of the General Statutes. Subscriptions one hundred and five dollars (\$105.00) per year.

North Carolina Administrative Code. Published in looseleaf notebooks with supplement service by the Office of Administrative Hearings, P.O. Drawer 11666, Raleigh, North Carolina 27604, pursuant to Chapter 150B of the General Statutes. Subscriptions seven hundred and fifty dollars (\$750.00). Individual volumes available.

NORTH CAROLINA REGISTER



*Office of Administrative Hearings
P. O. Drawer 11666
Raleigh, NC 27604
(919) 733 - 2678*

James R. Scarcella Sr.,
Deputy Director
Molly Masich,
Director APA Services

Staff:
Ruby Creech,
Publications Coordinator
Teresa Kilpatrick,
Editorial Assistant
Jean Shirley,
Editorial Assistant

ISSUE CONTENTS

I. EXECUTIVE ORDER

Executive Order 93478

II. PROPOSED RULES

Education

Elementary and Secondary.....511

Insurance

Fire and Casualty Division479

Justice

Sheriff's Education
and Training Standards.....491

Licensing Board

General Contractors512

NRCD

Coastal Management.....508

III. FINAL RULES

List of Rules Codified.....515

IV. CUMULATIVE INDEX520

NORTH CAROLINA REGISTER
Publication Deadlines and Schedules
 (January 1989 - May 1990)

Issue Date	Last Day for Filing	Last Day for Electronic Filing	Earliest Date for Public Hearing & Adoption by Agency	* Earliest Effective Date
*****	*****	*****	*****	*****
01 02 89	12 08 88	12 15 88	02 01 89	05/01/89
01 16 89	12 27 88	01 03 89	02 15 89	05/01/89
02 01 89	01 10 89	01 17 89	03 03 89	06/01/89
02 15 89	01 26 89	02 02 89	03 17 89	06/01/89
03 01 89	02 08 89	02 15 89	03 31 89	07/01/89
03 15 89	02 21 89	03 02 89	04 14 89	07/01/89
04 03 89	03 10 89	03 17 89	05 03 89	08/01/89
04 14 89	03 23 89	03 31 89	05 14 89	08/01/89
05 01 89	04 10 89	04 17 89	05 31 89	09/01/89
05 15 89	04 24 89	05 01 89	06 14 89	09/01/89
06 01 89	05 10 89	05 17 89	07 01 89	10/01/89
06 15 89	05 24 89	06 01 89	07 15 89	10/01/89
07 03 89	06 12 89	06 19 89	08 01 89	11/01/89
07 14 89	06 22 89	06 29 89	08 13 89	11/01/89
08 01 89	07 11 89	07 18 89	08 31 89	12 01/89
08 15 89	07 25 89	08 01 89	09 14 89	12 01/89
09 01 89	08 11 89	08 18 89	10 01 89	01/01/90
09 15 89	08 24 89	08 31 89	10 15 89	01/01/90
10 02 89	09 11 89	09 18 89	11 01 89	02/01/90
10 16 89	09 25 89	10 02 89	11 15 89	02/01/90
11 01 89	10 11 89	10 18 89	12 01 89	03/01/90
11 15 89	10 24 89	10 31 89	12 15 89	03/01/90
12 01 89	11 07 89	11 15 89	12 31 89	04/01/90
12 15 89	11 22 89	12 01 89	01 14 90	04/01/90
01 02 90	12 07 89	12 14 89	02 01 90	05/01/90
01 16 90	12 20 89	12 29 89	02 15 90	05/01/90
02 01 90	01 10 90	01 18 90	03 03 90	06/01/90
02 15 90	01 25 90	02 01 90	03 17 90	06/01/90
03 01 90	02 08 90	02 15 90	03 31 90	07/01/90
03 15 90	02 22 90	03 01 90	04 14 90	07/01/90
04 02 90	03 12 90	03 19 90	05 02 90	08/01/90
04 16 90	03 23 90	03 30 90	05 16 90	08/01/90
05 01 90	04 09 90	04 17 90	05 31 90	09 01/90
05 15 90	04 24 90	05 01 90	06 14 90	09 01/90

* The "Earliest Effective Date" is computed assuming that the public hearing and adoption occur in the calendar month immediately following the "Issue Date", that the agency files the rule with The Administrative Rules Review Commission by the 20th of the same calendar month and that ARRC approves the rule at the next calendar month meeting.

EXECUTIVE ORDER NUMBER 93

**REISSUANCE OF EXECUTIVE ORDERS 8, 12, 36,
39, 43, 45, 47, 49, AND REISSUANCE AND
AMENDMENTS OF EXECUTIVE ORDERS 13
AND 29**

SECTION I: REISSUANCE

Executive Order Number 8, as extended by Executive Order Number 51, established the Governor's Advisory Committee on Travel and Tourism. It is hereby reissued without amendment and shall expire pursuant to N.C.G.S. 147-16.2.

Executive Order Number 12, signed on June 28, 1985, and extended by Executive Order Number 51, created the Governor's Highway Safety Commission. It is hereby reissued without amendment and shall expire pursuant to N.C.G.S. 147-16.2.

Executive Order Number 36, signed on March 6, 1987, established the Governor's Task Force on the Farm Economy. It is hereby reissued without amendment and shall expire pursuant to N.C.G.S. 147-16.2.

Executive Order Number 39, signed on March 16, 1987, established the Board of Trustees of the State Employees Deferred Compensation Fund. It is hereby reissued without amendment and shall expire pursuant to N.C.G.S. 147-16.2.

Executive Order Number 43, signed on April 7, 1987, established the North Carolina Emergency Response Commission. It is hereby reissued without amendment and shall expire pursuant to N.C.G.S. 147-16.2.

Executive Order Number 45, signed on April 22, 1987, established the Governor's Language Institute Advisory Board. It is hereby reissued without amendment and shall expire pursuant to N.C.G.S. 147-16.2.

Executive Order Number 47, signed on April 28, 1987, amended and re-established the North Carolina Fund For Children and Families Commission. It is hereby reissued without amendment and shall expire pursuant to N.C.G.S. 147-16.2, unless superceded by Legislation.

Executive Order Number 49, signed on May 20, 1987, created the Governor's Advisory Commission on Military Affairs. It is hereby reissued without amendment and shall expire pursuant to N.C.G.S. 147-16.2.

**SECTION II: REISSUANCE AND
AMENDMENT**

Executive Order Number 13, signed on June 28, 1985, and extended and amended by Executive Order Number 51, created the North Carolina Health Coordinating Council. It is hereby reissued and Section 3 of that order is amended to read as follows:

SECTION III: MEMBERSHIP

The North Carolina Health Coordinating Council shall consist of not more than 24 members who shall be appointed by the Governor. The Council membership shall include the following representatives:

Academic Medical Centers	1
Area Health Education Centers	1
Business and Industry (at least one individual representing small business and one representing large business)	2
Health Insurance Industry	1
NC Association of County Commissioners	1
NC Health Care Facilities Association	1
NC Hospital Association	1
NC Association for Home Care	1
NC Medical Society	1
NC House of Representatives	1
NC Senate	1
Other Health Professional Associations (e.g., Nursing, Public Health, Dentistry, Pharmacy, Chiropractic, etc.)	3
Regional Representation (To provide adequate representation to all regions of the State. Emphasis should be on consumers of health care who are involved in health planning efforts at the regional level.)	6-8
Veterans Administration	1

Executive Order Number 29, signed by the Governor on October 2, 1986, is hereby reissued and amended by deleting from Section 3 of that Order the words, "the Task Force shall meet at least once a month, or as frequently as desired by the Task Force members" and by inserting therein the words, "the Task Force shall meet at the call of the Chairman."

Done in Raleigh this 20th day of June, 1989.

**TITLE 11 - DEPARTMENT OF
INSURANCE**

Notice is hereby given in accordance with G.S. 150B-12 that the N.C. Department of Insurance intends to amend rule(s) cited as 11 NCAC 10 .1102, .1106; and adopt rule(s) cited as 11 NCAC 10 .1105, .1107 - .1109.

The proposed effective date of this action is December 1, 1989.

The public hearing will be conducted at 10:00 a.m. on September 14, 1989 at Third Floor Hearing Room, Dobbs Building, 430 N. Salisbury Street, Raleigh, N.C. 27611.

Comment Procedures: Written comments may be sent to Pete Murdza, P.O. Box 26387, Raleigh, N.C. 27611. Oral presentations may be made at the public hearing. Anyone having questions should call Pete Murdza at (919) 733-3284, or Linda Stott at (919) 733-4700.

**CHAPTER 10 - FIRE AND CASUALTY
DIVISION**

SECTION .1100 - RATE FILINGS

.1102 APPLICABILITY

The followings items indicate which section Subparagraph of this Regulation is applicable to a particular filing. Note that rate filings must be submitted separately and under independent cover from forms and rules filings.

- (1) Rule .1103 applies to all workers' compensation insurance rate filings made by the North Carolina Rate Bureau.
- (2) Rule .1104 applies to all nonfleet private passenger automobile insurance rate filings made by the North Carolina Rate Bureau or the North Carolina Reinsurance Facility.
- (3) ~~Rule .1106~~ Rule .1105 applies to all applications for deviations from the rates of rate filings made by the North Carolina Rate Bureau other than those involving workers' compensation and nonfleet private passenger automobile insurance.
- (4) ~~Rule .1107~~ Rule .1106 applies to all applications for deviations from the rates of the North Carolina Rate Bureau, rates filings (including those involving deviations from the rates of licensed rating organizations other than the North Carolina Rate Bureau) other than those involving:
 - (a) Lines of insurance under the jurisdiction of the North Carolina Rate Bureau;

- (b) Nonfleet private passenger automobile insurance rates for the North Carolina Reinsurance Facility.
- (5) Rule .1107 applies to all rate filings (including those filings derived from filings of licensed rating organizations other than the North Carolina Rate Bureau), other than those involving:
 - (a) Lines of insurance under the jurisdiction of the North Carolina Rate Bureau;
 - (b) Nonfleet private passenger automobile insurance rates for the North Carolina Reinsurance Facility.
- (6)(5) Filings are not required for rate changes involving the following kinds of insurance: Rule .1108 applies to all rate filings described in Subparagraph (5) of this Rule that meet one or more of the following criteria:
 - (a) Accident;
 - (b) Annuities;
 - (c) Aviation physical damage;
 - (d) Mortgage guaranty;
 - (e) Fidelity and surety;
 - (f) Health;
 - (g) Inland marine that is not written according to manual rates and rating plans;
 - (h) Life;
 - (i) Ocean marine.
- (a) A filing for a coverage that involves an increase in one year greater than ten percent or a decrease greater than 20 percent.
- (b) A filing for a line or part of a line whose North Carolina profitability is greater than one standard deviation above the national average for that line as indicated in the latest NAIC Report on Profitability by Line and by State. The Department will annually publish a list of such lines in a Legal Directive.
- (c) A filing for a coverage by a company whose market share is greater than ten percent.
- (7) The following definitions apply to Subparagraph (6) of this Rule:
 - (a) Coverage shall mean one of the following:
 - (i) Municipal liability;
 - (ii) Public school liability;
 - (iii) Child care liability;
 - (iv) Errors and omissions liability;
 - (v) Public official liability;
 - (vi) Officers and directors liability;
 - (vii) Attorneys malpractice liability;
 - (viii) Accountants malpractice liability;
 - (ix) Architects and engineers malpractice liability;
 - (x) Products and completed operations liability;
 - (xi) Recreational liability;

- (xii) Owners, landlords and tenants liability;
- (xiii) Liquor law liability;
- (xiv) Pollution and environmental impairment liability;
- (xv) Police professional liability;
- (xvi) Physicians and surgeons professional liability;
- (xvii) Dentists professional liability;
- (xviii) Hospital professional liability;
- (xix) Hospital premises liability;
- (xx) Nurses professional liability;
- (xxi) Other healthcare specialties professional liability;
- (xxii) If not one of Subparagraphs (7)(a)(i) through (7)(a)(xxi) of this Rule, one of the lines listed on Page 14 of the Annual Statement.
- (b) Line means a line listed on Page 14 of the Annual Statement.
- (8) Rule .1109 applies to any rating organizations participating in a filing made by the North Carolina Rate Bureau or the North Carolina Reinsurance Facility.
- (9) Rate filings are not required for the following lines of insurance:
 - (a) Aviation physical damage;
 - (b) Fidelity and surety;
 - (c) Mortgage guaranty;
 - (d) Ocean marine.
- (10) ~~(6)~~ Rate filings are not required for rate changes involving the following types of policies:
 - (a) Those pursuant to the Surplus Lines Act;
 - (b) Those written under the FAIR Plan;
 - (c) Those written under the Beach Plan that include coverages other than only wind-storm and hail;
 - (d) Those issued in North Carolina covering multistate risks except in respect to coverages applicable to North Carolina locations;
 - (e) Those issued by a town or county farmers mutual fire insurance association restricting its operations to not more than five counties in this State that are adjacent to the county in which the home office is located.
- (11) All manual inland marine rates and rating plans must be filed.
 - (a) This includes the manual rates and rating plans of both companies and rating organizations.
 - (b) Rates and rating plans that are not derived from a manual need not be filed.
- (12) ~~(7)~~ Filings are required for all rates whether advisory, suggested, or specific rates except for those lines, policies, or rates specifically excluded in Subparagraphs (8), (9),

or (10) of this Rule, of insurance other than those listed in (5) in this Rule.

- (a) Rates applicable to only one particular risk must be filed.
- (b) ~~Rates~~ Such rates may be filed either as specific rates or as ranges of rates from which the rates for individual risks will be determined.
- (13) Rules .1107 and .1108 also apply to loss cost filings:
 - (a) In cases where a rating organization files only adjusted loss costs, the same requirements as for rate filings apply, with the exception of those dealing with expense and profit provisions.
 - (b) In cases where advisory organizations file only unadjusted loss costs, the same requirements as for rate filings apply, with the exception of those dealing with expense and profit provisions and loss development and trend factors.
- (14) Rates contained in rate filings remain in effect until superceded by a subsequent filing or until their expiration date:
 - (a) The rates contained in all filings that are approved on or after the effective date of this regulation will have an expiration date of three years after the approval date of the filing. Such rates may be automatically renewed by a letter to the Department, specifying the Department's file number and the original approval date.
 - (b) The rates contained in all filings approved prior to the effective date of this regulation will have an expiration date of two years after the effective date of the regulation. Such rates may be automatically renewed by a letter to the Department, specifying the Department's file number and the original approval date.

Statutory Authority G.S. 58-9; 58-124.20; 58-124.23.

.1105 OTHER RATE BUREAU LINES

The information required by N.C.G.S. 58-124.20(h) shall be presented as follows:

Note: If the data required by this Rule are not being collected or reported, or are not readily available to insurers prior to August 1, 1989, the insurers shall commence collecting or reporting such data as of August 1, 1989. Thereafter, such required data as have accrued shall be included in each filing until enough data is available to fully satisfy this Rule. If in addition to the full years of data specified in any of the below requests, more recent data of less than a full year is available, that data shall also be provided. If

updates to the information requested below become available before a decision is reached on the filing, they should also be provided.

- (1) North Carolina premium, loss and loss adjustment experience:
 - (a) All available data from companies writing a coverage in North Carolina shall be included in the rate filing. If any company that has more than two percent of the North Carolina written premium for each coverage affected by the filing is excluded from the rate level, trend, loss development, or investment income calculations for any coverage, identify that company and its marketshare and provide an explanation for its exclusion. Also estimate the aggregate marketshare of other companies whose experience is excluded from those calculations.
 - (b) If any company of the top 50 countrywide writers of each coverage affected by the filing is excluded from expense level calculations, identify that company if possible and its marketshare and provide an explanation for its exclusion. Also estimate the aggregate marketshare of other companies whose experience is excluded from expense level calculations.
 - (c) If any identifiable group of policies is excluded from the calculation of any differentials, describe those policies if possible and their percentage of the market and provide an explanation for their exclusion.
 - (d) Only data from coverages under the North Carolina Rate Bureau's jurisdiction shall be included in the rate level determination. Indicate if and how non-Bureau data has been excluded from package policies. Also indicate if and how such data has had an effect on the filing (e.g., trend, expense provisions, etc.).
 - (e) If data from monoline coverages is used in the determination of package rate levels or vice versa, the following information shall be provided to the extent possible:
 - (i) A clear description of the differences between the types of data;
 - (ii) A description of which causes of loss are included or excluded;
 - (iii) Information on whether both types of experience are for the same companies;
 - (iv) Comparable loss data for all years. (For example, if monoline experience before a certain date supplements package experience after that date, also include the monoline experience after that date.)
 - (f) Adjustments made to premiums and losses in the filing shall be clearly described.

Show the unadjusted amounts to which adjustments were made, identify the specific adjustments, provide details on the derivation, calculation, and application of the adjustment factors, and include backup exhibits and information on all intermediate calculations.

- (g) For each coverage, premium at present rates shall be calculated. Indicate how such calculations were produced and supply supporting documentation for a sample of such calculations and justification of any aggregate factors used.
- (h) The latest earned premiums and marketshares for the ten largest writers in North Carolina of each line or coverage affected by the filing shall be provided.
- (i) Information from the Annual Statement on losses and premiums shall be included for homeowners and farmowners filings. Provide such information separately for the latest two Annual Statements for which aggregate data is available including the following items on a composite basis for the top 50 insurers (in terms of their North Carolina business) writing the line affected by the filing:
 - (i) North Carolina Page 14;
 - (ii) Part 2;
 - (iii) Part 3A.
- (j) The following information on companies deviating from Bureau rates for each coverage affected by the filing shall be included to the extent possible for each of the latest five years:
 - (i) A list of all deviating companies;
 - (ii) The total amount of deviations in dollars;
 - (iii) The average percentage deviation for all companies.
- (k) The following information on companies issuing dividends on policies affected by the filing shall be included for each of the latest five years for homeowners and farmowners filings:
 - (i) A list of all companies issuing dividends;
 - (ii) The total amount of dividends in dollars;
 - (iii) The average percentage dividend for all companies.
- (l) For each coverage and each year used in setting the overall rate level, the following information on incurred losses shall be provided:
 - (i) Paid losses and number of paid claims;
 - (ii) Case basis reserves and number of outstanding claims;
 - (iii) Loss development factor;

- (iv) Incurred allocated loss adjustment expense factor;
- (v) Incurred unallocated loss adjustment expense factor;
- (vi) Applied trend factor;
- (vii) Trended total incurred losses and LAE.
- (m) Whenever North Carolina losses are separated into excess (catastrophe) and non-excess (noncatastrophe) losses, a clear description and justification of the standard used to separate such losses shall be included. In determining an excess (catastrophe) loading, include as many years of data as possible. If the number of years included differs from the number available, provide an explanation. Also provide an explanation if the data from which the excess loading is derived differs from that on which the rate level change is based.
- (n) Details on the perils that produced excess losses shall be provided, including the following:
 - (i) Identification of the windstorm catastrophes that took place during years with excess losses;
 - (ii) The percentage of each year's losses that can be assigned to such catastrophes (on an individual basis);
 - (iii) The extent to which the excess losses reflect an increase in frequency or an increase in severity;
 - (iv) The territorial distribution of catastrophe losses during those years.
- (o) All available loss data by cause of loss shall be provided. Provide this in as much statistical detail as is available and indicate whether adjustment procedures or factors were applied to the separated data.
- (p) Territorial rate calculations shall include earned premiums, incurred losses, and the number of claims by territory for each of the years used to determine the territorial relativities.
- (q) Premium distribution by territory shall also be shown to the extent available for the years whose experience is used in the calculation of the excess multiplier.
- (r) If the filing contains changes to any set of differentials, include all information related to the derivation of these changes including the following:
 - (i) A complete description of the methodology used to derive these factors;
 - (ii) A description of alternative methodologies considered;
 - (iii) A description of the criteria used to select a methodology;
 - (iv) Details on the application of these criteria in the selection of a methodology for this filing;
 - (v) Details on the application of the methodology to this filing.
- (2) Credibility factor development and application. All information related to the derivation of credibility factors contained in the filing shall be provided including the following:
 - (a) A complete description of the methodology used to derive these factors;
 - (b) A description of alternative methodologies considered;
 - (c) A description of the criteria used to select a methodology;
 - (d) Details on the application of these criteria in the selection of a methodology for this filing;
 - (e) Details on the application of the methodology to this filing.
- (3) Loss development factor development and application. Whenever accident year data is used, the following information in Paragraphs (3)(a) through (f) shall be provided. In all filings, the information in Paragraph (3)(g) shall be provided.
 - (a) All information related to the derivation of loss development factors contained in the filing including the following:
 - (i) A complete description of the methodology used to derive these factors;
 - (ii) A description of alternative methodologies considered;
 - (iii) A description of the criteria used to select a methodology;
 - (iv) Details on the application of these criteria in the selection of a methodology for this filing;
 - (v) Details on the application of the methodology to this filing.
 - (b) For each coverage included in the filing complete (including the upper left portion) total limits paid loss development triangles for the ten latest available accident years at all available development points for matching policies. Also provide the corresponding loss development factors and five-year average factors derivable from these triangles.
 - (c) The same information in (b) for total limits incurred losses.
 - (d) The same information in (b) for number of paid claims.
 - (e) The same information in (b) for number of outstanding claims.

- (f) If available, the information in (b), (c), (d), and (e) by cause of loss.
- (g) A statement from each of the ten largest writers of each coverage included in the filing regarding any reserve strengthening that has occurred in the last five years.
- (4) Trending factor development and application:
 - (a) For the latest five years, all available industry data on changes in loss frequency and severity, by cause of loss, for each coverage affected by the filing shall be provided. Include both countrywide and North Carolina data.
 - (b) All information related to the derivation of loss trend factors contained in the filing shall be provided including the following:
 - (i) A complete description of the methodology used to derive these factors;
 - (ii) A description of alternative methodologies considered;
 - (iii) A description of the criteria used to select a methodology;
 - (iv) Details on the application of these criteria in the selection of a methodology for this filing;
 - (v) Details on the application of the methodology to this filing.
 - (c) If external indices are used for trending purposes, provide evidence that such indices are appropriate indicators of the selected cost changes, including comparisons between the actual changes in loss costs and those estimated by the indices. Indicate whether any consideration has been given to the possibility that the indices lag behind the actual date.
- (5) Changes in premium base and exposures:
 - (a) Data on the mix of exposures by different policy terms shall be submitted. For the latest five years, include the number of exposures for different policy terms. Also estimate these distributions during the period when the proposed rates will be in effect.
 - (b) All information related to the derivation of premium trend factors contained in the filing shall be provided including the following:
 - (i) A complete description of the methodology used to derive these factors;
 - (ii) A description of alternative methodologies considered;
 - (iii) A description of the criteria used to select a methodology;
 - (iv) Details on the application of these criteria in the selection of a methodology for this filing;
 - (v) Details on the application of the methodology to this filing.
- (6) Limiting factor development and application. Information on the following items shall be provided:
 - (a) Limitations on losses included in the statistical data used in the filing;
 - (b) Limitations on the extent of the rate level change by coverage;
 - (c) Limitations on the extent of territorial rate changes;
 - (d) Any other limitations applied.
- (7) Expenses:
 - (a) All information related to the derivation of expense provisions contained in the filing shall be provided including the following:
 - (i) A complete description of the methodology used to derive these factors;
 - (ii) A description of alternative methodologies considered;
 - (iii) A description of the criteria used to select a methodology;
 - (iv) Details on the application of these criteria in the selection of a methodology for this filing;
 - (v) Details on the application of the methodology to this filing.
 - (b) Earned premium and unallocated loss adjustment expenses by coverage for each of the latest five years shall be included in the filing.
 - (c) For each of ten largest writers of a line or coverage in North Carolina, statements regarding any expense cutting activities undertaken in the last five years shall be provided.
- (8) The percent rate change. The statewide rate change shall be provided by coverage and by deductible.
- (9) Proposed rates. Proposed average rates for each coverage, coverage amount, form, and group shall be provided. (In filings involving a large number of possible rates, information on rating factors and their application may be substituted for the actual rates.)
- (10) Investment earnings. Information on anticipated investment income is necessary to establish the provision for underwriting profit and contingencies in the rates.
 - (a) Information on the amount of investment income earned on loss, loss expense, and unearned premium reserves in relation to earned premium for a line or coverage in North Carolina shall be calculated or estimated to the extent possible for the latest two years and estimated for the current

- year and all years during which the proposed rates will be in effect. Calculations shall be provided in detail including the amount of the composite reserves of each type at the beginning and end of each of the specified years.
- (b) To evaluate recent insurer profitability, composite information from the Annual Statement for the top 50 insurers (based on their North Carolina business) writing those coverages affected by the filing shall be included. Provide the following information from the latest two Annual Statements for which aggregate data is available in the same format and detail as the exhibits in individual company statements:
 - (i) Page 2 (Assets);
 - (ii) Page 3 (Liabilities, Surplus and Other Funds);
 - (iii) Page 4 (Underwriting and Investment Exhibit);
 - (iv) Insurance Expense Exhibit, Part II, the columns that are affected by the filing.
 - (11) Identification and Certification of Statistical Plans:
 - (a) All statistical plans used or consulted in preparing this filing shall be identified. Also describe the data compiled by each plan.
 - (b) A certification that there is no evidence that the data that was collected in accordance with such statistical plans and utilized in the rate filing are not true and accurate representations of each company's experience to the best of its knowledge shall also be provided.
 - (12) Investment Earnings on Capital and Surplus. Given the selected underwriting profit and contingencies loadings contained in the filing, indicate the resulting rate of return on equity capital, and on total assets including consideration of investment income shall be calculated. Show the derivation of all factors used in producing the calculations. Provide justification that these rates of return are reasonable and fair.
 - (13) Level of Capital/Surplus Needed:
 - (a) Aggregate premium to surplus ratios for the latest three calendar years for all companies writing the coverages included in the filing in North Carolina shall be provided.
 - (b) Estimates of comparable ratios for the years during which the rates will be in effect shall also be provided.
 - (14) Other Information:
 - (a) All information related to the derivation of the profit and contingency loadings contained in the filing shall be provided including the following:
 - (i) A complete description of the methodology used to derive these factors;
 - (ii) A description of alternative methodologies considered;
 - (iii) A description of the criteria used to select a methodology;
 - (iv) Details on the application of these criteria in the selection of a methodology for this filing;
 - (v) Details on the application of the methodology to this filing.
 - (b) Agendas and minutes of meetings of the North Carolina Rate Bureau affecting the filing shall be included as well as a list of all attendees at these meetings, their titles, and their affiliations.
 - (c) Payments to any other consultants (including lawyers, actuaries, and economists) related to this filing and the previous one on the particular line or coverage shall be described. If payments are not specifically identified as related to individual filings, estimate the charges.
- Statutory Authority G.S. 58-9; 58-124.20(h).*
- .1106 DEVIATIONS FROM RATES OF THE NORTH CAROLINA RATE BUREAU**
- (a) Definitions:
 - (1) Rate deviation refers to the entire collection of differences from the Rate Bureau rates and rating plan that a company has implemented or proposes to implement. Deviation and aggregate deviation are used synonymously. A company shall have only one rate deviation from each Rate Bureau filing and rating plan.
 - (2) Deviation component refers to any individual part of the aggregate deviation. Deviation components may apply to different coverages, territories, classes, types of insureds, etc.
 - (3) Introduction of a deviation means that a company has no current rate deviation on file for the particular line but is proposing to implement one.
 - (4) Modification of a deviation means that a company has a current rate deviation on file for the particular line and that the company proposes to add, change, or eliminate one of the components of the deviation.
 - (5) Withdrawal of a deviation means that a company has a rate deviation on file that it proposes to withdraw in its entirety.
 - (b) ~~(a)~~ Filing Guidelines:

- (1) All rate deviation filings must be made in triplicate.
 - (A) Send the original and one copy to the department.
 - (B) Send the second copy to the North Carolina Rate Bureau.
- (2) A rate deviation shall be filed, introduced, modified, or withdrawn on an individual company basis even if the company is part of a group.
- (3) All proposed rate deviations shall be expressed in terms of North Carolina Rate Bureau rates, either as percentages or dollar amounts.
- (4) Filing requirements differ by type of deviation action:
 - (A) To introduce a deviation, see section (c) Paragraph (d) of this Rule.
 - (B) To modify a deviation, see section (d) Paragraph (e) of this Rule.
 - (C) To withdraw a deviation, see section (e) Paragraph (f) of this Rule.
- (c) ~~(b)~~ Application of Deviations:
 - (1) On approval of the introduction, modification, or withdrawal of one or more rate deviations, the department shall transmit to the company a letter of approval listing all the rate deviations components in effect for that line and company. All deviations listed shall be applied to all eligible insureds and deviations not listed shall not be applied to any insured.
 - (2) All deviation components listed shall be applied to all eligible insureds and deviation components not listed shall not be applied to any insured.
 - (3)~~(2)~~ Rate deviations remain in effect until modified or withdrawn.
 - (4)~~(3)~~ Modifications of existing rate deviations are permitted at any time.
 - (5)~~(4)~~ An unmodified rate deviation may be withdrawn only if both of the following conditions have been met:
 - (A) The deviation has been in effect for at least six months.
 - (B) Application for withdrawal is submitted to the department 15 days before the proposed withdrawal date.
 - (6) ~~(5)~~ A modified rate deviation may be withdrawn only if both of the following conditions have been met:
 - (A) The deviation has been in effect for at least six months since the date of the last modification.
 - (B) Application for withdrawal is submitted to the department 15 days before the proposed withdrawal date.
- (d) ~~(c)~~ Filings to introduce rate deviations for new rate deviations. Filings for new deviations shall contain only the following information:
 - (1) A cover letter containing the following:
 - (A) Company name;
 - (B) Federal Employer's Number;
 - (C) Line of business involved.
 - ~~(D) A brief descriptive sentence of each deviation to be introduced;~~
 - ~~(E) Proposed effective date.~~
 - (2) ~~A separate exception page for each proposed deviation (Do not submit manual pages.)~~
 - (2)~~(3)~~ A completed deviation questionnaire obtained from the Fire and Casualty Division.
 - (4) ~~A completed operating profitability form obtained from the Fire and Casualty Division.~~
 - (3) Completed supplementary exhibits obtained from the Fire and Casualty Division for each deviation component.
- (e) ~~(d)~~ Filings for modifications of rate deviations. Filings for modifications of to modify rate deviations shall contain only the following information:
 - (1) A cover letter containing the following:
 - (A) Company name;
 - (B) Federal Employer's Number;
 - (C) Line of business involved;
 - (D) Department file number.
 - ~~(E) A brief descriptive sentence on each of the deviations to be modified;~~
 - ~~(F) A brief descriptive sentence on each of the unmodified deviations that remain in effect;~~
 - ~~(G) Proposed effective date.~~
 - (2) ~~Separate exception pages for all deviation that will be in effect as of the proposed effective date (Do not submit manual pages.)~~
 - (2)~~(3)~~ A completed deviation questionnaire obtained from the Fire and Casualty Division.
 - (4) ~~A completed operating profitability form obtained from the Fire and Casualty Division.~~
 - (3) Completed supplementary exhibits obtained from the Fire and Casualty Division for each deviation component that is added, changed, or eliminated.
- (f) ~~(e)~~ Filing letters for withdrawals of rate deviations. Filing letters for withdrawal shall contain only the following information:
 - (1) A cover letter including the following information:
 - (A) Company name;
 - (B) Federal Employer's Number;

PROPOSED RULES

- (C) Line of business involved;
- (D) Department file number.
- (E) A brief descriptive sentence of each deviation to be withdrawn;
- (F) Proposed effective date.
- (2) A statement that the deviation has been in effect for at least six months.
- (f) Deviation questionnaire. The deviation questionnaire shall contain the following information:
 - (1) Company name;
 - (2) Date of filing;
 - (3) Federal Employer's Number;
 - (4) Company file number;
 - (5) Line of insurance;
 - (6) Program title;
 - (7) Department file number, if applicable;
 - (8) Number of policies written in North Carolina for each of the last three years that would have been affected by the introduction, modification, or withdrawal of the deviation;
 - (9) Company's current percentage share of the North Carolina market for the line (in terms of premium);
 - (10) Percentage of the company's North Carolina book of business affected by the deviation (in terms of both premium and number of policies);
 - (11) Percentage of the company's countrywide book of business comprised of North Carolina policies affected by the deviation (in terms of both premium and number of policies);
 - (12) Aggregate premium change in dollars and percentage for North Carolina policyholders affected by the deviation;
 - (13) A list of states where the company has filed similar deviations. (Provide separate lists for approved and disapproved deviations);
 - (14) Eligibility requirements for the deviation;
 - (15) Restrictions on the application of the deviation;
 - (16) Certification by a company official that the information supplied is complete and accurate;
 - (17) Such other information that the commissioner may require.
- (g) Operating Profitability Form. The operating profitability form shall contain the following information on a company's North Carolina experience for the latest three years, for each year and in total:
 - (1) Net premiums written;
 - (2) Net premiums earned;
 - (3) Net losses incurred;
 - (4) Net loss adjustment expense incurred;
 - (5) Net acquisition expenses;
 - (6) Net general expenses;
 - (7) Net taxes, licenses and fees;
 - (8) Net underwriting gain or loss;
 - (9) Direct earned premium at current bureau rates;
 - (10) The ratio of calendar year incurred losses and loss adjustment expenses to direct earned premium at current manual rates;
 - (11) The ratio of annual loss trend to annual premium trend;
 - (12) The trend to bring the loss ratio to current cost level;
 - (13) Loss and loss adjustment expense ratio at current cost level;
 - (14) The ratio of incurred operating expense (other than loss adjustment expense) to direct earned premium at current manual rates;
 - (15) The ratio of investment income from North Carolina loss, loss adjustment expense, and unearned premium reserves to earned premium;
 - (16) Such other information as the commissioner may require.
- (g) Deviation questionnaires shall contain the following information:
 - (1) Name of company;
 - (2) Filer's Federal Employer's Number;
 - (3) Filer's file number;
 - (4) Line of insurance;
 - (5) Subline/Program title;
 - (6) Previous Department file number, if applicable;
 - (7) Proposed effective date and rules of implementation;
 - (8) Company's N.C. volume of business;
 - (9) Company's N.C. market share;
 - (10) Company's countrywide volume of business;
 - (11) N.C. share of the company's volume for the line;
 - (12) Number of N.C. insureds affected;
 - (13) Percentage of N.C. insureds affected;
 - (14) Dollar effect of the deviation;
 - (15) Average deviation;
 - (16) Whether deviations are cumulative;
 - (17) Maximum cumulative discount;
 - (18) Whether any insured can be charged greater than the manual rate;
 - (19) List of individual deviation components and the proposed action;
 - (20) Certification by a company officer or filings department head;
 - (21) Such other information that the commissioner may require.
- (h) Supplementary exhibits on deviation components shall contain the following information:

- (1) Type of component;
- (2) Type of action;
- (3) Description of the component;
- (4) Description of the eligibility and restrictions for the component;
- (5) Action by other states;
- (6) Other companies filing a similar component;
- (7) Number of North Carolina policies for the last three years (and their premium) that have been or would have been affected;
- (8) Range of the component;
- (9) Explanation for proposed action.

Statutory Authority G.S. 58-25.1; 58-124.23 (a) and (c).

.1107 NONESSENTIAL LINES

The information required by N.C.G.S. 58-480(e) for those lines of business described in Rule .1102 (4) of this Section shall be submitted by the completion of a Rate Filing Questionnaire and the necessary supplementary exhibits to which the questionnaire refers.

- (1) The Rate Filing Questionnaire shall contain the following information:
 - (a) Name of Company/Rating organization;
 - (b) Filer's Federal Employer's Number;
 - (c) Filer's File number;
 - (d) Type of filing;
 - (e) Line(s) of insurance;
 - (f) Subline/Program title;
 - (g) Type of policies involved;
 - (h) Reasons for the filing;
 - (i) Proposed effective date and rules of implementation;
 - (j) Company/rating organization's approximate market share of North Carolina written premium for line(s) involved;
 - (k) Percentage rate change proposed;
 - (l) Estimated total dollar impact of the filing upon North Carolina policyholders;
 - (m) Whether the filing will increase the premium of any North Carolina policyholder;
 - (n) Type of premium data included;
 - (o) Exposure unit used;
 - (p) Type of loss data included;
 - (q) Permissible loss ratio, permissible loss and LAE ratio, or permissible loss, LAE, and fixed expense ratio;
 - (r) Whether any expenses are treated as fixed;
 - (s) Credibility information;
 - (t) Loss development information;
 - (u) Trend information;
 - (v) Underwriting profit information;
 - (w) Certification of accuracy.

- (2) Supplementary exhibits shall also be submitted containing the following information:
 - (a) The effect of the proposed filing on active filings affecting the line or subline;
 - (b) A comparison of current and proposed rates;
 - (c) Five-year rate filing history;
 - (d) Premium and loss data (North Carolina and countrywide);
 - (e) Expense data (North Carolina and countrywide);
- (3) For a filing derived from a rating organization rate or loss cost filing, a supplementary exhibit shall be substituted for the section of the questionnaire containing the information described in Paragraphs (1)(q) through (1)(v).
 - (a) For all types of rating organization filings, this exhibit shall contain the following information:
 - (i) The name of the rating organization;
 - (ii) The applicable rating organization filing;
 - (iii) Eligibility requirements and restrictions applicable to the filing;
 - (iv) The type of rating organization filing.
 - (b) In cases where the rating organization files final rates, this exhibit shall also identify the basis for the differences between the company and rating organization filings.
 - (c) In cases where the rating organization files loss costs, this exhibit shall also contain the following information:
 - (i) Permissible loss ratio, permissible loss and LAE ratio, or permissible loss, LAE, and fixed expense ratio;
 - (ii) Whether any expenses are treated as fixed;
 - (iii) An explanation of the derivation of the expense provisions and of their incorporation into the final rates;
 - (iv) Underwriting profit provision information.

Statutory Authority G.S. 58-9; 58-480(e).

.1108 OTHER LINES

For those lines described in Rule .1102(6) of this Section the Commissioner may request, in addition to the Rate Filing Questionnaire described in Rule .1107 of this Section, that the information required by N.C.G.S. 58-480(e) shall be presented as follows:

Note: If the data required by this Rule are not being collected or reported, or are not readily available to insurers prior to January 1, 1990, the insurers shall commence collecting or reporting such data as of January 1, 1990. Thereafter, such required data as have accrued shall be included

in each filing until enough data is available to fully satisfy this Rule. If in addition to the full years of data specified in any of the below requests, more recent data of less than a full year is available, that data shall also be provided. If updates to the information requested below become available before a decision is reached on the filing, they should also be provided.

(1) North Carolina premium, loss and loss adjustment experience:

- (a) For each coverage, premium at present rates shall be calculated. Indicate how such calculations were produced and supply supporting documentation for a sample of such calculations and justification of any aggregate factors used.
- (b) The latest earned premiums and markets-hare based on those premiums for the company or companies making the filing and for the ten largest insurers that write that coverage in North Carolina shall be provided.
- (c) Information from the Annual Statement on losses and premiums shall be included. (If the filing is being made for more than one company, composite information shall be provided.) Provide such information separately for the latest five Annual Statements for the particular line:
 - (i) North Carolina Page 14;
 - (ii) Part 2;
 - (iii) Part 2B;
 - (iv) Part 3A.
- (d) The following information on companies experience and schedule rating plans for the particular line shall be included:
 - (i) The experience rating plan off-balance;
 - (ii) The schedule rating plan off-balance;
 - (iii) The average deviation from bureau rates (if applicable);
 - (iv) The average dividend granted.
- (e) If the filing involves a rate change for a particular classification or territory, rather than an overall statewide rate change, the same information in Paragraph (d) of this Rule shall be provided for that class or territory.
- (f) For each coverage and each year used in setting the overall rate level, the following information on dollars of incurred losses shall be provided:
 - (i) Paid losses;
 - (ii) Case basis reserves;
 - (iii) Loss development;
 - (iv) Incurred allocated loss adjustment expense;
 - (v) Incurred unallocated loss adjustment expense;

- (vi) Applied trend factor;
 - (vii) Trended total incurred losses and LAE.
- (g) Whenever North Carolina or countrywide losses are separated into excess (catastrophe) and nonexcess (noncatastrophe) losses, a clear description and justification of the standard used to separate such losses shall be included. In determining an excess (catastrophe) loading, include as many years of data as possible. If the number of years included differs from the number available, provide an explanation. Also provide an explanation if the data from which the excess loading is derived differs from that on which the rate level change is based.
- (h) Territorial and class rate calculations shall include written premiums, earned premiums, paid losses, incurred losses, and the number of claims by territory for each of the years used to determine the territorial relativities.
- (i) For all incurred loss adjustment expense data contained in the filing, the related incurred losses shall be shown.
- (2) Credibility factor development and application. All information related to the derivation of credibility factors contained in the filing shall be provided. Include the following information:
- (a) All data reviewed and worksheets used;
 - (b) A complete description of the methodology used to derive the factors;
 - (c) A description of alternative methodologies used or considered for use;
 - (d) A description of the criteria used to select one of the various methodologies for inclusion in a particular filing;
 - (e) Special details regarding the application of these criteria in the selection of a methodology for this filing;
 - (f) Details on the application of the methodology to this filing.
- (3) Loss development factor development and application.
- (a) All information related to the derivation of the loss development factors contained in the filing shall be provided. Include the following information:
- (i) All data reviewed and worksheets used;
 - (ii) A complete description of the methodology used to derive the factors;
 - (iii) A description of alternative methodologies used or considered for use;
 - (iv) A description of the criteria used to select one of the various methodologies for inclusion in a particular filing;

- (v) Special details regarding the application of these criteria in the selection of a methodology for this filing;
- (vi) Details on the application of the methodology to this filing.
- (b) If accident year data is used in the rate filing, provide for each coverage complete (including the upper left portion) total limits paid loss development triangles for the ten latest available accident years at all available development points. Also provide the corresponding loss development factors and five-year average factors derivable from these triangles.
- (c) The same information in (b) for incurred losses.
- (d) The same information in (b) for number of paid claims.
- (e) The same information in (b) for number of outstanding claims.
- (f) A statement regarding any strengthening or weakening of company reserves that has occurred in the last five years. (If the filing is for a group of companies, include statements from the largest writers of the coverage in North Carolina.)
- (4) Trending factor development and application:
 - (a) Available trend data (both countrywide and for North Carolina) for the latest available five years shall be included in the filing for all coverages or sublines.
 - (b) All information related to the derivation of the trend factors contained in the filing should be provided. Include the following information:
 - (i) All data reviewed and worksheets used;
 - (ii) A complete description of the methodology used to derive the factors;
 - (iii) A description of alternative methodologies used or considered for use;
 - (iv) A description of the criteria used to select one of the various methodologies for inclusion in a particular filing;
 - (v) Special details regarding the application of these criteria in the selection of a methodology for this filing;
 - (vi) Details on the application of the methodology to this filing.
 - (c) The derivation of all trend factors included in the filing shall be shown, including the intermediate steps and the origins of all figures used in the calculations.
- (5) Changes in premium base and exposures:
 - (a) Data on the mix of policies by different policy terms shall be submitted. For the latest five years, include both the number of policies and the amount of earned premium for different policy terms.
 - (b) Data on changes in distribution of insureds by class and territory shall be submitted. Submit all information available on such groupings for the latest five years.
 - (c) Data on changes in any inflation sensitive premium bases for the coverage during the latest five years.
 - (6) Limiting factor development and application. Information on the following items shall be provided:
 - (a) Limitations on losses included in the statistical data used in the filing;
 - (b) Limitations on the extent of the rate level change by coverage or subline;
 - (c) Limitations on the extent of territorial and class rate changes;
 - (d) Any other limitations applied.
 - (7) Expenses:
 - (a) All information related to the derivation of the trend factors contained in the filing should be provided. Include the following information:
 - (i) All data reviewed and worksheets used;
 - (ii) A complete description of the methodology used to arrive at the selected loading;
 - (iii) A description of alternative methodologies used or considered for use;
 - (iv) A description of the criteria used to select one of the various methodologies for inclusion in a particular filing;
 - (v) Special details regarding the application of these criteria in the selection of a methodology for this filing;
 - (vi) Details on the application of the methodology to this filing.
 - (b) Earned premium and unallocated loss adjustment expenses for each of the latest five years shall be included. If available, provide such information by coverage or subline.
 - (c) Number of claims (all limits and all deductibles) and allocated loss adjustment expenses for each of the last five years shall also be included. If available, provide such information by coverage or subline.
 - (d) A statement regarding any company expense cutting activities undertaken in the last five years shall be provided. (If the filing is for a group of companies, include statements from the largest writers of the coverage in North Carolina.)
 - (8) The percent rate change:
 - (a) The overall statewide rate change shall be shown as well as the amount of the

- change attributable to each of the following: experience, a change in the annual trend factor from the previous filing, a change in expense provisions, law changes, a change in the tax provision, and a change in the assessment provision.
- (b) The information described in Subparagraph (a) of this Paragraph shall also be provided by coverage or subline.
- (9) Proposed rates:
- (a) Proposed rates for each territory, classification, and coverage shall be provided. (In filings involving a large number of possible rates, information on rating factors and their application may be substituted for the actual rates.)
- (b) An explanation of how territorial average rates and classification rates are determined shall be included. Also provide a sample calculation for each.
- (10) Investment earnings. Information on anticipated investment income is necessary to establish the provision for underwriting profit in the rates.
- (a) Information on the amount of investment income earned on loss, loss expense, and unearned premium reserves in relation to earned premium for a particular line in North Carolina shall be calculated for the latest two years and estimated for the current year and all years during which the proposed rates will be in effect. Calculations shall be provided in detail including the amount of the reserves of each type at the beginning and end of each of the specified years.
- (b) Information on the estimated average length of time that elapses between the occurrence of an insured loss in North Carolina and the payment of a claim shall be provided. The average shall be weighted average based on size of claim payments. Indicate how the length has changed over the last ten years.
- (c) To evaluate recent insurer profitability, provide the following information separately from the latest two Annual Statements: (If the filing is for more than one company, composite information shall be provided).
- (i) Page 2 (Assets);
- (ii) Page 3 (Liabilities, Surplus and Other Funds);
- (iii) Page 4 (Underwriting and Investment Exhibit);
- (iv) Exhibit I (Analysis of Assets).
- (11) Identification and Certification of Statistical Plans:
- (a) All statistical plans used or consulted in preparing this filing shall be identified. Also describe the data compiled by each plan.
- (b) A certification that all the data utilized in the rate filing was collected in accordance with such plans and is a true and accurate representation on the company's experience to the best of its knowledge shall also be provided.
- (12) Investment Earnings on Capital and Surplus. Given the selected underwriting profit and contingencies loadings contained in the filing, indicate the resulting rate of return on equity capital, on total assets, and on assets assigned to insurance operations including consideration of investment income. Show the derivation of all factors used in producing the calculations. Provide justification that these rates of return are reasonable and fair.
- (13) Level of Capital/Surplus Needed:
- (a) Aggregate premium to surplus ratios for the latest five calendar years shall be shown.
- (b) Estimates of comparable ratios for the years during which the rates will be in effect shall also be provided.
- (14) Other Information:
- (a) All information on the various preliminary and intermediate steps taken in preparing the filing shall be included with it.
- (b) All information related to the derivation of the profit and contingency loadings contained in the filing should be provided. This information should include at a minimum the following:
- (i) All data reviewed and worksheets used;
- (ii) A complete description of the methodology used to arrive at the selected loading;
- (iii) A description of alternative methodologies used or considered for use;
- (iv) A description of the criteria used to select one of the various methodologies for inclusion in a particular filing;
- (v) Special details regarding the application of these criteria in the selection of a methodology for this filing;
- (vi) Details on the application of the methodology to this filing.
- (15) Additional information. The Commissioner may require such other information as he deems necessary to constitute a proper rate filing.

Statutory Authority G.S. 58-9; 58-480(e).

.1109 RATING ORGANIZATIONS

All rating organizations participating in a filing submitted by the North Carolina Rate Bureau or the North Carolina Reinsurance Facility shall provide the following items to the Department within 30 days after the filing has been made:

- (1) General information. Agendas and minutes of meetings of the rating organization affecting the filing explicitly, or implicitly through the adoption of a countrywide procedure. Include a list of all attendees at these meetings, their titles, and their affiliations.
- (2) Selection of methodologies. The following information regarding credibility factors, loss development factors, trending factors, overhead expenses, and profitability shall be provided whenever the rating organization derives these factors for the Rate Bureau: (If the filing itself contains the information requested in Paragraphs (2)(i), (2)(iii), (2)(iv), reference to the location of that information is sufficient).
 - (a) A complete description of the methodology used to arrive at the selected loading;
 - (b) A description of alternative methodologies used or explicitly considered for use by the rating organization in other states;
 - (c) A description of the criteria used to select one of the various methodologies for inclusion in a particular filing;
 - (d) Specific details regarding the application of these criteria in the selection of a methodology for this filing.
- (3) Profit and contingency loading. Information shall also be provided on the underwriting profit and contingency loading of all filings made by the rating organization within the last five years in other states. For all such filings, list the state, the underwriting profit and contingency loading submitted, any explicit loading approved, and the effective date of the rates.

Statutory Authority G.S. 58-9; 58-25.1.

TITLE 12 - DEPARTMENT OF JUSTICE

Notice is hereby given in accordance with G.S. 150B-12 that The North Carolina Sheriff's Education and Training Standards Division intends to amend rule(s) cited as 12 NCAC 10B .0103, .0301 - .0302, .0304 - .0305, .0406, .0502, .0505, .0601, .0702, .0802, .0903 - .0904, .0908, .1002, .1102 - .1104, .2001 - .2002, .2104 - .2105, and adopt rule(s) cited as 12 NCAC 10B .0106 - .0107, .0204, .0409, .1201 - .1206, .2201 - .2204.

The proposed effective date of this action is January 1, 1990.

The public hearing will be conducted at 9:00 a.m. on September 12, 1989 at Holiday Inn, 530 Jake Alexander Boulevard, I-85, Exit 75, Salisbury, North Carolina 28144.

Comment Procedures: Any person interested in these rules may present oral or written comments relevant to the proposed action at the Public Rule-Making Hearing. Written statements not presented at the Hearing should be directed to the undersigned. The proposed rules are available for public inspection and copies may be obtained at the following address:

*Sheriff's Standards Division
P.O. Box 629
104 Fayetteville Street Mall
Raleigh, NC 27602*

CHAPTER 10 - N.C. SHERIFFS' EDUCATION AND TRAINING STANDARDS COMMISSION

SUBCHAPTER 10B - NC SHERIFFS' EDUCATION AND TRAINING STANDARDS COMMISSION

SECTION .0100 - COMMISSION ORGANIZATION AND PROCEDURES

.0103 DEFINITION

In addition to the definitions set forth in G.S. 17E-2, the following definitions apply throughout this Chapter, unless the context clearly requires otherwise:

- (1) "Convicted" or "Conviction" means and includes, for purposes of this Chapter, the entry of:
 - (a) a plea of guilty;
 - (b) a verdict of finding of guilt by a jury, judge, magistrate, or other duly constituted, established, and recognized adjudicating body, tribunal, or official, either civilian or military; or
 - (c) a plea of no contest, nolo contendere, or the equivalent.
- (2) ~~(1)~~ "Department Head" means the chief administrator of any criminal justice agency. Department head includes the sheriff or a designee formally appointed in writing by the department head.
- (3) ~~(2)~~ "Director" means the Director of the Sheriff's Standards Division of the North Carolina Department of Justice.
- (4) ~~(3)~~ "Division" means the Sheriff's Standards Division.

(5)(4) "High School" means a school accredited as a high school by:

- (a) the Department or Board of Education of the state in which the high school is located; or
- (b) the recognized regional accrediting body; or
- (c) the state university of the state in which the high school is located.

(6)(5) "Enrolled" means that an individual is currently actively participating in an on-going formal presentation of a commission-accredited basic training course which has not been concluded on the day probationary certification expires.

(7)(6) "Lateral Transfer" means certification of a justice officer when the justice officer has previously held general or grandfather certification and has been separated by an agency or transferred to another agency and the justice officer has been separated from a justice officer position for no more than one year.

(8) "Misdemeanor" means those criminal offenses not classified by the North Carolina General Statutes, the United States Code, the common law, or the courts as felonies. Misdemeanor offenses are classified by the Commission as follows:

- (a) "Class A Misdemeanor" means an act committed or omitted in violation of any common law, duly enacted ordinance, criminal statute, or criminal traffic code of this state, or any other jurisdiction, either civil or military, for which maximum punishment allowable for the designated offense under the laws, statutes, or ordinances of North Carolina or its political subdivisions includes imprisonment for a term of not more than six months. Specifically excluded from this grouping of "class A misdemeanor" criminal offenses are motor vehicle or traffic offenses designated as misdemeanors under Chapter 20 (Motor Vehicles) of the General Statutes of North Carolina, similar laws of other jurisdictions, or duly enacted ordinances of an authorized governmental entity with the exception of the offense of impaired driving (G.S. 20-138.1) which is expressly included herein as a class A misdemeanor, if the defendant was sentenced under punishment level three [G.S. 20-179(i)], level four [G.S. 20-179(j)], or level five [G.S. 20-179(k)];

- (b) "Class B Misdemeanor" means an act committed or omitted in violation of any common law, criminal statute, or criminal

traffic code of this state, or any other jurisdiction, either civil or military, for which the maximum punishment allowable for the designated offense under the laws and statutes of North Carolina includes imprisonment for a term of more than six months but not more than two years. Specifically excluded from this grouping of "class B misdemeanor" criminal offenses are motor vehicles or traffic offenses designated as being misdemeanors under Chapter 20 (Motor Vehicles) of the General Statutes of North Carolina or similar laws of other jurisdictions with the following exceptions. Class B misdemeanor does expressly include, either first or subsequent offenses of G.S. 20-138(a) or (b), G.S. 20-166 (duty to stop in event of accident). This definition further includes a violation of G.S. 20-138.1 (impaired driving) if the defendant was sentenced under punishment level one [G.S. 20-179(g)] or punishment level two [G.S. 20-179(H)] for the offense.

Statutory Authority G.S. 17E-7.

.0106 PROCEDURES FOR PETITIONS FOR RULE-MAKING

In addition to the procedures set out in G.S. 150B-16, Petitions for Rule-Making shall be submitted to the Commission and shall contain:

- (1) petitioner's name, address and telephone number;
- (2) a draft of the proposed rule or rule change;
- (3) the reason for its proposal;
- (4) the effect of the proposal on existing rules or decisions;
- (5) data supporting the proposal;
- (6) practices likely to be affected by the proposal; and
- (7) a list or description of persons likely to be affected by the proposed rule.

Statutory Authority G.S. 150B-16.

.0107 PROCEDURES FOR PETITIONS FOR DECLARATORY RULINGS

(a) In addition to the procedures set out in G.S. 150B-17, Petitions for Declaratory Rulings shall be submitted to the Commission and shall contain:

- (1) petitioner's name, address and telephone number;
- (2) the statute(s), rule(s) or both to which the request relates;
- (3) all facts and information which are relevant to the request;

- (4) a concise statement of the manner in which petitioner has been aggrieved;
 - (5) a draft of the Declaratory Ruling sought by petitioner (if specified outcome is sought by petitioner);
 - (6) practices likely to be affected by the Declaratory Ruling;
 - (7) a list or description of persons likely to be affected by the Declaratory Ruling; and
 - (8) a statement as to whether the petitioner desires to present oral argument (not to exceed 30 minutes) to the Commission prior to its decision.
- (b) The Commission shall ordinarily refuse to issue a Declaratory Ruling when:
- (1) the petition does not comply with Paragraph (a) of this Rule;
 - (2) the Commission has previously issued a Declaratory Ruling on substantially similar facts;
 - (3) the Commission has previously issued a Final Agency Decision in a contested case on substantially similar facts;
 - (4) the facts underlying the request for a Declaratory Ruling were specifically considered at the time of the adoption of the rule in question; or
 - (5) the subject matter of the request is involved in pending litigation.

Statutory Authority G.S. 150B-17.

SECTION .0200 - RESPONSIBILITIES OF THE SHERIFFS' STANDARDS DIVISION

.0204 SUSPENSION; REVOCATION; OR DENIAL OF CERTIFICATION

(a) The Commission shall revoke or deny the certification of a justice officer when the Commission finds that the officer has committed or been convicted of:

- (1) a felony unless pardoned by the Governor; or
 - (2) a crime for which the authorized punishment could have been imprisonment for more than two years; or
 - (3) an act or any series of acts which violate the laws of the State of North Carolina and which, in the opinion of the Sheriff, will affect his/her ability to act or carry out the office and duties of a justice officer.
- (b) The Commission shall revoke, deny, or suspend the certification of a justice officer when the Commission finds that the applicant for certification or the certified officer:

- (1) has not enrolled in and satisfactorily completed the required basic training

- course in its entirety within a time period specified by the Commission;
 - (2) fails to meet any of the minimum employment standards required by 12 NCAC 10B .10B;
 - (3) fails to satisfactorily complete the minimum in-service training requirements as presented in 12 NCAC 10B .2000 and .2100;
 - (4) has refused to submit to the drug screen specified in 12 NCAC 10B .0301 and .0406;
 - (5) has produced a positive result of the drug screen specified in and administered according to 12 NCAC 10B .0301(6) and 12 NCAC 10B .0406(b)(4) when the positive result cannot be explained to the Commission's satisfaction by a valid prescription and current medical advice.
- (c) The Commission may revoke, suspend, or deny the certification of a justice officer when the Commission finds that the applicant for certification or the certified officer:
- (1) has committed or been convicted of:
 - (A) a crime or unlawful act defined in 12 NCAC 10B .0103(8)(b) as a Class B misdemeanor; or
 - (B) four or more crimes or unlawful acts defined in 12 NCAC 10B .0103(8)(a) as a Class A misdemeanor, each of which occurred after the date of initial certification.
 - (2) has knowingly made a material misrepresentation of any information required for certification or accreditation;
 - (3) has knowingly and designedly by any means of false pretense, deception, defraudation, misrepresentation or cheating whatsoever, obtained or attempted to obtain credit, training or certification from the Commission.

Statutory Authority G.S. 17E-7.

SECTION .0300 - MINIMUM STANDARDS FOR EMPLOYMENT AS A JUSTICE OFFICER

.0301 MINIMUM STANDARDS FOR JUSTICE OFFICERS

Every Justice Officer certified as a Deputy Sheriff or Jailer in North Carolina shall:

- (1) be a citizen of the United States;
- (2) be at least 21 years of age;
- (3) be a high school graduate, or the equivalent (GED);
- (4) have been fingerprinted by the employing agency;
- (5) have had a medical examination by a licensed physician;

- (6) be of good moral character; shall have produced a negative result on a drug screen administered according to the following specifications:
- (a) the drug screen shall be a urine test consisting of an initial test and a confirmatory test on an initial positive result; and
 - (b) the urine specimen shall be collected as part of the medical examination; and
 - (c) a chain of custody shall be maintained on the specimen from collection to the eventual discarding of the specimen; and
 - (d) the drugs whose use shall be tested for shall include at cannabis, cocaine, phen-cyclidine (PCP), opiates and amphetamines or their metabolites; and
 - (e) the test threshold values shall be no less stringent than these:
 - (i) Cannabis 50 ng/ml initial
 15 ng/ml GCMS (delta-9
 tetrahydro
 cannabinol-9-
 carboxylic acid)
 - (ii) Opiates 300 ng/ml initial and
 GCMS
 - (iii) Cocaine 300 ng/ml initial
 - (iv) PCP 25 ng/ml initial and
 GCMS
 - (v) Amphetamines
 1000 ng/ml initial and
 GCMS; and
 - (f) the laboratory conducting the test must be certified for federal workplace drug testing programs. A positive result which can be explained to the Commission's satisfaction by a valid prescription and current medical advice shall have the effect of a negative result.
- (7) notify the Standards Division in writing of all criminal offenses which the officer pleads no contest to, pleads guilty to or is found guilty of. This shall include all criminal offenses except minor traffic offenses and shall specifically include any offense of Driving Under The Influence (DUI) or Driving While Impaired (DWI). A minor traffic offense is defined, for purposes of this Sub-paragraph, as an offense where the maximum punishment allowable is 60 days or less. The notifications required must specify the nature of the offense, the court in which the case was handled and the date of the conviction. The notifications must be received by the Standards Division within 30 days of the date the case was disposed of in court. The requirements of this Subparagraph shall be applicable at all times during which the officer is certified by the Com-

mission and shall also apply to all applications for certification. Officers required to notify the Standards Division under this Subparagraph shall also make the same notification to their employing or appointing executive officer within 20 days of the date the case was disposed of in court. The executive officer, provided he has knowledge of the officer's conviction(s), shall also notify the Division of all criminal convictions within 30 days of the date the case was disposed of in court. Receipt by the Standards Division of a single notification, from either the officer or the executive officer, is sufficient notice for compliance with this Subparagraph;

- (8) ~~(7)~~ have a thorough background investigation conducted by the employing agency, to include a personal interview prior to employment;
- (9)~~(8)~~ not have been convicted of a crime or crimes as specified in Rule .0307 of this Section.

Statutory Authority G.S. 17E-7.

.0302 DOCUMENTATION OF EDUCATIONAL REQUIREMENT

(a) Each applicant shall furnish documentary evidence of high school, college or university graduation to the employing agency. Documentary evidence consists of diplomas from recognized public schools or approved private schools, colleges or universities which meet approval guidelines of the North Carolina Department of Public Instruction or a comparable out of state agency.

(b) High School diplomas earned through correspondence courses are not recognized toward these minimum educational requirements.

(c) Documentary evidence of completion of the General Educational Development Test (GED) shall be satisfied by a certified copy of GED test results showing a total score of not less than 225 points, and a minimum score on any single test of 35 points.

(d) ~~A certified copy of a military GED diploma is acceptable.~~ Documentary evidence of the attainment of satisfactory scores on any military high school equivalency examination will be acceptable as verified by a true copy of the veteran's DD214.

Statutory Authority G.S. 17E-4.

.0304 MEDICAL EXAMINATION

(a) Each applicant shall complete the Commission's Medical History Statement Form (F-1)

and shall be examined by a physician or surgeon licensed in North Carolina to help determine his/her fitness in carrying out the physical requirements of the position of deputy sheriff or jailer. The examining physician shall record the results of the examination on the Medical Examination Report Form examination report form (F-2) and sign and date the form. The F-2 form shall be valid one year from the date the Medical Examination was completed and signed by the physician. The physical examination shall be conducted and the Medical Examination Report Form (F-2) and the Medical History Statement Form (F-1) shall be completed within 120 days prior to whichever of the following occurs first:

- (1) the applicant beginning the Basic Jailer Training Course and/or the Basic Law Enforcement Training Course; or
- (2) the applicant applying to the Commission for certification.

(b) Although not presently required by these rules, it is recommended by the Commission that each candidate for the position of justice officer be examined by a licensed psychiatrist or clinical psychologist, or be administered a psychological evaluation test battery, prior to employment, to determine his/her mental and emotional suitability to perform the duties of justice officer.

Statutory Authority G.S. 17E-7.

.0305 BACKGROUND INVESTIGATION

(a) Prior to the background investigation done by the employing agency, the applicant shall complete the Commission's Personal History Statement (F-3) to provide a basis for the investigation. The Personal History Statement (F-3) submitted to the Division shall be completed no more than 120 days prior to:

- (1) the applicant beginning the Basic Jailer Training Course and/or Basic Law Enforcement Training Course; or
- (2) the applicant applying to the Commission for certification.

(b) If the Personal History Statement (F-3) was completed more than 120 days prior to the applicant applying to the Commission for certification, the Personal History Statement (F-3) shall be updated or a new Personal History Statement (F-3) must be completed.

(c) The employing agency, prior to employment, shall examine the applicant's character traits and habits relevant to his/her performance as a justice officer and shall determine whether the applicant is of good moral character. The investigator shall summarize the results of the investigation on the form supplied by the Division

which shall be signed and dated by the investigator.

Statutory Authority G.S. 17E-7.

SECTION .0400 - CERTIFICATION OF JUSTICE OFFICERS

.0406 LATERAL TRANSFER/REINSTATEMENTS

(b) In order for an officer to be certified pursuant to this Rule .0406 there must be:

- (4) evidence of a negative result on a drug screen administered according to the following specifications:

(A) the drug screen shall be a urine test consisting of an initial test and a confirmatory test on an initial positive result; and

(B) the urine specimen shall be collected as part of the medical examination; and

(C) a chain of custody shall be maintained on the specimen from collection to the eventual discarding of the specimen; and

(D) the drugs whose use shall be tested for shall include at cannabis, cocaine, phenylcyclidine (PCP), opiates and amphetamines or their metabolites; and

(E) the test threshold values shall be no less stringent than these:

(i) Cannabis	50 ng/ml	initial
	15 ng/ml	GCMS (delta-9 tetrahydrocannabinol-9-carboxylic acid)

(ii) Opiates	300 ng/ml	initial and GCMS
--------------	-----------	------------------

(iii) Cocaine	300 ng/ml	initial
(iv) PCP	25 ng/ml	initial and GCMS

(v) Amphetamines	1000 ng/ml	initial and GCMS; and
------------------	------------	-----------------------

(F) the laboratory conducting the test must be certified for federal workplace drug testing programs. A positive result which can be explained to the Commission's satisfaction by a valid prescription and current medical advice shall have the effect of a negative result.

- (5)(4) compliance with the Report of Appointment form requirement of Rule .0403 (a);

(6)(5) submitted to the Division, a copy of the Oath of Office for applicants requesting certification as a deputy sheriff; and

- (7)(6) evidence of satisfactory completion of the employing agency's in-service firearms

PROPOSED RULES

- training and requalification program pursuant to Sections .2000 and .2100; and
- (8) documentary evidence of high school, college or university graduation to the employing agency. Documentary evidence consists of diplomas from recognized public schools or approved private schools, colleges or universities which meet approval guidelines of the North Carolina Department of Public Instruction or a comparable out of state agency.

Statutory Authority G.S. 17E-4; 17E-7.

.0409 AGENCY REPORTING OF DRUG SCREENING RESULTS

Each agency shall report to the North Carolina Sheriffs' Education and Training Standards Division all positive results of drug screening obtained pursuant to 12 NCAC 10B .0301(6) and .0406(b)(4).

Statutory Authority G.S. 17E-4; 17E-7.

SECTION .0500 - MINIMUM STANDARDS OF TRAINING FOR DEPUTY SHERIFFS

.0502 BASIC LAW ENFORCEMENT TRAINING COURSE FOR DEPUTIES

(a) The Commission hereby adopts as its required minimum Basic ~~recruit~~ Law Enforcement Training Course ~~423~~ 422 hours of instruction to include the following identified topic areas and minimum instructional hours for each area:

- | | |
|--|----------|
| (1) Course Orientation | 2 hours |
| (2) Constitutional Law | 4 hours |
| (3) Laws of Arrest, Search and Seizure | 16 hours |
| (4) Mechanics of Arrest; Arrest Procedure | 8 hours |
| (5) Law Enforcement Communications and Information Systems | 4 hours |
| (6) Elements of Criminal Law | 24 hours |
| (7) Defensive Tactics | 16 hours |
| (8) Juvenile Laws and Procedures | 8 hours |
| (9) Emergency Medical Services | 24 hours |
| (10) Firearms | 40 hours |
| (11) Patrol Techniques | 16 hours |
| (12) Crime Prevention Techniques | 4 hours |
| (13) Field Notetaking and Report Writing | 12 hours |
| (14) Mechanics of Arrest: Vehicle Stops | 6 hours |
| (15) Mechanics of Arrest: Custody Procedures | 2 hours |
| (16) Mechanics of Arrest: Processing Arrestee | 4 hours |

- | | |
|--|-------------------------------|
| (17) Crisis Management | 10 hours |
| (18) Special Populations | 12 hours |
| (19) Civil Disorders | 8 hours |
| (20) Criminal Investigation | 28 hours |
| (21) Interviews: Field and In-Custody | 8 hours |
| (22) Controlled Substances | 6 hours |
| (23) ABC Laws and Procedures | 4 hours |
| (24) Electrical and Hazardous Material Emergencies | 6 hours |
| (25) Motor Vehicle Law | 20 hours |
| (26) Techniques of Traffic Law Enforcement | 6 hours |
| (27) Law Enforcement Driver Training | 16 hours |
| (28) Preparing For Court and Testifying in Court | 12 hours |
| (29) Dealing with Victims and the Public | 8 hours |
| (30) Civil Process | 24 hours |
| (31) Supplemental Custody Procedures | 8 hours |
| (32) Physical Fitness Training | 43 hours |
| (33) Testing | 44 <u>13</u> hours |

TOTAL HOURS ~~423~~ 422 hours

(b) The "Basic Recruit Law Enforcement Training Manual" as published by the North Carolina Justice Academy is hereby adopted by reference, and shall automatically include any later amendments and editions of the adopted matter as authorized by G.S. 150B-14(c), to apply as the basic curriculum for this Basic ~~recruit~~ Law Enforcement Training Course.

(c) Consistent with the curriculum development policy of the Commission, the Commission shall designate the developer of the Basic ~~Recruit~~ Law Enforcement Training Course curricula and such designation shall be deemed by the Commission as approval for the developer to conduct pilot Basic ~~Recruit~~ Law Enforcement Training Courses. Individuals who successfully complete such a pilot Basic Law Enforcement Training Course offering shall be deemed to have successfully complied with and satisfied the minimum training requirement.

(d) The rules governing Minimum Standards for Completion of Training, codified as Title 12, Subchapter 9B, Section .0400 of the North Carolina Administrative Code, and previously adopted by the North Carolina Criminal Justice Education and Training Standards Commission, are hereby adopted by reference, and shall, automatically include any later amendments and editions of the adopted matter as authorized by General Statute 150B-14(c) to apply to actions of the North Carolina Sheriffs' Education and Training Standards Commission.

Statutory Authority G.S. 17E-4(a).

.0505 EVALUATION FOR TRAINING WAIVER

(a) The Division staff shall evaluate each deputy's training and experience to determine if equivalent training has been satisfactorily completed as specified in Rule .0504(a). Applicants for certification with prior law enforcement experience shall have been employed in a full-time, sworn law enforcement position in order to be considered for training evaluation under this Rule. Applicants for certification with a combination of full-time and part-time experience shall be evaluated on the basis of the full-time experience only. The following rules shall be used by Division staff in evaluating a deputy's training and experience to determine eligibility for a waiver of training.

- (1) Persons who separated from a sworn law enforcement position during their probationary period after having completed a commission-accredited ~~basic training program~~ Basic Law Enforcement Training Course and who have been separated from a sworn law enforcement position for more than one year shall complete a subsequent commission-accredited ~~basic training program~~ Basic Law Enforcement Training Course in its entirety and successfully pass the State Comprehensive Examination within the 12 month probationary period as prescribed in 12 NCAC 10B .0503(a).
- (2) Persons who separated from a sworn law enforcement position during their probationary period after having completed a commission-accredited ~~basic training program~~ Basic Law Enforcement Training Course and who have been separated from a sworn law enforcement position for one year or less shall serve a new 12 month probationary period, but need not complete an additional training program.
- (3) Out-of-state transferees shall be evaluated to determine the amount and quality of their training and experience. Out-of-state transferees:
 - (A) shall have a minimum of two years full-time sworn law enforcement experience;
 - (B) shall not have a break in service exceeding ~~one year~~ two years; and
 - (C) shall have successfully completed the Basic ~~recruit~~ Law Enforcement Training Course accredited by the state from which he/she is transferring. Out-of-state transferees meeting these requirements shall successfully complete a commission-ac-

credited ~~basic training program~~ Basic Law Enforcement Training Course which includes the following topics of North Carolina law and procedure and successfully pass the State Comprehensive Examination in its entirety within the 12 month probationary period as prescribed in 12 NCAC 10B .0503(a).

(i) Laws of Arrest, Search and Seizure	16 hours
(ii) Elements of Criminal Law	24 hours
(iii) Juvenile Laws and Procedures	8 hours
(iv) Controlled Substances	6 hours
(v) ABC Laws and Procedures	4 hours
(vi) Motor Vehicle Laws	20 hours
(vii) Civil Process	24 hours
(viii) Supplemental Custody Procedures	8 hours
(ix) Firearms Qualification (Handgun and Shotgun Courses)	

TOTAL HOURS	110 hours
--------------------	------------------

- (4) Persons previously holding Grandfather law enforcement certification in accordance with G.S. 17C-10(a) or G.S. 17E-7(a) who have been separated from a sworn law enforcement position for more than one year and who have not previously completed a minimum ~~basic law enforcement training program~~ Basic Law Enforcement Training Course accredited by the North Carolina Criminal Justice Education and Training Standards Commission and/or the North Carolina Sheriffs' Education and Training Standards Commission shall be required to complete a commission-accredited ~~basic training program~~ Basic Law Enforcement Training Course in its entirety and successfully pass the State Comprehensive Examination within the 12 month probationary period as prescribed in 12 NCAC 10B .0503(a).
- (5) Persons who have completed a minimum 160-hour ~~basic law enforcement training program~~ Basic Law Enforcement Training Course accredited by the North Carolina Criminal Justice Training and Standards Council under guidelines administered beginning on July 1, 1973 and continuing through September 30, 1978 and who have been separated from a sworn law enforcement position for more than one year but no more than two years shall be required to complete the following portions of a commission-accredited ~~basic~~

PROPOSED RULES

~~training program~~ Basic Law Enforcement Training Course and successfully pass the State Comprehensive Examination within the 12 month probationary period as prescribed in 12 NCAC 10B .0503(a).

- | | |
|--|------------------|
| (A) Juvenile Law and Procedures | 8 hours |
| (B) Laws of Arrest, Search and Seizure | 16 hours |
| (C) Elements of Criminal Law | 24 hours |
| (D) Controlled Substances | 6 hours |
| (E) ABC Laws and Procedures | 4 hours |
| (F) Motor Vehicle Laws | 20 hours |
| (G) Law Enforcement Driver Training | 16 hours |
| (H) Civil Process | 24 hours |
| (I) Supplemental Custody Procedures | 8 hours |
| (J) Firearms Qualification (Handgun and Shotgun Courses) | |
| TOTAL HOURS | 126 hours |

- (6) Persons who have completed a minimum 160-hour ~~basic law enforcement training program~~ Basic Law Enforcement Training Course accredited by the North Carolina Criminal Justice Training and Standards Council under guidelines administered beginning on July 1, 1973 and continuing through September 30, 1978 and who have been separated from a sworn law enforcement position for more than two years shall be required to complete a commission-accredited ~~basic training program~~ Basic Law Enforcement Training Course in its entirety regardless of training and experience and successfully pass the State Comprehensive Examination within the 12 month probationary period as prescribed in 12 NCAC 10B .0503(a).

- (7) Persons who have completed a minimum 240-hour ~~basic law enforcement training course~~ Basic Law Enforcement Training Course accredited by the North Carolina Criminal Justice Education and Training Standards Commission and the North Carolina Sheriffs' Education and Training Standards Commission under guidelines administered beginning October 1, 1978 and continuing through September 30, 1984 and who have been separated from a sworn law enforcement position for over one year but no more than three years shall be required to complete the following portions of a commission-accredited ~~basic training program~~ Basic Law Enforcement Training Course and success-

fully pass the State Comprehensive Examination within the 12 month probationary period as prescribed in 12 NCAC 10B .0503(a).

- | | |
|--|----------|
| (A) Laws of Arrest, Search and Seizure | 16 hours |
| (B) Elements of Criminal Law | 24 hours |
| (C) Juvenile Laws and Procedures | 8 hours |
| (D) Controlled Substances | 6 hours |
| (E) ABC Laws and Procedures | 4 hours |
| (F) Motor Vehicle Laws | 20 hours |
| (G) Civil Process | 24 hours |
| (H) Supplemental Custody Procedures | 8 hours |
| (I) Firearms Qualification (Handgun and Shotgun Courses) | |

- | | |
|--------------------|------------------|
| TOTAL HOURS | 110 hours |
|--------------------|------------------|
- (8) Persons who have completed a minimum 240-hour ~~basic law enforcement training course~~ Basic Law Enforcement Training Course accredited by the North Carolina Criminal Justice Education and Training Standards Commission and the North Carolina Sheriffs' Education and Training Standards Commission under guidelines administered beginning October 1, 1978 and continuing through September 30, 1984 and who have been separated from a sworn law enforcement position for more than three years shall be required to complete a commission-accredited ~~basic training program~~ Basic Law Enforcement Training Course in its entirety regardless of prior training and experience and successfully pass the State Comprehensive Examination within the 12 month probationary period as prescribed in 12 NCAC 10B .0503(a).
- (9) Persons who have completed a minimum 381 hour ~~basic law enforcement training course~~ Basic Law Enforcement Training Course accredited by the North Carolina Sheriffs' Education and Training Standards Commission under guidelines administered beginning October 1, 1984 and ending December 31, 1988 and who have been separated from a sworn law enforcement position for over one year but no more than three years shall be required to complete the following portions of a commission-accredited ~~basic training program~~ Basic Law Enforcement Training Course and successfully pass the State Comprehensive Examination within the

PROPOSED RULES

- 12 month probationary period as prescribed in 12 NCAC 10B .0503(a).
- | | |
|--|------------------|
| (A) Laws of Arrest, Search and Seizure | 16 hours |
| (B) Elements of Criminal Law | 24 hours |
| (C) Juvenile Laws and Procedures | 8 hours |
| (D) Controlled Substances | 6 hours |
| (E) ABC Laws and Procedures | 4 hours |
| (F) Motor Vehicle Laws | 20 hours |
| (G) Civil Process | 24 hours |
| (H) Supplemental Custody Procedures | 8 hours |
| (I) Firearms Qualification (Handgun and Shotgun Courses) | |
| TOTAL HOURS | 110 hours |
- (10) Persons transferring to a sheriff's department from another law enforcement agency who hold certification issued by the North Carolina Criminal Justice Education and Training Standards Commission and who have previously completed a minimum 369-hour ~~basic training program~~ Basic Law Enforcement Training Course accredited by the North Carolina Criminal Justice Education and Training Standards Commission under guidelines administered beginning October 1, 1984 and ending July 1, 1989 and who have been separated from a sworn law enforcement position for no more than one year shall be required to complete the following enumerated topics of a commission-accredited ~~basic training program~~ Basic Law Enforcement Training Course and successfully pass that portion of the State Comprehensive Examination which deals with those subjects within 12 months of the date of their Oath of Office as prescribed in 12 NCAC 10B .0503(a).
- | | |
|-------------------------------------|-----------------|
| (A) Civil Process | 24 hours |
| (B) Supplemental Custody Procedures | 8 hours |
| TOTAL HOURS | 32 hours |
- (11) Persons who have completed a minimum 369-hour ~~basic law enforcement training course~~ Basic Law Enforcement Training Course accredited by the North Carolina Criminal Justice Education and Training Commission under guidelines beginning October 1, 1984 and ending July 1, 1989 and who have been separated from a sworn law enforcement position for over one year but no more than three years shall be required to complete the following portions of a commission-accredited ~~basic training program~~ Basic Law Enforcement Training Course and successfully pass the State Comprehensive Examination within the 12 month probationary period as prescribed in 12 NCAC 10B .0503(a).
- | | |
|--|------------------|
| (A) Laws of Arrest, Search and Seizure | 16 hours |
| (B) Elements of Criminal Law | 24 hours |
| (C) Juvenile Laws and Procedures | 8 hours |
| (D) Controlled Substances | 6 hours |
| (E) ABC Laws and Procedures | 4 hours |
| (F) Motor Vehicle Laws | 20 hours |
| (G) Civil Process | 24 hours |
| (H) Supplemental Custody Procedures | 8 hours |
| (I) Firearms Qualification (Handgun and Shotgun Courses) | |
| TOTAL HOURS | 110 hours |
- (12) Persons who have completed a minimum ~~423-hour~~ 422-hour Basic Law Enforcement Training Course accredited by the North Carolina Sheriffs' Education and Training Standards Commission under guidelines administered beginning January 1, 1989 and who have been separated from a sworn law enforcement position for over one year but no more than three years shall be required to complete the following portions of a commission-accredited ~~basic training program~~ Basic Law Enforcement Training Course and successfully pass the State Comprehensive Examination within the 12 month probationary period as prescribed in 12 NCAC 10B .0503(a).
- | | |
|--|----------|
| (A) Laws of Arrest, Search and Seizure | 16 hours |
| (B) Elements of Criminal Law | 24 hours |
| (C) Juvenile Laws and Procedures | 8 hours |
| (D) Controlled Substances | 6 hours |
| (E) ABC Laws and Procedures | 4 hours |
| (F) Motor Vehicle Laws | 20 hours |
| (G) Civil Process | 24 hours |
| (H) Supplemental Custody Procedures | 8 hours |
| (I) Firearms Qualification (Handgun and Shotgun Courses) | |

PROPOSED RULES

- TOTAL HOURS 110 hours
- (13) Persons transferring to a sheriff's department from another law enforcement agency who hold certification issued by the North Carolina Criminal Justice Education and Training Standards Commission and who have previously completed a ~~commission-accredited 412-hour~~ 410-hour basic training program Basic Law Enforcement Training Course accredited by the North Carolina Criminal Justice Education and Training Standards Commission under guidelines administered beginning July 1, 1989 and who have been separated from a sworn law enforcement position for no more than one year shall be required to complete the following enumerated topics of a commission-accredited ~~basic training course~~ Basic Law Enforcement Training Course and successfully pass that portion of the State Comprehensive Examination which deals with those subjects within 12 months of the date of their Oath of Office as prescribed in 12 NCAC 10B .0503(a).

- (A) Civil Process 24 hours
- (B) Supplemental Custody
Procedures 8 hours

- TOTAL HOURS 32 hours
- (14) Persons who have previously completed a minimum ~~412-hour~~ 410-hour Basic Law Enforcement Training Course accredited by the North Carolina Criminal Justice Education and Training Standards Commission under guidelines administered beginning July 1, 1989 and who have been separated from a sworn law enforcement position for over one year but no more than three years shall be required to complete the following portions of a commission-accredited ~~basic training program~~ Basic Law Enforcement Training Course and successfully pass the State Comprehensive Examination within the 12 months probationary period as prescribed in 12 NCAC 10B .0503(a).

- (A) Laws of Arrest, Search
and Seizure 16 hours
- (B) Elements of Criminal Law 24 hours
- (C) Juvenile Laws and
Procedures 8 hours
- (D) Controlled Substances 6 hours
- (E) ABC Laws and Procedures 4 hours
- (F) Motor Vehicle Laws 20 hours
- (G) Civil Process 24 hours
- (II) Supplemental Custody
Procedures 8 hours

- (I) Firearms Qualification
(Handgun and Shotgun
Courses)

- TOTAL HOURS 110 hours
- (15) Persons who have completed training as a federal law enforcement officer and are appointed as a sworn law enforcement officer in North Carolina shall be required to complete a commission-accredited ~~basic training program~~ Basic Law Enforcement Training Course in its entirety regardless of previous federal training and experience and successfully pass the State Comprehensive Examination within the 12 month probationary period as prescribed in 12 NCAC 10B .0503(a).

- (16) Persons with part-time experience who have been separated from a sworn law enforcement position for more than one year shall be required to complete a commission-accredited ~~basic training program~~ Basic Law Enforcement Training Course in its entirety and successfully pass the State Comprehensive Examination within the 12 month probationary period as prescribed in 12 NCAC 10B .0503(a).

- (17) Persons out of the law enforcement profession for over three years regardless of prior training or experience shall complete a commission-accredited ~~basic training program~~ Basic Law Enforcement Training Course in its entirety and successfully pass the State Comprehensive Examination within the 12 month probationary period as prescribed in 12 NCAC 10B .0503(a).

- (18) Wildlife Enforcement Officers who completed the Basic Law Enforcement Training prior to September 30, 1985 and are sworn as justice officers shall be subject to the evaluation rules as stated in Rule .0505(a)(1) through (17).

- (19) Wildlife Enforcement Officers who separate from employment with the Wildlife Enforcement Division and have less than one year break in service, who transfer to a Sheriff's Department in a sworn capacity, and who completed their Basic Training after September 30, 1985 shall complete the following blocs of instruction and pass the state exam in its entirety:

- (A) Crime Prevention
Techniques 4 hours
- (B) Mechanics of Arrest:
Custody Procedure 2 hours
- (C) Mechanics of Arrest:
Processing Arrestee 4 hours
- (D) Special Populations 10 hours

PROPOSED RULES

(E) <u>Techniques of Traffic Law Enforcement</u>	<u>6 hours</u>
(F) <u>Dealing with Victims and the Public</u>	<u>8 hours</u>
(G) <u>Civil Process</u>	<u>24 hours</u>
(H) <u>Supplemental Custody Procedures</u>	<u>8 hours</u>
TOTAL HOURS	66 hours
(20) <u>Wildlife Enforcement Officers who completed Basic Law Enforcement Training on or after September 30, 1985 and have been out of a sworn position over one year but no more than three years, and are sworn as a justice officer must complete the following blocs of instructions and pass the state exam in its entirety during their probationary period.</u>	
(A) <u>Laws of Arrest Search and Seizure</u>	<u>16 hours</u>
(B) <u>Elements of Criminal Law</u>	<u>24 hours</u>
(C) <u>Juvenile Laws and Procedures</u>	<u>8 hours</u>
(D) <u>Controlled Substances</u>	<u>6 hours</u>
(E) <u>ARC Laws and Procedures</u>	<u>4 hours</u>
(F) <u>Motor Vehicle Laws</u>	<u>20 hours</u>
(G) <u>Crime Prevention Techniques</u>	<u>4 hours</u>
(H) <u>Mechanics of Arrest: Custody Procedures</u>	<u>2 hours</u>
(I) <u>Mechanics of Arrest: Processing Arrestees</u>	<u>4 hours</u>
(J) <u>Special Populations</u>	<u>18 hours</u>
(K) <u>Techniques of Traffic Law Enforcement</u>	<u>6 hours</u>
(L) <u>Dealing with Victims and the Public</u>	<u>8 hours</u>
(M) <u>Civil Process</u>	<u>24 hours</u>
(N) <u>Supplemental Custody Procedures</u>	<u>8 hours</u>
TOTAL HOURS	146 hours

(b) In those instances not specifically incorporated within this Section or where an evaluation of the applicant's prior training and experience determines that required attendance in the entire "Basic Recruit Training Law Enforcement" Basic Law Enforcement Training Course course would be impractical, the director is authorized to exercise his/her discretion in determining the amount of training those persons shall complete during their probationary period.

Statutory Authority G.S. 17E-4; 17E-7.

SECTION .0600 - MINIMUM STANDARDS OF TRAINING FOR JAILERS

.0601 JAILER CERTIFICATION COURSE

(a) This Section establishes the current minimum standard by which Sheriffs' Department personnel shall receive jailer training. These rules will serve to raise the level of jailer training heretofore available to law enforcement officers across the state. The jailer training course Jailer Certification Course shall consist of a minimum of 120 hours of instruction designed to provide the trainee with the skills and knowledge necessary to perform those tasks considered essential to the administration and operation of a confinement facility.

(b) Each jailer training course Jailer Certification Course shall include the following identified topic areas and approximate minimum instructional hours for each area:

(1) Orientation/Pretest	1 hour
(2) Civil Liability in the Jail	1 hour
(3) The American Jail: Its Origin and Development	1 hour
(4) Legal Rights and Responsibilities Within the Corrections Environment	12 hours
(5) Processing Inmates: Booking, Intake, Classification and Release Procedures	8 hours
(6) Transportation of Inmates	4 hours
(7) Written Communication	3 hours
(8) Introduction to the Minimum Standards for the Operation of Local Confinement Facilities in North Carolina	3 hours
(9) Role Concepts, Attitudes and Interpersonal Communication	2 hours
(10) Disciplinary Procedures in the Jail	2 hours
(11) Key and Tool Control	1 hour
(12) Hostage Incidents in the Jail	2 hour
(13) Stress	3 hours
(14) Recreation and Visiting	2 hours
(15) Medical Care in the Jail	4 hours
(16) Patrol and Emergency Procedures	3 hours
(17) Suicide and Jails	3 hours
(18) Homosexuality and Jails	1 hour
(19) Supervision of Inmates	6 hours
(20) Psychological Disorders: Psychotic and Neurotic Personality	4 hours
(21) Contraband Searches	6 hours
(22) Handling Fire Emergencies: Chemistry and Evacuation	4 hours

PROPOSED RULES

- (23) Handling Fire Emergencies:
 - Classification and Extinguishing 4 hours
- (24) Unarmed Self Defense 18 hours
- (25) Practicals 1 hour
- (26) ~~CPR~~ Standard First Aid 8 hours
- (27) ~~First Aid~~ 3 hours
- (27)(28) Communicable Diseases 3 hours
- (28)(29) Review 3 hours
- (29) Testing 3 hours
- (30) Exam 4 hours

TOTAL HOURS 120 hours

Note: An officer enrolled in a Jailer Certification Training Course who is currently certified in ~~CPR (Cardiopulmonary Resuscitation)~~ Standard First Aid shall be exempt from that block of instruction and subsequent examination. The officer must furnish proof of current certification to the school director at the time of enrollment. All other trainees must successfully complete ~~CPR~~, Standard First Aid, and become certified, during and as part of the Jailer Certification Course.

(c) Consistent with the curriculum development policy of the Commission, the Commission shall designate the developer of the Jailer Certification Course curricula and such designation shall be deemed by the Commission as approval for the developer to conduct pilot Jailer Certification Courses. Individuals who successfully complete such a pilot Jailer Certification Course offering shall be deemed to have successfully complied with and satisfied the minimum training requirement.

(d) The "Jailer Certification Training Manual" as published by the North Carolina Justice Academy is hereby adopted by reference and shall automatically include any later amendments and editions of the adopted matter as authorized by G.S. 150B-14(c) to apply as the basic curriculum for the Jailer Certification Training Course.

(e) The "Jailer Certification Course Management Guide" as published by the North Carolina Justice Academy is hereby adopted by reference and shall automatically include any later amendments, editions of the adopted matter as authorized by G.S. 150B-14(c) to be used by certified school directors in planning, implementing and delivering basic jailer training. Each certified school director shall be issued a copy of the guide at the time of certification at no cost to the accredited school.

Statutory Authority G.S. 17E-4(a).

SECTION .0700 - MINIMUM STANDARDS FOR JUSTICE OFFICER SCHOOLS AND TRAINING PROGRAMS OR COURSES OF INSTRUCTION

.0702 ADMINISTRATION OF JUSTICE OFFICER SCHOOLS

The rules covering the administration of Criminal Justice Schools and training programs or courses of instruction, codified as Title 12, Subchapter 9B, Section .0200 of the North Carolina Administrative Code, effective and previously adopted by the North Carolina Criminal Justice Education and Training Standards Commission are hereby adopted by reference and shall automatically include any later amendments and editions of the adopted matter as authorized by G.S. 150B-14(c) to apply to actions of the North Carolina Sheriffs' Education And Training Standards Commission with the exception of the Jailer Certification Training Course. ~~and with the exception of any requirement or reference to drug testing.~~

Statutory Authority G.S. 17E-4.

SECTION .0800 - ACCREDITATION OF JUSTICE OFFICER SCHOOLS AND TRAINING COURSES

.0802 ACCREDITATION: DELIVERY/JAILER CERTIFICATION TRAINING COURSE

(a) An institution or agency to be accredited to deliver a Jailer Certification Training Course must submit a Form F-7 requesting school accreditation.

(b) School accreditation shall remain effective until surrendered, suspended, or revoked.

(c) The Commission may suspend or revoke the accreditation of a school when it finds that the school has failed to meet or to continuously maintain any requirement, standard or procedure for school accreditation or course delivery as required by ~~Rule .0703(e)~~ Section .0700 of this Subchapter.

Statutory Authority G.S. 17E-4.

SECTION .0900 - MINIMUM STANDARDS FOR JUSTICE OFFICER INSTRUCTORS

.0903 CERT: INSTRUCTORS FOR JAILER CERTIFICATION TRAINING COURSE

(a) Any person participating in a commission-accredited Jailer Certification Training Course ~~or program~~ as an instructor, teacher, professor, lecturer, or other participant making presentations to the class shall first be certified by the Commission as an instructor. A waiver may be granted by the Director upon receipt of a written application to teach in a designated school.

(b) The Commission shall certify Jailer Certification ~~Training~~ Course instructors under the following categories:

- (1) General Jailer Instructor Certification;
- (2) Professional Lecturer Certification; or
- (3) Limited Lecturer Certification as outlined in Rules .0903, .0905 and .0907 Rules .0904, .0906 and .0908 of this Section.

Statutory Authority G.S. 17E-4.

.0904 GENERAL JAILER INSTRUCTOR CERTIFICATION

An applicant for General Jailer Instructor Certification shall meet the following requirements:

- (2) Persons holding only General Jailer Instructor Certification may teach any topical areas of instruction in the commission-mandated course with the exception of those outlined in Rules .0906(c) and .0908 (a)(1) through ~~(6)~~ (7).

Statutory Authority G.S. 17E-4.

.0908 LIMITED LECTURER CERTIFICATION

(a) The Commission may issue a Limited Lecturer Certification to an applicant who has developed specific or special skills by virtue of specific or special training. ~~Only persons holding Limited Lecturer Certification in their area of expertise may teach~~ may be issued in the following ~~topic~~ topical areas:

- (1) ~~CPR; Standard First Aid;~~
- ~~(2)(4)~~ Unarmed Self Defense;
- ~~(2)~~ Controlling Disruptive People;
- (3) Handling Fire Emergencies: Chemistry and Evacuation;
- (4) Handling Fire Emergencies: Classification and Extinguishing;
- (5) Medical Care in the Jail;
- (6) Psychological Disorders: Psychotic and Neurotic Personality;
- (7) Communicable Diseases;
- ~~(8)(7)~~ Transportation of Inmates;
- ~~(9)(8)~~ Stress;
- ~~(10)(9)~~ Written Communication.

(b) To be eligible for a Limited Lecturer Certification for topic areas set forth in ~~Rule .0907(a); Rule .0908(a)~~, the applicant must meet the qualifications as follows:

- (1) ~~CPR; Standard First Aid; Certified Standard First Aid Instructor with the American Red Cross; or American Heart Association;~~
- ~~(2) Controlling Disruptive People; a Specialized Defensive Tactics Instruction; certified with the North Carolina Criminal~~

Justice Education and Training Standards Commission;

- ~~(2)(4)~~ Unarmed Self Defense; successful completion of N.C. Department of Corrections Specialized Instructor Training - Unarmed Self-Defense; certified by N.C. Criminal Justice Education and Training Standards Commission as specific Corrections Unarmed Self Defense Instructor;
- (3) Handling Fire Emergencies: Chemistry and Evaluation; Certified Fire Instructor;
- (4) Handling Fire Emergencies: Classification and Extinguishing; Certified Fire Instructor;
- (5) Medical Care in a Jail: A Licensed Physician, A Family Nurse Practitioner, LPN, ~~or RN, or EMT;~~
- (6) Psychological Disorders: Psychotic and Neurotic Personality: A licensed Psychiatrist, Psychologist, RN, or person holding a degree in counseling, ~~or~~ therapy, or mental health;
- ~~(7)~~ Communicable Diseases: a licensed Physician, Family Nurse Practitioner, Licensed Practical Nurse (LPN), Registered Nurse (RN), Physician's Assistant;
- ~~(8)(7)~~ Transportation of Inmates: A certified instructor with the North Carolina Criminal Justice Education and Training Standards Commission with a minimum of two years of related or relevant experience;
- ~~(9)(8)~~ Stress: A certified instructor with the North Carolina Criminal Justice Education and Training Standards Commission with a minimum of two years of related or relevant experience;
- ~~(10)(9)~~ Written Communication: A certified instructor with the North Carolina Criminal Justice Education and Training Standards Commission with a minimum of two years of related or relevant experience; or a person with a four year degree with a major in English.

Statutory Authority G.S. 17E-4.

SECTION .1000 - PROFESSIONAL CERTIFICATE PROGRAM FOR SHERIFFS AND DEPUTY SHERIFFS

.1002 GENERAL PROVISIONS

(a) In order to be eligible for one or more of the professional awards, a sheriff or deputy sheriff shall first meet the following preliminary qualifications:

- (1) Be an elected or appointed sheriff or be a deputy sheriff who holds valid General or Grandfather Certification. A deputy

sheriff serving under a probationary certification is not eligible for consideration.

- (2) The sheriff or deputy sheriff shall be familiar with and subscribe to the Law Enforcement Code of Ethics.
- (3) If the applicant is a deputy sheriff, the deputy shall be a ~~full-time~~ sworn ~~paid~~ member of a North Carolina Sheriff's Department, as certified in writing by the sheriff; or be an employee of an agency who must be sworn by the sheriff in order to perform his duties as certified in writing by the Sheriff.
- (4) ~~Full-time, paid~~ Employees of a North Carolina Sheriff's Department who have successfully completed a commission-accredited Basic Law Enforcement Training Course and have previously held general or grandfather law enforcement officer certification but are presently, by virtue of promotion or transfer, serving in non-sworn positions not subject to certification are eligible to participate in the Professional Certificate Program. Eligibility for this exception requires continuous employment with the sheriff's department from the date of promotion or transfer from a sworn, certified position to the date of application for a professional certificate.
- (5) Only training and/or experience gained in an officer's area of expertise will be eligible for application to this program.

(b) Certificates are awarded based upon a formula which combines formal education, law enforcement training, and actual experience as a law enforcement officer. These professional certificates are appropriate for ~~full-time~~, sworn sheriffs and deputy sheriffs. Points are computed in the following manner:

- (1) Each semester hour of college credit shall equal one point and each quarter hour shall equal two-thirds of a point;
- (2) Twenty classroom hours of commission-approved law enforcement training shall equal one point;
- (3) Only experience as a ~~full-time~~, sworn ~~paid~~ member of a law enforcement agency or equivalent experience shall be acceptable for consideration.

Statutory Authority G.S. 17E-4.

SECTION .1100 - JUSTICE OFFICERS' SERVICE AWARD PROGRAM

.1102 GENERAL PROVISIONS

(a) In order to be eligible for one or more of the service awards, a Justice Officer or Sheriff shall first meet the following preliminary qualifications:

- (1) Be an elected or appointed sheriff or be a justice officer ~~shall hold that holds~~ a valid general or grandfather certification. An officer serving under a probationary certification is not eligible for consideration.
- (2) The Sheriff or justice officer shall be familiar with and subscribe to the Law Enforcement Code of Ethics.
- (3) ~~The justice officer shall be a full-time certified, paid member of a North Carolina Sheriff's Department, as certified in writing by the sheriff.~~
- (3)(4) Also, ~~full-time, paid~~ employees of a North Carolina Sheriff's Department who have previously held certification, but are presently, by virtue of promotion or transfer, serving in positions not subject to certification are eligible to participate in the service award program. Eligibility for this exception requires continuous employment with a sheriff's department from the date of promotion or transfer from a certified position to the date of application for a service award as certified in writing by the Sheriff.

(b) Only experience as a ~~full-time~~, certified ~~paid~~ member of a law enforcement agency or experience as an elected or appointed sheriff shall be acceptable for consideration.

Statutory Authority G.S. 17E-4.

.1103 INTERMEDIATE SERVICE AWARD

In addition to the qualifications set forth in Rule .1102 an applicant must have served a minimum of 15 years as a ~~full-time~~, certified justice officer; or elected or appointed sheriff.

Statutory Authority G.S. 17E-4.

.1104 ADVANCED SERVICE AWARD

In addition to the qualifications set forth in Rule .1102 an applicant must have served a minimum of 20 years as a ~~full-time~~, certified justice officer; or elected or appointed sheriff.

Statutory Authority G.S. 17E-4.

SECTION .1200 - PROFESSIONAL CERTIFICATE PROGRAM FOR JAILERS

.1201 PURPOSE

In order to recognize the level of competence of jailers serving the Sheriffs' departments of

North Carolina, to foster increased interest in college education and professional law enforcement training programs and to attract highly qualified individuals into a law enforcement career, the North Carolina Sheriffs' Education and Training Standards Commission established the Professional Certificate Program for Jailers.

Statutory Authority G.S. 17E-4.

.1202 GENERAL PROVISIONS

(a) In order to be eligible for one or more of the jailer professional awards, a jailer shall first meet the following preliminary qualifications:

- (1) Be a jailer who holds valid general or grandfather certification. A jailer serving under a probationary certification is not eligible for consideration.
- (2) The jailer shall be familiar with and subscribe to the Law Enforcement Code of Ethics.
- (3) Full-time, paid employees of a North Carolina Sheriff's Department who have previously held general or grandfather jailer certification but are presently, by virtue of promotion or transfer, serving in positions not subject to certification are eligible to participate in the Professional Certificate Program. Eligibility for this exception requires continuous employment with the sheriff's department from the date of promotion or transfer from a certified position to the date of application for a professional certificate.
- (4) Only training and/or experience gained in an officer's area of expertise will be eligible for application to this program.

(b) Certificates are awarded based upon a formula which combines formal education, training, and actual experience as a jailer. These professional certificates are appropriate. Points are computed in the following manner:

- (1) Each semester hour of college credit shall equal one point and each quarter hour shall equal two thirds of a point;
- (2) Twenty classroom hours of commission-approved training shall equal one point;
- (3) Only experience as a member of a law enforcement agency or equivalent experience shall be acceptable for consideration.

Statutory Authority G.S. 17E-4.

.1203 BASIC JAILER PROFESSIONAL CERTIFICATE

In addition to the qualifications set forth in Rule .1202, an applicant for the Basic Jailer Professional Certificate shall have no less than

one year of service, and shall have completed an accredited Jailer Certification Course or the equivalent as determined by the Commission.

Statutory Authority G.S. 17E-4.

.1204 INTERMEDIATE JAILER PROFESSIONAL CERTIFICATE

(a) In addition to the qualifications set forth in Rule .1202, applicants for the Intermediate Jailer Professional Certificate shall possess or be eligible to possess the Basic Jailer Professional Certificate and shall have acquired the following combination of educational points or degrees, training points and years of jailer experience:

Educational Degrees

Years of Jailer Experience	8	6	4
----------------------------	---	---	---

Minimum Training Points

Minimum Total Education and Training Points

13 23 33

AA/AS

AB/BS

4

2

24

23

24

23

(b) Educational points claimed shall have been earned at a technical institute, technical college, community college, junior college, college or university accredited as such by the Department of Education of the state in which the institution is located, the recognized national accrediting body, or the state university of the state in which the institution is located.

Statutory Authority G.S. 17E-4.

.1205 ADVANCED JAILER PROFESSIONAL CERTIFICATE

(a) In addition to the qualifications set forth in Rule .1202, applicants for the Advanced Jailer Professional Certificate shall possess or be eligible to possess the Intermediate Jailer Professional Certificate and shall have acquired the following combination of educational points or degrees,

PROPOSED RULES

training points and years of law enforcement experience:

Educational Degrees

Years of Jailer

Experience 12 9

Minimum Training
Points

Minimum Total
Education and Training
Points 23 33

A/AS	AB/BS	GRAD./PRO.
------	-------	------------

9	6	4
---	---	---

27	26	26
----	----	----

27	26	26
----	----	----

(b) Educational points claimed shall have been earned at a technical institute, technical college, community college, junior college, college or university accredited as such by the Department of Education of the state in which the institution is located, the appropriate recognized accrediting body, or the state university of the state in which the institution is located.

Statutory Authority G.S. 17E-4.

.1206 HOW TO APPLY

(a) All applicants for an award of the Basic, Intermediate or Advanced Certificates shall complete an "Application: Professional Certificate/Service Award", (F-6).

(b) Documentation of education and training shall be provided by copies of transcripts, diplomas, Report of Training Course Completion, agency training records, or other verifying documents attached to the application.

(c) The applicant shall submit the "Application: Professional Certificate/Service Award", (F-6) to his sheriff who shall attach his recommendation and forward the application to the Commission. Certificates will be issued to the sheriff for award to the applicant.

Statutory Authority G.S. 17E-4.

SECTION .2000 - IN-SERVICE TRAINING FOR JUSTICE OFFICERS

.2001 PURPOSE

In order to ensure a minimum level of proficiency in specific topical areas for justice officers serving the sheriffs' departments within the state the Commission establishes the Justice Officers' ~~Annual~~ In-Service Training Program.

Statutory Authority G.S. 17E-4; 17E-7.

.2002 TOPICAL AREAS

The following topical area(s) are hereby established as minimum topics to be included in the Justice Officers' ~~Annual~~ In-Service Training Program:

- (1) Firearms Training and Requalification.
- (2) Training for Grandfathered Jailers.

Statutory Authority G.S. 17E-4; 17E-7.

SECTION .2100 - JUSTICE OFFICERS' FIREARMS IN-SERVICE TRAINING REQUALIFICATION PROGRAM

.2104 IN-SERVICE FIREARMS REQUALIFICATION SPECIFICATIONS

(a) All justice officers who are authorized by the sheriff to carry a handgun shall qualify a minimum of once each year with each handgun that the officer is authorized to carry while on duty on a commission-approved day and night course as follows:

- (1) Day course of fire should include at a minimum but not limited to 30 rounds using duty ammunition or duty-type ammunition with the same specifications as those found in the duty ammunition authorized by the Department for the specific weapon; firing six rounds from three yards; 12 rounds from seven yards; six rounds from 15 yards; six rounds from 25 yards. Firing should be timed firing (i.e., draw and fire two rounds in three seconds). Firing should be from a variety of positions. [Example: standing, kneeling, prone (using various cover positions).]
- (2) Night course of fire should include at a minimum but not limited to 30 rounds firing six rounds using duty ammunition or duty-type ammunition with the same specifications as those found in the duty ammunition authorized by the Department for the specific weapon; from three yards; six rounds from five yards; 12 rounds from seven yards; and six rounds from 15 yards. Firing should be timed firing (i.e., draw and fire two rounds in

three seconds). Firing should be from a variety of positions. [Example: standing, kneeling, prone (various cover positions).] Firing must occur under various light conditions to include total darkness; vehicle blue light; vehicle head light; and all available lights.

(b) All justice officers who are issued or have access to a shotgun, rifle, or automatic weapon shall be required to qualify with each weapon respectively a minimum of once each year on a commission-approved course of fire as follows:

- (1) Shotgun course of fire must include at a minimum but not limited to a minimum of five rounds using duty ammunition or duty-type ammunition with the same specifications as those found in the duty ammunition authorized by the Department for the specific weapon; firing two rounds from 15 yards; three rounds from 25 yards.
- (2) Rifle course of fire must include at a minimum but not limited to firing five rounds of duty ammunition; or duty-type ammunition with the same specifications as those found in the duty ammunition authorized by the Department for the specific weapon; two rounds from 25 yards and three rounds from 50 yards.
- (3) Automatic course of fire should include at a minimum but not limited to 20 rounds at a maximum of 50 yards.

Statutory Authority G.S. 17E-4; 17E-7.

.2105 FAILURE TO QUALIFY

(a) Justice officers who fail to qualify pursuant to Rule .2104 should immediately surrender their weapons to the sheriff and shall have 30 days in which to obtain the qualification score required in Rule .2104.

(b) Failure to qualify within the 30 day time period allowed in Rule .2105(a) will result in the suspension of the justice officer's certification by the Commission.

(c) No justice officer suspended under Paragraph (b) of this Rule may work as a certified justice officer until:

- (1) the sheriff forwards to the Commission documentary evidence verifying that the officer has complied with the requirements of Rules .2103 and .2104; and
- (2) the justice officer and the sheriff receive from the Commission documentation that the Commission has terminated the suspension and reissued the certification to the suspended officer.

(d) Any justice officer previously unauthorized to carry a weapon but whose status changed to "authorized to carry a weapon," must comply with the provisions set out in Rules .2103 and .2104; and may not carry a firearm until:

- (1) the sheriff forwards to the Commission documentary evidence verifying that the officer has complied with the requirements of Rules .2103 and .2104; and
- (2) the justice officer and the sheriff receive from the Commission documentation that the Commission has amended the officer's status to "authorized to carry a weapon" and all certification files reflect the same.

Statutory Authority G.S. 17E-4; 17E-7.

SECTION .2200 - GRANDFATHER JAILER CERTIFICATION TRAINING

.2201 PURPOSE

All Justice Officers holding grandfather certification as a jailer and who have not completed the Commission-mandated 120-hour Jailer Certification Course, are required to complete a Grandfather Jailer Certification Course in its entirety and successfully complete the exam.

Statutory Authority G.S. 17E-4; 17E-7.

.2202 COURSE CONTENT

(a) Each Grandfather Jailer Certification Course shall include at a minimum the following identified topic areas and minimum instruction hours as indicated:

(1) Orientation	2 hours
(2) Legal Issues	7 hours
(3) Stress	2 hours
(4) Fire Emergencies in the Jail	8 hours
(5) Suicide and Jails	8 hours
(6) Medical Care and Jails	6 hours
(7) Custody and Security in Jails	6 hours
(8) Test	1 hour

TOTAL 40 hours

(b) The "Grandfather Jailer Certification Training Manual" as published by the North Carolina Justice Academy is hereby adopted by reference and shall automatically include any later amendments and editions of the adopted matter as authorized by G.S. 150B-14(c) to apply as the basic curriculum for the Jailer Certification Training Course.

(c) Consistent with the curriculum development policy of the Commission, the Commission shall designate the developer of the Jailer Certification Course curricula and such designation

shall be deemed by the Commission as approval for the developer to conduct pilot Jailer Certification Courses. Individuals who successfully complete such a pilot Jailer Certification Course offering shall be deemed to have successfully complied with and satisfied the minimum training requirement.

Statutory Authority G.S. 17E-4; 17E-7.

.2203 TIME FOR COMPLETION OF TRAINING

All Justice Officers identified in Rule .2201 of this Section shall attend and successfully complete a Grandfather Jailer Certification Training Course on or before January 1, 1993.

Statutory Authority G.S. 17E-4; 17E-7.

.2204 INSTRUCTORS

Only instructors certified by the Sheriff's Education and Training Standards Commission may teach in the Grandfather Jailer Certification Training Course.

Statutory Authority G.S. 17E-4; 17E-7.

**TITLE 15 - DEPARTMENT OF NATURAL
RESOURCES AND COMMUNITY
DEVELOPMENT**

Notice is hereby given in accordance with G.S. 150B-12 that the NRCDC - Division of Coastal Management intends to amend rule(s) cited as 15 NCAC 7H .1102, .1202, .1302, .1402, .1502, .1602, .1802, .1902; 15 NCAC 7J .0206.

The proposed effective date of this action is January 1, 1990.

The public hearing will be conducted at 10:00 a.m. on September 28, 1989 at The Coastline Convention Center, 501 Nutt Street, Suite 1, Wilmington, NC 28401.

Comment Procedures: All persons interested in these matters are invited to attend the public hearing. The Coastal Resources Commission will receive written comments up to the date of the hearing. Any persons desiring to present lengthy comments is requested to submit a written statement for inclusion in the record of proceedings at the public hearing. Additional information concerning the hearing or the proposals may be obtained by contacting: Portia Rochelle, Division of Coastal Management, P.O. Box 27687, Raleigh, NC 27611-7687 (919) 733-2293.

CHAPTER 7 - COASTAL MANAGEMENT

**SUBCHAPTER 7H - STATE GUIDELINES FOR
AREAS OF ENVIRONMENTAL CONCERN**

**SECTION .1100 - GENERAL PERMIT FOR
CONSTRUCTION OF BULKHEADS AND THE
PLACEMENT OF RIPRAP FOR SHORELINE
PROTECTION IN ESTUARINE AND PUBLIC
TRUST WATERS**

.1102 APPROVAL PROCEDURES

(b) The applicant must provide:

- (1) confirmation that a written statement has been obtained signed by the adjacent riparian property owners indicating that they have no objections to the proposed work; or
- (2) confirmation that the adjacent riparian property owners have been notified by certified mail of the proposed work. Such notice should instruct adjacent property owners to provide any comments on the proposed development in writing for consideration by permitting officials to the Division of Coastal Management within ten days of receipt of the notice, and, indicate that no response will be interpreted as no objection. DCM staff will review all comments and determine, based on their relevance to the potential impacts of the proposed project, if the proposed project can be approved by a General Permit. If DCM staff finds that the comments are worthy of more in-depth review, the applicant will be notified that he must submit an application for a major development permit.

Statutory Authority G.S. 113A-107(a); 113A-107(b); 113A-113(b); 113A-118.1; 113A-124.

**SECTION .1200 - GENERAL PERMIT FOR
CONSTRUCTION OF PIERS, DOCKS, AND
BOAT HOUSES IN ESTUARINE AND PUBLIC
TRUST WATERS**

.1202 APPROVAL PROCEDURES

(a) The applicant must contact the Office Division of Coastal Management and complete an application form requesting approval for development. The applicant shall provide information on site location, dimensions of the project area, and his name and address.

(b) The applicant must provide:

- (1) confirmation that a written statement has been obtained signed by the adjacent riparian property owners indicating that

they have no objections to the proposed work; or

- (2) confirmation that the adjacent riparian property owners have been notified by certified mail of the proposed work. Such notice should instruct adjacent property owners to provide any comments on the proposed development in writing for consideration by permitting officials to the Division of Coastal Management within ten days of receipt of the notice, and, indicate that no response will be interpreted as no objection. DCM staff will review all comments and determine, based on their relevance to the potential impacts of the proposed project, if the proposed project can be approved by a General Permit. If DCM staff finds that the comments are worthy of more in-depth review, the applicant will be notified that he must submit an application for a major development permit.

(c) Approval of individual projects will be acknowledged in writing by the Office Division of Coastal Management and the applicant shall be provided a copy of this Section.

Statutory Authority G.S. 113A-107(a); 113A-107(b); 113A-113(b); 113A-118.1; 113A-124.

SECTION .1300 - GENERAL PERMIT TO MAINTAIN, REPAIR AND CONSTRUCT BOAT RAMPS ALONG ESTUARINE SHORELINES AND INTO ESTUARINE AND PUBLIC TRUST WATERS

.1302 APPROVAL PROCEDURES

(a) The applicant must contact the Office Division of Coastal Management and complete an application form requesting approval for development. The applicant shall provide information on site location, dimensions of the project area, and his name and address.

(b) The applicant must provide:

- (1) confirmation that a written statement has been obtained signed by the adjacent riparian property owners indicating that they have no objections to the proposed work; or
- (2) confirmation that the adjacent riparian property owners have been notified by certified mail of the proposed work. Such notice should instruct adjacent property owners to provide any comments on the proposed development in writing for consideration by permitting officials to the Division of Coastal Management within ten days of receipt of the notice, and, in-

dicating that no response will be interpreted as no objection. DCM staff will review all comments and determine, based on their relevance to the potential impacts of the proposed project, if the proposed project can be approved by a General Permit. If DCM staff finds that the comments are worthy of more in-depth review, the applicant will be notified that he must submit an application for a major development permit.

(c) No work shall begin until an on-site meeting is held with the applicant and appropriate Office Division of Coastal Management representative so that the proposed boat ramp alignment can be appropriately marked. Written authorization to proceed with the proposed development will be issued during this visit. Construction of the boat ramp structure must begin within 90 days of this visit or the general authorization expires.

Statutory Authority G.S. 113A-107(a); 113A-107(b); 113A-113(b); 113A-118.1; 113A-124.

SECTION .1400 - GENERAL PERMIT FOR CONSTRUCTION OF WOODEN GROINS IN ESTUARINE AND PUBLIC TRUST WATERS

.1402 APPROVAL PROCEDURES

(b) The applicant must provide:

- (1) confirmation that a written statement has been obtained signed by the adjacent riparian property owners indicating that they have no objections to the proposed work; or
- (2) confirmation that the adjacent riparian property owners have been notified by certified mail of the proposed work. Such notice should instruct adjacent property owners to provide any comments on the proposed development in writing for consideration by permitting officials to the Division of Coastal Management within ten days of receipt of the notice, and, indicate that no response will be interpreted as no objection. DCM staff will review all comments and determine, based on their relevance to the potential impacts of the proposed project, if the proposed project can be approved by a General Permit. If DCM staff finds that the comments are worthy of more in-depth review, the applicant will be notified that he must submit an application for a major development permit.

PROPOSED RULES

Statutory Authority G.S. 113A-107(a); 113A-107(b); 113A-113(b); 113A-118.1; 113A-124.

SECTION .1500 - GENERAL PERMIT FOR EXCAVATION WITHIN OR CONNECTING TO EXISTING CANALS; CHANNELS; BASINS; OR DITCHES IN ESTUARINE WATERS; PUBLIC TRUST WATERS; AND ESTUARINE SHORELINE AEC'S

.1502 APPROVAL PROCEDURES

(b) The applicant must provide:

- (1) confirmation that a written statement has been obtained signed by the adjacent riparian property owners indicating that they have no objections to the proposed work; or
- (2) confirmation that the adjacent riparian property owners have been notified by certified mail of the proposed work. Such notice should instruct adjacent property owners to provide any comments on the proposed development in writing for consideration by permitting officials to the Division of Coastal Management within ten days of receipt of the notice, and, indicate that no response will be interpreted as no objection. DCM staff will review all comments and determine, based on their relevance to the potential impacts of the proposed project, if the proposed project can be approved by a General Permit. If DCM staff finds that the comments are worthy of more in-depth review, the applicant will be notified that he must submit an application for a major development permit.

Statutory Authority G.S. 113A-107(a),(b); 113A-113(b); 113A-118.1; 113-229(c1).

SECTION .1600 - GENERAL PERMIT FOR THE INSTALLATION OF AERIAL AND SUBAQUEOUS UTILITY LINES WITH ATTENDANT STRUCTURES IN COASTAL WETLANDS; ESTUARINE WATERS; PUBLIC TRUST WATERS AND ESTUARINE SHORELINES

.1602 APPROVAL PROCEDURES

(b) The applicant must provide:

- (1) confirmation that a written statement has been obtained signed by the adjacent riparian property owners indicating that they have no objections to the proposed work; or
- (2) confirmation that the adjacent riparian property owners have been notified by certified mail of the proposed work. Such

notice should instruct adjacent property owners to provide any comments on the proposed development in writing for consideration by permitting officials to the Division of Coastal Management within ten days of receipt of the notice, and, indicate that no response will be interpreted as no objection. DCM staff will review all comments and determine, based on their relevance to the potential impacts of the proposed project, if the proposed project can be approved by a General Permit. If DCM staff finds that the comments are worthy of more in-depth review, the applicant will be notified that he must submit an application for a major development permit.

Statutory Authority G.S. 113-229(c1); 113A-107(a)(b); 113A-113(b); 113A-118.1.

SECTION .1800 - GENERAL PERMIT TO ALLOW BEACH BULLDOZING LANDWARD OF THE MEAN HIGH WATER MARK IN THE OCEAN HAZARD AEC

.1802 APPROVAL PROCEDURES

(b) The applicant must provide:

- (1) confirmation that a written statement has been obtained signed by the adjacent riparian property owners indicating that they have no objections to the proposed work; or
- (2) confirmation that the adjacent riparian property owners have been notified by certified mail of the proposed work. Such notice should instruct adjacent property owners to provide any comments on the proposed development in writing for consideration by permitting officials to the Division of Coastal Management within ten days of receipt of the notice, and, indicate that no response will be interpreted as no objection. DCM staff will review all comments and determine, based on their relevance to the potential impacts of the proposed project, if the proposed project can be approved by a General Permit. If DCM staff finds that the comments are worthy of more in-depth review, the applicant will be notified that he must submit an application for a major development permit.

Statutory Authority G. S. 113-229(c1); 113A-107(a)(b); 113A-113(b); 113A-118.1.

SECTION .1900 - GENERAL PERMIT TO ALLOW FOR TEMPORARY STRUCTURES

WITHIN ESTUARINE AND OCEAN HAZARD
AECS

.1902 APPROVAL PROCEDURES

- (b) The applicant must provide:
- (1) confirmation that a written statement has been obtained signed by the adjacent riparian property owners indicating that they have no objections to the proposed work; or
 - (2) confirmation that the adjacent riparian property owners have been notified by certified mail of the proposed work. Such notice should instruct adjacent property owners to provide any comments on the proposed development in writing for consideration by permitting officials to the Division of Coastal Management within ten days of receipt of the notice, and, indicate that no response will be interpreted as no objection. DCM staff will review all comments and determine, based on their relevance to the potential impacts of the proposed project, if the proposed project can be approved by a General Permit. If DCM staff finds that the comments are worthy of more in-depth review, the applicant will be notified that he must submit an application for a major development permit.

Statutory Authority G.S. 113-229(c1); 113A-107(a)(b); 113A-113(b); 113A-118.1.

SUBCHAPTER 7J - PROCEDURES FOR
HANDLING MAJOR DEVELOPMENT
PERMITS: VARIANCE REQUESTS: APPEALS
FROM MINOR DEVELOPMENT PERMIT
DECISIONS: AND DECLARATORY RULINGS

SECTION .0200 - APPLICATION PROCESS

.0206 PUBLIC NOTICE OF THE PROPOSED
DEVELOPMENT

Within a reasonable time after receiving an application for a major development permit, a significant modification to an application for a major permit, or an application to modify substantially a previously issued major permit, the Division of Coastal Management shall issue public notice of the proposed development as provided in G.S. 113A-119(b). Any citizen or group will, upon request, be promptly sent a copy of the application upon payment of a reasonable fee to cover costs of copying, handling, and posting.

Statutory Authority G.S. 113A-119(b).

TITLE 16 - DEPARTMENT OF PUBLIC
EDUCATION

Notice is hereby given in accordance with G.S. 150B-12 that the State Board of Education intends to amend rule(s) cited as 16 NCAC 6C .0401 - .0405.

The proposed effective date of this action is December 1, 1989.

The public hearing will be conducted at 3:00 p.m. on August 31, 1989 at 3rd Floor Conference Room, Education Building, 116 West Edenton Street, Raleigh, North Carolina 27603-1712.

Comment Procedures: Any interested person may present views and comments either in writing prior to or at the hearing or orally at the hearing.

CHAPTER 6 - ELEMENTARY AND
SECONDARY EDUCATION

SUBCHAPTER 6C - PERSONNEL

SECTION .0400 - LEAVE

.0401 VACATION LEAVE

(i) ~~Leave must be taken in minimum units of one-half day.~~ LEAs shall determine the minimum period for which employees may take leave.

Statutory Authority G.S. 115C-272; 115C-285; 115C-302; 115C-316.

.0402 SICK LEAVE

(c) Employees ~~must~~ may take leave in minimum units ~~one-half of a workday~~, as established by the LEA.

(h) The LEA shall credit an employee who separates from service and returns within ~~36~~ 60 months with all sick leave accumulated to the time of separation.

(i) An employee may be absent due to personal illness for up to 20 work days in excess of accumulated sick leave. After the 20 day period, the LEA shall place the employee on leave of absence without pay for up to 18 calendar months. The superintendent may require a doctor's certificate or other acceptable proof of the reason for the absence.

Statutory Authority G.S. 115C-12(8); 115C-336.

.0403 SUBSTITUTES

(g) A teacher may be absent due to personal illness for up to 20 teaching days in excess of accumulated sick leave. After the 20 day period,

PROPOSED RULES

the LEA shall place the employee on leave of absence without pay for up to 18 calendar months. The superintendent may require a doctor's certificate or other acceptable proof of the reason for the absence.

(g) ~~(h)~~ Teachers earn personal leave at the rate of one half day for every two and one half months 20 days for each full month of employment and may accumulate five personal leave days. Teachers may transfer these days between LEAs. A teacher who requests personal leave at least five days in advance of the date desired is not required to give a reason for the leave. No teacher may take personal leave on the first day teachers are required to report for the school year, required teacher workdays, the day before or the day after holidays or scheduled vacation days, except as approved by the principal. The LEA shall credit a teacher who has separated from service as re-employed within ~~36~~ 60 months from the date of separation with all personal leave, up to the five-day maximum, accumulated at the time of separation. The LEA may not advance personal leave beyond that which a teacher earns. Teachers may take personal leave in minimum units as established by the LEA.

Statutory Authority G.S. 115C-12(8).

.0404 LEAVE WITH PAY

The LEA will not make deductions from public school employees' salaries in the following cases:

- (10) Upon recommendation of the superintendent, the LEA may grant leave with pay for elected officers of professional organizations, provided the organization pays the full salary and all benefit costs for the employee on leave.

Authority G.S. 115C-12(8); 115C-408; N.C. Constitution, Article IX, Sec. 5.

.0405 LEAVE WITHOUT PAY

Whenever possible, public school employees shall give advance notice of requests for leaves of absence, subject to rules of the LEA. LEAs may determine the beginning or ending date of leaves of absence, except for military leave. LEAs may provide educational leave, but they may not use state funds for this purpose. LEAs may allow leaves of absence for permanent employees as follows:

- (2) An employee is granted a leave of absence without pay up to one calendar year for the birth or adoption of a child. This period may, with the approval of the LEA, be extended for the remainder of the school year

when the leave would otherwise end in the latter half of the school year.

Authority G.S. 115C-12(8); 115C-408; N.C. Constitution, Article IX, Sec. 5.

Notice is hereby given in accordance with G.S. 150B-12 that the State Board of Education intends to amend rule(s) cited as 16 NCAC 6E .0202.

The proposed effective date of this action is July 1, 1990.

The public hearing will be conducted at 2:00 p.m. on August 31, 1989 at 3rd Floor Conference Room, Education Building, 116 West Edenton Street, Raleigh, North Carolina 27603-1712.

Comment Procedures: Any interested person may present views and comments either in writing prior to or at the hearing or orally at the hearing.

SUBCHAPTER 6E - STUDENTS

SECTION .0200 - SCHOOL ATHLETICS AND SPORTS MEDICINE

.0202 SCHOOL ATHLETICS AND SPORTS MEDICINE

- (a) Only students in grades 7-12 may participate in interscholastic athletic competition. In order to qualify for public school participation, a student must meet the following requirements:
- (3) The student must pass at least ~~four~~ five courses each semester and meet promotion standards established by the LEA.

Statutory Authority G.S. 115C-47(4).

TITLE 21 - OCCUPATIONAL LICENSING BOARD

Notice is hereby given in accordance with G.S. 150B-12 that the North Carolina Licensing Board for General Contractors intends to amend rule(s) cited as 21 NCAC 12 .0204, .0503, .0504.

The proposed effective date of this action is December 1, 1989.

The public hearing will be conducted at 9:30 a.m. on August 31, 1989 at State Room, North Carolina State University Faculty Club, 4200 Hillsborough Street, Raleigh, North Carolina.

Comment Procedures: Persons wishing to present oral data, views or arguments on a proposed rule may file a notice with the Board at least 10 days prior to the public hearing. Any person may also file a written submission containing data, comments or arguments at any time until 10 days after the hearing. Submissions should be mailed to the Board at: P.O. Box 17187, Raleigh, North Carolina 27619.

CHAPTER 12 - LICENSING BOARD FOR GENERAL CONTRACTORS

SECTION .0200 - LICENSING REQUIREMENTS

.0204 ELIGIBILITY

(a) Limited License. The applicant for such a license must:

(1) Be entitled to be admitted to the examination given by the Board in light of the requirements set out in G.S. 87-10 and Section .0400 of this Chapter;

(2) Be financially stable to the extent that the total current assets of the applicant or the firm or corporation he represents exceed the total current liabilities by at least ten thousand dollars (\$10,000);

~~(3)(2)~~ Possess the competency and the ability, as revealed by the applicant's experience and education to engage in the practice of general contracting within a specified classification or classifications in order to successfully complete a single project of a value of less than or equal to one hundred seventy-five thousand dollars (\$175,000), such competency and ability being determined in the sole discretion of the Board;

~~(4)(2)~~ Successfully complete 70 percent of each part of the examination given the applicant by the Board dealing with the specified contracting classification chosen by the applicant.

(b) Intermediate License. The applicant for such a license must:

(1) Be entitled to be admitted to the examination given by the Board in light of the requirements set out in G.S. 87-10 and Section .0400 of this Chapter;

(2) Be financially stable to the extent that the total current assets of the applicant or the firm or corporation he represents exceed the total current liabilities by at least fifty thousand dollars (\$50,000) as reflected in an audited financial statement prepared by a certified public accountant or a qualified independent accountant who is engaged in the public practice of accountancy;

~~(3)(2)~~ Possess the competency and the ability as revealed by the applicant's experience and education to engage in the practice of general contracting within a specified classification or classifications in order to successfully complete a single project of a value of less than or equal to five hundred thousand dollars (\$500,000), such competency and ability being determined in the sole discretion of the Board;

~~(4)(2)~~ Successfully complete 70 percent of each part of the examination given the applicant by the Board dealing with the specified contracting classification chosen by the applicant.

(c) Unlimited License. The applicant for such a license must:

(1) Be entitled to be admitted to the examination given by the Board in light of the requirements set out in G.S. 87-10 and Section .0400 of this Chapter;

(2) Be financially stable to the extent that the total current assets of the applicant or the firm or corporation he represents exceed the total current liabilities by at least one hundred thousand dollars (\$100,000) as reflected in an audited financial statement prepared by a certified public accountant or by a qualified independent accountant who is engaged in the public practice of accountancy;

~~(3)(2)~~ Possess the competency and the ability, as revealed by the applicant's experience and education to engage in the practice of general contracting within a specified classification or classifications in order to successfully complete a single project of a value in excess of five hundred thousand dollars (\$500,000), such competency and ability being determined in the sole discretion of the Board;

~~(4)(2)~~ Successfully complete 70 percent of each part of the examination given the applicant by the Board dealing with the specified contracting classification chosen by the applicant.

(d) Reciprocity. If an applicant is licensed as a general contractor in another state, the Board, in its discretion, need not require the applicant to successfully complete the written examination as provided by G.S. 87-15.1. However, the applicant must comply with all other requirements of these rules to be eligible to be licensed in North Carolina as a general contractor.

Statutory Authority G.S. 87-1; 87-10.

SECTION .0500 - LICENSE

.0503 RENEWAL OF LICENSE

(a) Form. An application for renewal requires the holder of a valid license to set forth whether there were any changes made in the status of the licensee's business during the preceding year and also requires the holder to give a financial statement for the business in question. The financial statement need not be prepared by a certified public accountant or by a qualified independent accountant but may be completed by the holder of the license on the form itself. However, the Board reserves the right in its sole discretion to require a license holder to submit an audited financial statement if the circumstances render such submission necessary. Except as provided herein, the financial statement will be subject to approval by the Board in accordance with the requirements of Rule .0204 of this Chapter.

(b) Display. The certificate of renewal of license granted by the Board, containing the signatures of the Chairman and the Secretary-Treasurer, must be displayed at all times by the licensee at his place of business.

Statutory Authority G.S. 87-1; 87-10.

.0504 INCREASE IN LIMITATION

(a) General. A person, firm or corporation holding a valid license to engage in the practice of general contracting in North Carolina may apply for a different limitation by making application for such different limitation with the Board on a form prescribed and furnished by the Board.

(b) Request. A request for the required application form may be made at the address shown in Rule .0101 of this Chapter.

(c) Form. The application form for a change in limitation requires the applicant to set forth his professional qualifications and his present and past experience in general contracting. An audited financial statement prepared by a certified public accountant or by a qualified independent accountant who is engaged in the public practice of accountancy is required with the application for change in limitation.

(d) Eligibility. An applicant for a new limitation is eligible for the requested change if he possesses the qualifications for the limitation as set forth in Rule .0204 of this Chapter with the exception that such applicant shall not be required to take a written examination.

(e) Filing Deadline. An applicant who wishes to have his application considered for a change in limitation must file his application no later than the first day of the month preceding any regularly scheduled meeting of the Board. At such meeting the Board will consider the application. Regular meetings of the Board are in January, April, July and October of each year.

(f) Fees. The fees for issuance of limited, intermediate, and unlimited licenses are as provided by G.S. 87-10.

(g) Notice of Approval. Within two weeks after the regular meeting of the Board in which a timely filed application is considered, the Board will notify the applicant of its decision. If the application is approved, a certification of license in the new limitation will be issued by the Board and the applicant, as of the time of notice of the approval, may conduct himself or itself in accordance with the rights available under the limitation granted.

Statutory Authority G.S. 87-1; 87-10.

FINAL RULES

Upon request from the adopting agency, the text of rules will be published in this section.

When the text of any adopted rule is identical to the text of that as proposed, adoption of the rule will be noted in the "List of Rules Codified" and the text of the adopted rule will not be republished.

Adopted rules filed by the Departments of Correction, Revenue and Transportation are published in this section. These departments are not subject to the provisions of G.S. 150B, Article 2 requiring publication of proposed rules.

NORTH CAROLINA ADMINISTRATIVE CODE

LIST OF RULES CODIFIED

AUGUST 1989

AGENCY			ACTION TAKEN
<u>DEPARTMENT OF AGRICULTURE</u>			
2	NCAC 37	.0202 - .0203	Temp. Amended
	48B	.0023	Expires 01-02-90
			Temp. Amended
			Expires 01-02-90
<u>DEPARTMENT OF COMMERCE</u>			
4	NCAC 7	.0300	Correction
		.0501	Amended
		.0503 - .0504	Amended
		.0505	Repealed
		.0506	Adopted
		.0507	Amended
		.0508 - .0512	Adopted
		.0513 - .0517	Amended
		.0520	Correction
<u>DEPARTMENT OF CORRECTION</u>			
5	NCAC 2A	.0202	Correction
	2F	.1502	Amended
	2H	.0105	Amended
<u>OFFICES OF THE GOVERNOR AND LIEUTENANT GOVERNOR</u>			
9	NCAC 2B	Executive Order Number 93	
		Eff. June 20, 1989.	
<u>DEPARTMENT OF HUMAN RESOURCES</u>			
10	NCAC 8A	.1201 - .1211	Adopted
	10B	.1411	Correction
	20B	.0201 - .0215	Amended
			Eff. 09-01-89
		.0216	Repealed
		.0217	Amended

FINAL RULES

		.0218 - .0228	Eff. 09-01-89
			Adopted
			Eff. 09-01-89
26H	.0204		Amended
42C	.2007		Adopted
42D	.1408		Adopted
45H	.0202 - .0203		Amended

DEPARTMENT OF NATURAL RESOURCES AND COMMUNITY DEVELOPMENT

15	NCAC	1D	.0101 - .0109	Repealed
			.0201 - .0202	Adopted
			.0301 - .0304	Adopted
			.0401 - .0403	Adopted
			.0501 - .0504	Adopted
			.0601 - .0604	Adopted
		2B	.0305	Amended
			.0307	Amended
		2L	.0101 - .0104	Amended
			.0105	Repealed
			.0106 - .0113	Adopted
			.0201 - .0202	Amended
			.0301 - .0302	Amended
			.0319	Amended
		7H	.0206	Correction
			.0308	Temp. Amended
				Expires 12-17-89
			.1101	Correction
			.1103	Correction
			.1201	Correction
			.1203 - .1205	Correction
			.1301	Correction
			.1303 - .1305	Correction
			.1601	Correction
			.1603 - .1605	Correction
			.1701	Correction
			.1703 - .1705	Correction
		7J	.0408	Repealed
		13Q	.0101 - .0104	Adopted
			.0201 - .0202	Adopted
			.0301 - .0304	Adopted
			.0401 - .0403	Adopted
			.0501 - .0503	Adopted
			.0601 - .0605	Adopted
			.0701 - .0704	Adopted

LICENSING BOARD FOR CONTRACTORS

21	NCAC	12	.0204	Temp. Amended
				Expires 12-01-89
			.0503 - .0504	Temp. Amended
				Expires 12-01-89

BOARD OF COSMETIC ART EXAMINERS

21	NCAC	14L	.0101 - .0102	Amended
			.0202	Amended
			.0203	Repealed
			.0204	Amended

FINAL RULES

.0207 - .0211

Amended

.0212

Repealed

.0214

Amended

HOUSING FINANCE AGENCY

24 NCAC 1B .0005

Adopted

TITLE/MAJOR DIVISIONS OF THE NORTH CAROLINA ADMINISTRATIVE CODE

TITLE	DEPARTMENT
1	Administration, Department of
2	Agriculture, Department of
3	Auditor, Department of State
4	Commerce, Department of
5	Corrections, Department of
6	Council of State
7	Cultural Resources, Department of
8	Elections, State Board of
9	Governor, Office of the
10	Human Resources, Department of
11	Insurance, Department of
12	Justice, Department of
13	Labor, Department of
14A	Crime Control and Public Safety, Department of
15	Natural Resources and Community Development, Department of
16	Public Education, Department of
17	Revenue, Department of
18	Secretary of State, Department of
19A	Transportation, Department of
20	Treasurer, Department of State
*21	Occupational Licensing Boards
22	Administrative Procedures
23	Community Colleges, Department of
24	Independent Agencies
25	State Personnel, Office of
26	Administrative Hearings, Office of

NOTE: Title 21 contains the chapters of the various occupational licensing boards.

CHAPTER	LICENSING BOARDS
2	Architecture, Board of
4	Auctioneers, Commission for
6	Barber Examiners, Board of
8	Certified Public Accountant Examiners, Board of
10	Chiropractic Examiners, Board of
12	General Contractors, Licensing Board for
14	Cosmetic Art Examiners, Board of
16	Dental Examiners, Board of
18	Electrical Contractors, Board of Examiners of
20	Foresters, Board of Registration for
21	Geologists, Board of
22	Hearing Aid Dealers and Fitters Board
26	Landscape Architects, Licensing Board of
28	Landscape Contractors, Registration Board of
31	Marital & Family Therapy Certification Board
32	Medical Examiners, Board of
33	Midwifery Joint Committee
34	Mortuary Science, Board of
36	Nursing, Board of
37	Nursing Home Administrators, Board of
38	Occupational Therapists, Board of
40	Opticians, Board of
42	Optometry, Board of Examiners in

44	Osteopathic Examination and Registration, Board of
46	Pharmacy, Board of
48	Physical Therapy Examiners, Board of
50	Plumbing and Heating Contractors, Board of
52	Podiatry Examiners, Board of
53	Practicing Counselors, Board of
54	Practicing Psychologists, Board of
56	Professional Engineers and Land Surveyors, Board of
58	Real Estate Commission
60	Refrigeration Examiners, Board of
62	Sanitarian Examiners, Board of
63	Social Work, Certification Board for
64	Speech and Language Pathologists and Audiologists, Board of Examiners of
66	Veterinary Medical Board

CUMULATIVE INDEX

CUMULATIVE INDEX (April 1989 - March 1990)

1989 - 1990

Pages	Issue
1 - 151	1 - April
152 - 192	2 - April
193 - 216	3 - May
217 - 289	4 - May
290 - 311	5 - June
312 - 364	6 - June
365 - 454	7 - July
455 - 477	8 - July
478 - 521	9 - August

- AO - Administrative Order
- AG - Attorney General's Opinions
- C - Correction
- FR - Final Rule
- GS - General Statute
- JO - Judicial Orders or Decision
- M - Miscellaneous
- NP - Notice of Petitions
- PR - Proposed Rule
- SO - Statements of Organization
- TR - Temporary Rule

ADMINISTRATIVE ORDER

Administrative Order, 4, 152

AGRICULTURE

Cotton Warehouse, 220 PR
Markets, 217 PR
N.C. Pesticide Board, 292 PR
N.C. Plant Conservation Board, 196 PR
N.C. State Fair, 217 PR
Plant Industry, 153 PR, 218 PR

COMMERCE

Finance Center, 368 PR
N.C. Cemetery Commission, 198 PR
N.C. Milk Commission, 455 PR

COMMUNITY COLLEGES

Board of Community Colleges, 352 PR

CORRECTION

Division of Prisons, 472 FR

CULTURAL RESOURCES

Archives and History, 370 PR, 455 PR
Arts Council, 371 PR

EDUCATION

Elementary and Secondary Education, 253 PR, 295 PR, 511 PR

FINAL DECISION LETTERS

Voting Rights Act, 5, 193, 367

FINAL RULES

List of Rules Codified, 183 FR, 274 FR, 303 FR, 445 FR, 515 FR

GOVERNOR/LT. GOVERNOR

Executive Orders, 1, 290, 312, 365, 478

HUMAN RESOURCES

Departmental Rules, 372 PR
Facility Services, 199 PR, 377 PR
Health Services, 153 PR, 315 PR, 405 PR
Medical Assistance, 158 PR, 294 PR, 455 PR
Mental Health: Mental Retardation and Substance Abuse Services, 17 PR, 417 PR
Vocational Rehabilitation Services, 7 PR

INDEPENDENT AGENCIES

Housing Finance Agency, 459 PR

INSURANCE

Fire and Casualty Division, 202 PR, 479 PR

JUSTICE

Sheriff's Education and Training Standards Division, 491 PR

LICENSING BOARDS

Architecture, 349 PR
CPA Examiners, 458 PR
General Contractors, 512 PR
Landscape Architects, 443 PR
North Carolina Certification Board for Social Work, 179 PR
Nursing, Board of, 296 PR
Physical Therapy Examiners, 262 PR

NATURAL RESOURCES AND COMMUNITY DEVELOPMENT

Coastal Management, 239 PR, 508 PR
Community Assistance, 134 PR
Economic Opportunity, 178 PR
Environmental Management, 18 PR, 160 PR, 202 PR, 238 PR, 295 PR, 347 PR, 431 PR, 456 PR
Marine Fisheries, 47 PR, 457 PR
Wildlife Resources and Water Safety, 134 PR, 178 PR, 207 PR, 252 PR

REVENUE

Sales and Use Tax, 353 FR

STATE PERSONNEL

State Personnel Commission, 181 PR, 210 PR, 265 PR, 461 PR

TRANSPORTATION

Division of Motor Vehicles, 140 FR

NOW AVAILABLE

NORTH CAROLINA ADMINISTRATIVE CODE

The full publication consists of 52 volumes, totaling in excess of 15,000 pages. It is supplemented monthly with replacement pages. A one year subscription to the full publication including supplements can be purchased for seven hundred and fifty dollars (\$750.00). Individual volumes may also be purchased with supplement service. Renewal subscriptions for supplements to the initial publication available.

PRICE LIST FOR THE SUBSCRIPTION YEAR

Volume	Title	Chapter	Subject	New Subscription*	Quantity	Total Price
1 - 52	Full Code		All titles	\$750.00		
1	1	1 - 37	Administration	90.00		
2	2	1 - 24	Agriculture	75.00		
3	2	25 - 52	Agriculture	75.00		
4	3	1 - 4	Auditor	10.00		
5	4	1 - 2	Commerce (includes ABC)	45.00		
6	4	3 - 17	Commerce	90.00		
7	5	1 - 2	Corrections	60.00		
8	5	3 - 4	Corrections	30.00		
9	6	1 - 4	Council of State			
	7	1 - 11	Cultural Resources	60.00		
10	8	1 - 9	Elections	10.00		
11	9	1 - 4	Governor	45.00		
12	10	1 - 2	Human Resources	30.00		
13	10	3A - 3K	Human Resources	90.00		
14	10	3L - 3R	Human Resources (includes CON)	45.00		
15	10	3S - 3U	Human Resources	30.00		
16	10	4 - 6	Human Resources	30.00		
17	10	7	Human Resources (includes Breathalyzer)	30.00		
18	10	8 - 9	Human Resources	60.00		
19	10	10	Human Resources	90.00		
20	10	11 - 14	Human Resources	60.00		
21	10	15 - 17	Human Resources	45.00		
22	10	18	Human Resources	75.00		
23	10	19 - 30	Human Resources	90.00		
24	10	31 - 33	Human Resources	30.00		
25	10	34 - 41	Human Resources	60.00		
26	10	42	Human Resources	45.00		
27	10	43 - 50	Human Resources	90.00		
28	11	1 - 15	Insurance	90.00		

Continued

Volume	Title	Chapter	Subject	New Subscription*	Quantity	Total Price
29	12	1 - 12	Justice	90.00	_____	_____
30	13	1 - 6	Labor	30.00	_____	_____
31	13	7	OSHA	45.00	_____	_____
32	13	8 - 15	Labor	45.00	_____	_____
33	14A	1 - 11	Crime Control and Public Safety	45.00	_____	_____
34	15	1 - 2	NRCD (includes EMC)	90.00	_____	_____
35	15	3 - 6	NRCD	45.00	_____	_____
36	15	7	Coastal Management	45.00	_____	_____
37	15	8 - 9	NRCD	30.00	_____	_____
38	15	10	Wildlife	45.00	_____	_____
39	15	11 - 22	NRCD	60.00	_____	_____
40	16	1 - 6	Education	30.00	_____	_____
41	17	1 - 6	Revenue	75.00	_____	_____
42	17	7 - 11	Revenue	60.00	_____	_____
43	18	1 - 7	Secretary of State	30.00	_____	_____
44	19A	1 - 6	Transportation	90.00	_____	_____
45	20	1 - 9	Treasurer	45.00	_____	_____
46	21	1 - 16	Licensing Boards	75.00	_____	_____
47	21	17 - 37	Licensing Boards	75.00	_____	_____
48	21	38 - 70	Licensing Boards		_____	_____
	22	1 - 2	Administrative Procedures	75.00	_____	_____
49	23	1 - 2	Community Colleges	10.00	_____	_____
50	24	1 - 2	Independent Agencies	10.00	_____	_____
51	25	1	State Personnel	60.00	_____	_____
52	26	1 - 4	Administrative Hearings	10.00	_____	_____
				Total	_____	_____

(Make checks payable to Office of Administrative Hearings.)

* This price includes the title in its current form plus supplementation for the subscription year.

Subscription years are January 1 through December 31.

MAIL TO:

OFFICE OF ADMINISTRATIVE HEARINGS
POST OFFICE DRAWER 11666
RALEIGH, NORTH CAROLINA 27604

Office of Administrative Hearings
P. O. Drawer 11666
Raleigh, North Carolina 27604

FOLD HERE

NORTH CAROLINA REGISTER ORDER FORM

Please enter my subscription for the *North Carolina Register* to start with the _____ issue.
(\$105.00)/year subscription)

Renew *North Carolina Register*

Check Enclosed ☐ Please bill me

Please make checks payable to Office of Administrative Hearings

NAME _____ ADDRESS _____

CITY _____ STATE _____ ZIP _____

PHONE _____

Return to Office of Administrative Hearings - fold at line, staple at bottom and affix postage.)

CHANGE OF ADDRESS:

1. Present Address

NAME

ADDRESS

CITY

STATE

ZIP

2. New Address

NAME

ADDRESS

CITY

STATE

ZIP

Office of Administrative Hearings
P. O. Drawer 11666
Raleigh, North Carolina 27604

FIRST CLASS MAIL

612
UNIV. OF NORTH CAROLINA
AT CHAPEL HILL LIB.
VAN HECKE-WETTACH BLDG. 064 A
CHAPEL HILL

NC 27514