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# ***NORTH CAROLINA REGISTER***

**VOLUME 14 • ISSUE 16 • Pages 1400 - 1491**

**February 15, 2000**

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## **IN THIS ISSUE**

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Psychology Board  
Revenue  
Substance Abuse Professional Certification  
State Personnel  
State Treasurer  
Transportation  
Rules Review Commission  
Contested Case Decisions

## **PUBLISHED BY**

***The Office of Administrative Hearings  
Rules Division  
6714 Mail Service Center  
Raleigh, NC 27699-6714  
Telephone (919) 733-2678  
Fax (919) 733-3462***

For those persons that have questions or concerns regarding the Administrative Procedure Act or any of its components, consult with the agencies below. The bolded headings are typical issues which the given agency can address, but are not inclusive.

**Rule Notices, Filings, Register, Deadlines, Copies of Proposed Rules, etc.**

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[wplonk@osbm.state.nc.us](mailto:wplonk@osbm.state.nc.us)

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(919) 733-9415 FAX

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Bobby Bryan, Staff Attorney

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Joint Legislative Administrative Procedure Oversight Committee

545 Legislative Office Building

300 North Salisbury Street

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Raleigh, North Carolina 27611

(919) 715-5460 FAX

contact: Mary Shuping, Staff Liaison

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NC Association of County Commissioners

215 North Dawson Street

(919) 715-2893

Raleigh, North Carolina 27603

contact: Jim Blackburn or Rebecca Troutman

NC League of Municipalities

215 North Dawson Street

(919) 715-4000

Raleigh, North Carolina 27603

contact: Paula Thomas

# NORTH CAROLINA REGISTER



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through January 25, 2000.

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# NORTH CAROLINA ADMINISTRATIVE CODE CLASSIFICATION SYSTEM

*The North Carolina Administrative Code (NCAC) has four major subdivisions of rules. Two of these, titles and chapters, are mandatory. The major subdivision of the NCAC is the title. Each major department in the North Carolina executive branch of government has been assigned a title number. Titles are further broken down into chapters which shall be numerical in order. The other two, subchapters and sections are optional subdivisions to be used by agencies when appropriate.*

## TITLE/MAJOR DIVISIONS OF THE NORTH CAROLINA ADMINISTRATIVE CODE

TITLE	DEPARTMENT	LICENSING BOARDS	CHAPTER
1	Administration	Acupuncture	1
2	Agriculture	Architecture	2
3	Auditor	Athletic Trainer Examiners	3
4	Commerce	Auctioneers	4
5	Correction	Barber Examiners	6
6	Council of State	Certified Public Accountant Examiners	8
7	Cultural Resources	Chiropractic Examiners	10
8	Elections	Employee Assistance Professionals	11
9	Governor	General Contractors	12
10	Health and Human Services	Cosmetic Art Examiners	14
11	Insurance	Dental Examiners	16
12	Justice	Dietetics/Nutrition	17
13	Labor	Electrical Contractors	18
14A	Crime Control & Public Safety	Electrolysis	19
15A	Environment and Natural Resources	Foresters	20
16	Public Education	Geologists	21
17	Revenue	Hearing Aid Dealers and Fitters	22
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**Note:** Title 21 contains the chapters of the various occupational licensing boards.



# NORTH CAROLINA REGISTER

Publication Schedule For January 2000 - December 2000

FILING DEADLINES			NOTICE OF RULE-MAKING PROCEEDINGS		NOTICE OF TEXT						TEMPORARY RULE	
volume and issue number	issue date	last day for filing	earliest register issue for publication of text	earliest date for public hearing	non-substantial economic impact			substantial economic impact			270 <sup>th</sup> day from issue date	
					end of required comment period	deadline to submit to RRC for review at next meeting	first legislative day of the next regular session	end of required comment period	deadline to submit to RRC for review at next meeting	first legislative day of the next regular session		
14:13	01/04/00	12/09/99	03/15/00	01/19/00	02/03/00	02/21/00	05/09/00	03/06/00	03/20/00	05/09/00	09/30/00	
14:14	01/14/00	12/21/99	03/15/00	01/31/00	02/14/00	02/21/00	05/09/00	03/14/00	03/20/00	05/09/00	10/10/00	
14:15	02/01/00	01/10/00	04/03/00	02/16/00	03/02/00	03/20/00	05/09/00	04/03/00	04/20/00	01/26/01	10/28/00	
14:16	02/15/00	01/25/00	04/17/00	03/01/00	03/16/00	03/20/00	05/09/00	04/17/00	04/20/00	01/26/01	11/11/00	
14:17	03/01/00	02/09/00	05/01/00	03/16/00	03/31/00	04/20/00	01/26/01	05/01/00	05/22/00	01/26/01	11/26/00	
14:18	03/15/00	02/23/00	05/15/00	03/30/00	04/14/00	04/20/00	01/26/01	05/15/00	05/22/00	01/26/01	12/10/00	
14:19	04/03/00	03/13/00	06/15/00	04/18/00	05/03/00	05/22/00	01/26/01	06/02/00	06/20/00	01/26/01	12/29/00	
14:20	04/17/00	03/27/00	07/03/00	05/02/00	05/17/00	05/22/00	01/26/01	06/16/00	06/20/00	01/26/01	01/12/01	
14:21	05/01/00	04/07/00	07/03/00	05/16/00	05/31/00	06/20/00	01/26/01	06/30/00	07/20/00	01/26/01	01/26/01	
14:22	05/15/00	04/24/00	07/17/00	05/30/00	06/14/00	06/20/00	01/26/01	07/14/00	07/20/00	01/26/01	02/09/01	
14:23	06/01/00	05/10/00	08/01/00	06/16/00	07/03/00	07/20/00	01/26/01	07/31/00	08/21/00	01/26/01	02/26/01	
14:24	06/15/00	05/24/00	08/15/00	06/30/00	07/17/00	07/20/00	01/26/01	08/14/00	08/21/00	01/26/01	03/12/01	
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15:05	09/01/00	08/11/00	11/01/00	09/18/00	10/02/00	10/20/00	01/26/01	10/31/00	11/20/00	01/26/01	05/29/01	
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15:08	10/16/00	09/25/00	12/15/00	10/31/00	11/15/00	11/20/00	01/26/01	12/15/00	12/20/00	05/20/02	07/13/01	
15:09	11/01/00	10/11/00	01/02/01	11/16/00	12/01/00	12/20/00	05/20/02	01/02/01	01/22/01	05/20/02	07/29/01	
15:10	11/15/00	10/24/00	01/16/01	11/30/00	12/15/00	12/20/00	05/20/02	01/16/01	01/22/01	05/20/02	08/12/01	
15:11	12/01/00	11/07/00	02/01/01	12/18/00	01/02/01	01/22/01	05/20/02	01/30/01	02/20/01	05/20/02	08/28/01	
15:12	12/15/00	11/22/00	02/15/01	01/02/01	01/16/01	01/22/01	05/20/02	02/13/01	02/20/01	05/20/02	09/11/01	

## EXPLANATION OF THE PUBLICATION SCHEDULE

This Publication Schedule is prepared by the Office of Administrative Hearings as a public service and the computation of time periods are not to be deemed binding or controlling. Time is computed according to 26 NCAC 2C .0302 and the Rules of Civil Procedure, Rule 6.

### GENERAL

The North Carolina Register shall be published twice a month and contains the following information submitted for publication by a state agency:

- (1) temporary rules;
- (2) notices of rule-making proceedings;
- (3) text of proposed rules;
- (4) text of permanent rules approved by the Rules Review Commission;
- (5) notices of receipt of a petition for municipal incorporation, as required by G.S. 120-165;
- (6) Executive Orders of the Governor;
- (7) final decision letters from the U.S. Attorney General concerning changes in laws affecting voting in a jurisdiction subject of Section 5 of the Voting Rights Act of 1965, as required by G.S. 120-30.9H;
- (8) orders of the Tax Review Board issued under G.S. 105-241.2; and
- (9) other information the Codifier of Rules determines to be helpful to the public.

**COMPUTING TIME:** In computing time in the schedule, the day of publication of the North Carolina Register is not included. The last day of the period so computed is included, unless it is a Saturday, Sunday, or State holiday, in which event the period runs until the preceding day which is not a Saturday, Sunday, or State holiday.

### FILING DEADLINES

**ISSUE DATE:** The Register is published on the first and fifteen of each month if the first or fifteenth of the month is not a Saturday, Sunday, or State holiday for employees mandated by the State Personnel Commission. If the first or fifteenth of any month is a Saturday, Sunday, or a holiday for State employees, the North Carolina Register issue for that day will be published on the day of that month closest to (either before or after) the first or fifteenth respectively that is not a Saturday, Sunday, or holiday for State employees.

**LAST DAY FOR FILING:** The last day for filing for any issue is 15 days before the issue date excluding Saturdays, Sundays, and holidays for State employees.

### NOTICE OF RULE-MAKING PROCEEDINGS

**END OF COMMENT PERIOD TO A NOTICE OF RULE-MAKING PROCEEDINGS:** This date is 60 days from the issue date. An agency shall accept comments on the notice of rule-making proceeding until the text of the proposed rules is published, and the text of the proposed rule shall not be published until at least 60 days after the notice of rule-making proceedings was published.

**EARLIEST REGISTER ISSUE FOR PUBLICATION OF TEXT:** The date of the next issue following the end of the comment period.

### NOTICE OF TEXT

**EARLIEST DATE FOR PUBLIC HEARING:** The hearing date shall be at least 15 days after the date a notice of the hearing is published.

### END OF REQUIRED COMMENT PERIOD

(1) **RULE WITH NON-SUBSTANTIAL ECONOMIC IMPACT:** An agency shall accept comments on the text of a proposed rule for at least 30 days after the text is published or until the date of any public hearings held on the proposed rule, whichever is longer.

(2) **RULE WITH SUBSTANTIAL ECONOMIC IMPACT:** An agency shall accept comments on the text of a proposed rule published in the Register and that has a substantial economic impact requiring a fiscal note under G.S. 150B-21.4(b1) for at least 60 days after publication or until the date of any public hearing held on the rule, whichever is longer.

**DEADLINE TO SUBMIT TO THE RULES REVIEW COMMISSION:** The Commission shall review a rule submitted to it on or before the twentieth of a month by the last day of the next month.

**FIRST LEGISLATIVE DAY OF THE NEXT REGULAR SESSION OF THE GENERAL ASSEMBLY:** This date is the first legislative day of the next regular session of the General Assembly following approval of the rule by the Rules Review Commission. See G.S. 150B-21.3, Effective date of rules.

**TITLE 15A - DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES**

**STATE OF NORTH CAROLINA  
ENVIRONMENTAL MANAGEMENT COMMISSION  
1617 MAIL SERVICE CENTER  
RALEIGH, NORTH CAROLINA 27699-1617**

**PUBLIC NOTICE OF INTENT TO ISSUE A STATE GENERAL  
NPDES PERMIT**

Public notice of intent to issue a State National Pollutant Discharge Elimination System (NPDES) General Permit for Point Source Discharges of Stormwater associated with the following activities:

NPDES No. NCG200000 governing the discharge of stormwater point source discharges associated with establishments primarily engaged in assembling, breaking up, sorting, and wholesale trade of scrap metal [standard industrial classification (SIC) 5093]. Also covered are stormwater point source discharges from those areas at scrap metal recycling facilities which are used to process other scrap materials (plastic, paper, glass, rubber, and textiles) or used for vehicle maintenance activities [SIC 5093]. The following activities are specifically excluded from coverage under this General Permit: Stormwater discharges from scrap metal recycling facilities that perform on-site processing of fluids (such as solvents or used oil), batteries, or tires for recycling or reclaim. These facilities must instead apply for stormwater general permit NCG100000.

On the basis of preliminary staff review and application of Article 21 of Chapter 143 of the General Statutes of North Carolina, Public Law 92-500 and other lawful standards and regulations, the North Carolina Environmental Management Commission proposes to issue a State NPDES General Permit for the discharges as described above.

**INFORMATION:** Copies of the draft NPDES General Permit and Fact Sheet concerning the draft Permit are available by writing or calling:

Aisha Lau  
Water Quality Section  
N.C. Division of Water Quality  
1617 Mail Service Center  
Raleigh, North Carolina 27699-1617

Telephone (919) 733-5083 ext. 578

Persons wishing to comment upon or object to the proposed determinations are invited to submit their comments in writing to the above address no later than March 16, 2000. All comments received prior to that date will be considered in the final determination regarding permit issuance. A public meeting may be held where the Director of the Division of Water Quality finds a significant degree of public interest in any proposed permit issuance.

The draft Permit, Fact Sheet and other information are on file at the Division of Water Quality, 512 N. Salisbury Street, Room 925, Archdale Building, Raleigh, North Carolina. They may be inspected during normal office hours. Copies of the information on file are available upon request and payment of the costs of reproduction. All such comments and requests regarding these matters should make reference to the draft Permit Number, NCG200000

Date: 1/25/2000

s/s Kerr T. Stevens, Director  
Division of Water Quality



A Notice of Rule-making Proceedings is a statement of subject matter of the agency's proposed rule making. The agency must publish a notice of the subject matter for public comment at least 60 days prior to publishing the proposed text of a rule. Publication of a temporary rule serves as a Notice of Rule-making Proceedings and can be found in the Register under the section heading of Temporary Rules. A Rule-making Agenda published by an agency serves as Rule-making Proceedings and can be found in the Register under the section heading of Rule-making Agendas. Statutory reference: G.S. 150B-21.2.

## TITLE 15A - DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES

**Notice of Rule-making Proceedings** is hereby given by the DENR - Environmental Management Commission in accordance with G.S. 150B-21.2. The agency shall subsequently publish in the Register the text of the rule(s) it proposes to adopt as a result of this notice of rule-making proceedings and any comments received on this notice.

**Citation to Existing Rules Affected by this Rule-Making:** 15A NCAC 2D .0521, .0535 - Other rules may be proposed in the course of the rule-making process.

**Authority for the rule-making:** G.S. 143-215.3(a); 143-215.201(a)(5); 143-215.201(a)(4); 143-215.107(a)(5).

**Statement of the Subject Matter:** Rule 15A NCAC 2D .0521, Control of Visible Emissions, may be amended to revise the methodology for determining compliance with the opacity standard when opacity is measured with a COM. The current rule was written to measure opacity with visual observations by a person. The rule allows the opacity standard to be exceeded for one six-minute period in any hour and for four six-minute periods in any 24-hour period. This methodology may not be suited for measuring opacity with a COM. Also, measurements made during startup, shutdown, and malfunctions may be included when a COM is used to measure opacity.

15A NCAC 2D .0535 - The startup and shutdown provisions in Paragraph (g) of 15A NCAC 2D .0535 have been disapproved by the EPA as part of the State Implementation Plan because it does not satisfy the EPA's criteria. To satisfy the EPA's criteria for approval, the provisions need to be rewritten to declare the excess emissions during startup and shutdown are in violation unless the owner or operator of the source can demonstrate that the excess emissions are unavoidable. Under the current rule, such excess emissions are considered a violation only if the owner or operator cannot demonstrate that the excess emissions are unavoidable when requested to do so by the Director of the Division of Air Quality. This Rule is proposed for revision to make it satisfy the EPA's criteria so that it can be approved as part of the federally approved State Implementation Plan.

**Reason for Proposed Action:** 15A NCAC 2D .0521 - To change the method for determining compliance with the opacity

standard when a continuous opacity monitor (COM) is used to measure opacity.

15A NCAC 2D .0535 - To amend Excess Emissions Reporting and Malfunctions, to make provisions for startup and shutdown (Paragraph (g)) part of the federally approved State Implementation Plan.

**Comment Procedures:** Comments should be sent to and additional information concerning the proposals may be obtained by contacting Mr. Thomas C. Allen, Division of Air Quality, 2728 Capital Blvd., 1641 Mail Service Center, Raleigh, NC 27699-1641, or at (919) 733-1489 (phone), (919) 715-7476 (fax).

## TITLE 21 - OCCUPATIONAL LICENSING BOARDS

### CHAPTER 14 - BOARD OF COSMETIC ART EXAMINERS

**Notice of Rule-making Proceedings** is hereby given by the NC State Board of Cosmetic Art Examiners in accordance with G.S. 150B-21.2. The agency shall subsequently publish in the Register the text of the rule(s) it proposes to adopt as a result of this notice of rule-making proceedings and any comments received on this notice.

**Citation to Existing Rules Affected by this Rule-Making:** 21 NCAC 14A .0101; 14P .0103; .0105; .0107-.0108; .0115. Other rules may be proposed in the course of the rule-making process.

**Authority for the rule-making:** G.S. 88B-4

**Statement of the Subject Matter:** Rules for teaching cosmetology in an approved beauty school.

**Reason for Proposed Action:** To update the curriculum for all schools.

**Comment Procedures:** Written comments concerning this rule-making action must be submitted to Dee Williams, Rule-Making Coordinator, NC State Board of Cosmetic Art Examiners, 1201-110 Front St., Raleigh, NC 27609.



*This Section contains the text of proposed rules. At least 60 days prior to the publication of text, the agency published a Notice of Rule-making Proceedings. The agency must accept comments on the proposed rule for at least 30 days from the publication date, or until the public hearing, or a later date if specified in the notice by the agency. The required comment period is 60 days for a rule that has a substantial economic impact of at least five million dollars (\$5,000,000). Statutory reference: G.S. 150B-21.2.*

**TITLE 10 - DEPARTMENT OF HEALTH AND  
HUMAN SERVICES**

**N**otice is hereby given in accordance with G.S. 150B-21.2 that the Department of Health and Human Services, Division of Vocational Rehabilitation Services intends to amend rules cited as 10 NCAC 20B .0201 - .0211, .0221, .0223, .0225. Notice of Rule-making Proceedings was published in the Register on October 1, 1999.

**Proposed Effective Date:** July 1, 2000

**A Public Hearing** will be conducted at 4:00 p.m. on March 1, 2000 at the Main Conference Room, Division of Vocational Rehabilitation Services, 805 Ruggles Drive, Dorothea Dix Campus, Raleigh, NC.

**Reason for Proposed Action:** (a) On August 7, 1998 the Federal Workforce Investment Act of 1998 (P.L. 105-220) was enacted. Included in this Act were the 1998 Amendments to the Rehabilitation Act. Section 102(c) of the Rehabilitation Act Amendments made several changes to the requirements for states to establish procedures for impartial due process hearings. One change required the State to offer a mediation process when an appeal was requested and both parties agree to mediation. Most of the rule amendments are being made to specify the Division's mediation process. (b) Rule .0206 is being amended upon the recommendation of the Vocational Rehabilitation Council that hearing officers for specific hearings be selected on a random basis without replacement. This recommendation was made as a means of removing some of the difficulty of selecting a hearing officer who was mutually agreed upon by the parties and this method of selection is allowed by federal regulations. (c) Rule .0207 is being amended to allow more flexibility in the extension of time for the appeals hearing because applicants and clients have requested extensions of more than the 20 days previously allowed. (d) Other rules are being amended to correct reference to federal regulations and to clarify when information is sent to the Client Assistance Program regarding an individual's appeal.

**Comment Procedures:** Comments may be presented orally or in writing at the hearing. Oral statements may be limited at the discretion of the hearing officer. Written comments may also be submitted until March 16, 2000 to Jackie Stalnaker, Division of Vocational Rehabilitation Services, 2801 Mail Service Center, Raleigh, NC 27699-2801. To obtain additional information or indicate need for alternative communication format contact Ms. Stalnaker in writing or by phone (919) 733-3364 or TDD (919) 733-5924. In addition, a fiscal note is available upon written request from the same address.

**Fiscal Note:**

<b>State</b>	<b>Local</b>	<b>Sub</b>	<b>None</b>
			✓ 10 NCAC 20B .0201-.0209
			.0211, .0221, .0223, .0225
✓			10 NCAC 20B .0210

**CHAPTER 20 - VOCATIONAL REHABILITATION**

**SUBCHAPTER 20B - PROCEDURES**

**SECTION .0200 - CONTESTED CASES:  
ADMINISTRATION REVIEW: APPEALS HEARINGS**

**.0201 APPLICABILITY OF RULES**

Except for administrative reviews, reviews, mediation, and appeals to be conducted according to the provisions of Rules .0202 through .0228 of this Section, appeals concerning the administration of the rules in this Chapter shall be filed and conducted in accordance with G.S. 150B and 10 NCAC 1B .0200.

Authority G.S. 143-546.1; 150B-1; 34 C.F.R. 361.57; P.L. 105-220, s.102 (c).

**.0202 WRITTEN INFORMATION FOR APPLICANTS  
AND CLIENTS**

(a) All applicants for and clients receiving vocational rehabilitation services shall be informed of the opportunities for an administrative review review, mediation and an appeal available under 34—C.F.R. 361.48 Sec. 102(c) of the Rehabilitation Act and Rules .0202 through .0228 of this Section.

(b) Written information shall be provided to all applicants and clients informing them:

- (1) of their right to an appeals hearing when they are dissatisfied with any determinations made by the division concerning the furnishing or denial of services;
- (2) that they have the option of seeking resolution of the issue through an administrative review prior to an appeals hearing;
- (3) that mediation may be available to resolve their problems if the Division agrees to it;
- (3) (4) that the rehabilitation counselor, rehabilitation coordinator or other designated staff of the division will assist them in preparation of the written request for an administrative review, mediation, and/or appeal; and will inform them
- (5) of the name and address of the appropriate regional director to whom the request shall be submitted; and
- (4) (6) that they may receive assistance with the resolution of

their problems through the Client Assistance Program.

(c) At the time of initial application, all applicants shall be informed verbally of the name and address of the regional director to whom requests for administrative reviews and/or appeals shall be submitted. At the time an applicant or client wishes to submit a request for an administrative review and/or appeals hearing, the same information shall be furnished in writing to the individual:

(c) The notifications required in Paragraph (b) of this Rule shall be provided in writing:

- (1) at the time an individual applies for services;
- (2) at the time the individualized plan for employment for the individual is developed; and
- (3) upon reduction, suspension, or cessation of vocational rehabilitation services for the individual.

Authority G.S. 143-546.1; 150B-1; 34 C.F.R. 361.57; P.L. 105-220, s.102 (c).

### **.0203 REQUEST FOR ADMINISTRATIVE REVIEW AND APPEALS HEARING**

(a) When any applicant for or client receiving vocational rehabilitation services wishes to request an administrative review, mediation, and an appeals hearing or only an appeals hearing, the individual shall submit a written request to the appropriate regional director of the Division.

(b) The request shall indicate if the individual is requesting:

- (1) an administrative review review, mediation, and an appeals hearing to be scheduled concurrently; or
- (2) an administrative review and an appeals hearing to be scheduled concurrently; or
- (3) only an appeals hearing.

(c) The request shall contain the following information:

- (1) the name, address and telephone number of the applicant or client; and
- (2) a concise statement of the determination(s) made by the rehabilitation staff for which an administrative review review, mediation, and appeals hearing or only the appeals hearing is being requested and the manner in which the person's rights, duties or privileges have been affected by the determination(s).

(d) The Division shall not suspend, reduce, or terminate services being provided to a client under an individualized a written individualized plan for employment (IPE) rehabilitation program (IWRP) pending final resolution of the issue through either mediation, an appeals hearing, or an administrative review unless the individual or the individual's representative so requests, or the Division has evidence that the services have been obtained through misrepresentation, fraud, collusion, or criminal conduct on the part of the individual.

Authority G.S. 143-546.1; 150B-1; 34 C.F.R. 361.57; P.L. 105-220, s. 102(c).

### **.0204 DIVISION ACTIONS IN RESPONSE TO REQUEST**

(a) Upon receipt of a request for an appeals hearing, the regional director shall immediately forward the original request

to the Division's Chief of Operations who will arrange for the provision of information about the possibility of mediation to the individual and the appointment of a hearing officer to conduct the appeals hearing.

(b) If the individual has requested an administrative review in addition to an appeals hearing, the regional director shall:

- (1) make a decision to conduct the administrative review or appoint a designee to conduct the administrative review who:
  - (A) has had no previous involvement in the issues currently in controversy;
  - (B) can conduct the administrative review in an unbiased way; and
  - (C) has a broad working knowledge of the Division's rules, federal regulations governing the program, and the State Plan for Vocational Rehabilitation Services or Independent Living Services (as appropriate); and
- (2) proceed with, or direct the designee to proceed with, an administrative review according to the provisions of Rules .0205, .0208, and .0209 of this Section.

(c) The regional director shall send the applicant or client written acknowledgment of receipt of the request and inform the individual that additional information will be sent regarding the possibility of mediation and the administrative review and appeals hearing or only the appeals hearing.

(d) The regional director shall provide the Chief of Operations and the Client Assistance Program (if the Client Assistance Program is assisting the individual with the case) with a copy of the request and the response to the request.

Authority G.S. 143-546.1; 150B-1; 34 C.F.R. 361.57; P.L. 105-220, s. 102(c).

### **.0205 SCHEDULING AND NOTICE OF ADMINISTRATIVE REVIEW**

(a) If an administrative review is to be conducted, the regional director or designee shall:

- (1) set a date, time and place for the administrative review;
- (2) send written notification by certified mail to the applicant or client and the individual's parent, guardian or representative, as appropriate, of the date, time and place for the administrative review at least five days prior to the administrative review;
- (3) advise the applicant or client in the written notice that a hearing officer will be appointed by the Division to conduct a hearing if the matter is not resolved in the administrative review and that the applicant or client will also receive additional information regarding mediation if mediation has been requested and a written notice from the hearing officer regarding the formal appeals hearing which will be held after the administrative review and mediation; and
- (4) notify the Director of the Client Assistance Program (CAP) and other individuals to be involved in the administrative review of the request and the date, time and place for the administrative review. This



notification may be by phone or in writing.

(b) Prior to the administrative review, the regional director or designee shall review all previous decisions and casework related to the applicant or client and seek whatever consultation, explanation, documentation, or other information that is deemed necessary, utilizing the Division's CAP Director as appropriate.

*Authority G.S. 143-546.1; 150B-1; 34 C.F.R. 361.57; P.L. 105-220, s. 102(c).*

#### **.0206 APPOINTMENT OF HEARING OFFICER AND MEDIATOR**

Upon receipt of the applicant's or client's request for mediation and an appeals hearing or only an appeals hearing from the regional director, the Chief of Operations shall arrange for the Coordinator of Rules and Policy Development to appoint a qualified mediator if mediation has been requested and the appointment of an impartial hearing officer. The hearing officer shall be selected on a random basis without replacement from who is in the pool of persons qualified as defined in P.L. 102-569, Section 7(28)(16) of the Rehabilitation Act of 1973, 29 U.S.C. §720, et seq., as amended, and who is mutually agreed upon by the Director and the individual or the individual's representative.

*Authority G.S. 143-546.1; 150B-1; 34 C.F.R. 361.57; P.L. 105-220, s. 102(c).*

#### **.0207 SCHEDULING AND NOTICE OF MEDIATION AND APPEALS HEARING**

(a) If mediation is requested, the mediation shall take place prior to the appeals hearing and shall be conducted according to Rule .0210 of this Section.

~~(a)(b)~~ The hearing officer shall schedule the formal appeals hearing, to be held within 45 days of receipt of the original request by the applicant or client as described in Rule .0203 of this Section: unless the Coordinator of Rules and Policy Development has extended the time for the hearing for a specific period of time upon written agreement of both parties or the hearing officer grants an extension under Subparagraph (d)(4) of this Rule.

~~(b)(c)~~ The hearing officer shall provide the applicant or client and the division written notice of the date, time and place of the hearing and the issue(s) to be considered at least 10 days prior to the hearing. A copy of the notice shall be sent to the Client Assistance Program: if CAP is involved in the case.

~~(c)(d)~~ The notice shall inform the applicant or client and the division:

- (1) of the procedures to be followed in the hearing;
- (2) of the particular sections of the statutes, federal regulations, state rules, and state plan involved;
- (3) of the rights of the applicant or client as specified in 34 C.F.R. 361.48~~(c)(2)~~; 361.57(b)(1)-(4);
- (4) that the hearing officer may extend the time for the hearing by 20 days if the parties jointly agree to a specific extension of time delay and submit a written statement to that effect to the hearing officer; and
- (5) that the hearing may be cancelled if the matter is

resolved in an administrative review; review or through mediation.

~~(d)(e)~~ Notice shall be given personally or by certified mail. If given by certified mail, it shall be deemed to have been given on the delivery date appearing on the return receipt.

*Authority G.S. 143-546.1; 150B-1; 34 C.F.R. 361.57; P.L. s.102(c).*

#### **.0208 ADMINISTRATIVE REVIEW**

(a) Within 15 days of the original request for an administrative review by the applicant or client, the regional director or designee shall hold the administrative review with the applicant or client; the individual's parent, guardian or representative, as appropriate; the CAP Director, as appropriate; and other individuals deemed necessary by the regional director or designee.

(b) Within five working days of the administrative review, the regional director or designee shall make a decision and notify the applicant or client and others using the following procedures:

- (1) compile a written report of the administrative review outlining the purposes of the administrative review, the participants, the decision that was reached, and the rationale for the decision;
- (2) send the written report containing the decision to the applicant or client by certified mail with return receipt requested, with a copy being placed in the individual's official case record, and copies being forwarded to the Chief of Operations and the CAP director if CAP is involved; and
- (3) provide instructions to the applicant or client of steps that may be taken in response to the decision and the deadline for the responses. A form indicating agreement with the decision and requesting that the hearing be cancelled shall be included for the applicant's or client's signature if the individual agrees with the decision.

(c) In situations where the issue currently in controversy involves action taken by the central office of the Division, the Chief of Operations or a designee of the Chief of Operations shall be responsible for the duties related to the administrative review that are prescribed for the regional director in these Rules.

*Authority G.S. 143-546.1; 150B-1; 34 C.F.R. 361.57; P.L. 105-220, s. 102(c).*

#### **.0209 RESPONSE TO ADMINISTRATIVE REVIEW DECISION**

(a) If the applicant or client is satisfied with the decision resulting from the administrative review, the individual shall sign the form described in Rule .0208(b)(3) of this Section and submit it to the regional director within five days of receipt of the decision. The regional director shall inform the Chief of Operations of the request to cancel the appeals hearing immediately and forward the form to the Chief of Operations who shall submit it to the hearing officer.

(b) If the hearing officer does not receive a written request

from the applicant or client that the hearing be cancelled, the hearing shall be conducted as scheduled unless negotiations produce a settlement that is satisfactory to both parties prior to the hearing.

(c) If the hearing is cancelled, the hearing officer shall send the applicant or client and the Division written notice of the cancellation in the same manner as required for notice of the hearing in Rule .0207~~(d)~~(e) of this Section. A copy of the notice of cancellation shall be sent to the Client Assistance Program. Program if CAP is involved.

*Authority G.S. 143-546.1; 150B-1; 34 C.F.R. 361.57; P.L. 105-220, s. 102(c).*

#### **.0210 MEDIATION**

In situations where the issue currently in controversy involves action taken by the central office of the division, the deputy director or a designee of the deputy director shall be responsible for the duties prescribed for the regional director in these rules:

(a) If both parties agree to mediation, the mediation shall take place prior to the appeals hearing.

(b) Mediation shall not be used to deny or delay an individual's right to speedy complaint resolution. The mediation shall be completed in a period that also allows for completion of an appeals hearing after mediation within the 45-day time required under 34 C.F.R. 361.57(b) unless both parties sign a written agreement for a specific extension of time.

(c) An individual to conduct the mediation shall be selected from a list of qualified and impartial mediators that is maintained by the Division. Individuals on the list of qualified mediators shall:

(1) be certified by the N. C. Dispute Resolution Commission or the Mediation Network of North Carolina; and

(2) be knowledgeable regarding the laws, Federal regulations and State rules governing the provision of vocational rehabilitation and independent living services.

(d) Each mediation session shall be scheduled in a timely manner and held in a location that is convenient to the parties involved.

(e) The Division shall bear the cost of the mediation.

(f) Parties involved shall sign a confidentiality pledge prior to the process indicating that discussions which occur during the mediation process shall be confidential and may not be used as evidence in any subsequent appeals hearing or civil proceeding. No evidence that is otherwise discoverable shall be inadmissible merely because it is presented or discussed during mediation.

(g) If an agreement is reached during mediation, it shall be in writing and signed by both parties and the mediator.

*Authority G.S. 143-546.1; 150-1; 34 C.F.R. 361.57; P.L. 105-220, s. 102(c).*

#### **.0211 PROCEDURES GOVERNING HEARING**

The appeals hearing shall be conducted according to the provisions of 34 C.F.R. 361.48 (c)(2)(i) and (ii) and (d) 34 C.F.R. 361.57(b)(1)-(3) and (12) and according to Rules .0212

through .0222 and Rule .0225 of this Section.

*Authority G.S. 143-546.1; 150B-1; 34 C.F.R. 361.57; P.L. 105-220, s. 102(c).*

#### **.0221 CONDUCT OF HEARING**

(a) The hearing officer shall have complete control over the hearing, including:

- (1) the responsibility of having a record made of the hearing,
- (2) the administration of oaths and affirmations,
- (3) recognition of speakers,
- (4) prevention of repetitious presentations, and
- (5) general management of the hearing.

(b) The hearing officer shall conduct the hearing in a manner that will provide the applicant or client the rights required by 34 C.F.R. 361.48(c)(2)(ii) 34 C.F.R. 361.57(b)(3).

(c) The hearing shall not be open to the public.

*Authority G.S. 143-546.1; 150B-1; 34 C.F.R. 361.57; P.L. 105-220, s. 102(c).*

#### **.0223 HEARING OFFICER'S DECISION**

Following the hearing, the hearing officer shall make and issue a decision as specified in 34 C.F.R. 361.48(c)(2)(iii) 34 C.F.R. 361.57(b)(4). The decision shall be given to the applicant or client personally or by certified mail. If given by certified mail, it shall be deemed to have been given on the delivery date appearing on the return receipt.

*Authority G.S. 143-546.1; 150B-1; 34 C.F.R. 361.57; P.L. 105-220, s. 102(c).*

#### **.0225 EXTENSIONS OF TIME**

(a) Reasonable time extensions may be granted for the procedures in these rules for good cause shown at the request of a party or at the request of both parties except for:

- (1) the time for continuation of services during mediation, an appeals hearing or an administrative review as specified in Rule .0203(d) of this Section;
- (2) the time for conducting the appeals hearing as specified in Rule .0207~~(a)~~(b) of this Section which may be extended only as specified in Rule .0207~~(a)~~(b) and ~~(c)~~(d) (4) of this Section;
- (3) the time for issuance of the written notice of the formal appeals hearing as specified in Rule .0207~~(b)~~(c) of this Section;
- (4) the time ~~for the director's notice of~~ to request a review of the hearing officer's decision as specified in Rule .0224~~(c)~~(a) of this Section; and
- (5) the time for the ~~division director's reviewing official's~~ issuance of a final decision as specified in Rule .0224(d) of this Section, ~~which may be extended only if the applicant or client requests an extension for good cause;~~

(b) When an extension of time is being granted by the person conducting the administrative review, mediation, or by the hearing officer, consideration shall be given to the effect of



the extension on deadlines for other steps in the administrative review review, mediation, and appeals process.

Authority G.S. 143-546.1; 150B-1; 34 C.F.R. 361.57; P.L. 105-220, s. 102(c).

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**N**otice is hereby given in accordance with G.S. 150B-21.2 that the Social Services Commission intends to amend rule(s) cited as 10 NCAC 41H .0304; 41P .0106; 43L .0401 and adopt rule(s) cited as 10 NCAC 42E .1503-.1508; 42Z .1002-.1007. Notice of Rule-making Proceedings was published in the Register for 10 NCAC 41H .0304; 41P .0106 on November 15, 1999; for 10 NCAC 42E .1504-.1508; 42Z .1002-.1008 on November 15, 1999; and for 10 NCAC 43L .0401 on December 15, 1999.

**Proposed Effective Date:** July 17, 2000.

**A Public Hearing** will be conducted at 10:00 a.m. on March 8, 2000 at Edgecombe Community College, 209 West Wilson Street, Board Room, Tarboro, NC 27886.

**Reason for Proposed Action: 10 NCAC 41H .0304; 41P .0106** - Rule citations have been changed by the Codifier of Rules; therefore 10 NCAC 41H .0304 needs to be amended to adequately reflect the current rule citations and reduce potential confusion in the delivery of services. In addition, amendment of 10 NCAC 41P .0106 by the Social Services Commission will ensure that the amendment to the Multiethnic Placement Act of 1994, entitled the Interethnic Provisions of 1996, is included as a requirement in the recruitment of adoptive homes for county departments of social services and private child-placing agencies licensed for adoption services. The implementation of the most up to date child welfare practice standards will ensure that both county departments of social services and private child-placing agencies licensed for adoption adhere to MEPA-IEP.

**10 NCAC 42E.1503-.1508; 42Z .1002-.1007 - S.L. 1999-334** requires adult day care programs that provide, advertise, market or otherwise promote themselves as providing special care services for persons with Alzheimer's disease or other dementias, a mental health disability or other special needs disease or condition to develop written disclosures. The disclosure of their policies and procedures on "special care" shall be made available to the Department and to individuals seeking services. Additional rules have been developed to assure quality implementation of the disclosed specialized care in the areas of facility, enrollment, individual service plans, staff training and programming.

**10 NCAC 43L .0401** - Prior to 1997, there were not federal funds available that were specifically allowed to be transferred into the Social Services Block Grant (SSBG); therefore, the applicability of the financial participation matching rate was not an issue. The current APA rule on SSBG fiscal management was written many years ago and does not provide the flexibility needed for items funded with transferred funds from alternate

sources. This action is necessary to clarify that services originally funded with straight SSBG funds and now funded with funds transferred from the Temporary Assistance for Needy Families (TANF) Block Grant will continue to require financial participation matching rates as prescribed in the rule. Any new services funded with transferred funds from TANF will not require a financial participation matching rate unless specified by the General Assembly.

**Comment Procedures:** Anyone wishing to comment on these proposed rules should contact Sharnese Ransome, APA Coordinator, Social Services Commission, NC Division of Social Services, 2401 Mail Service Center, 325 N. Salisbury St., Raleigh, NC 27699-2401, phone 919-733-3055. Verbal comments will be heard during the public hearing. Written comments must be received by Ms. Ransome no later than March 16, 2000.

Fiscal Impact		
State	Local	Sub. None
		✓

## CHAPTER 41 - CHILDREN'S SERVICES

### SUBCHAPTER 41H - ADOPTION STANDARDS

#### SECTION .0300 - FUNCTIONS OF AN ADOPTION AGENCY

##### .0304 SERVICES TO ADOPTIVE APPLICANTS

Rules in 10 NCAC 41P .0006, .0007, .0008, .0009, .0010, .0011, and .0012 .0106, .0107, .0108, .0109, .0110, .0112 and .0113 shall govern the policies for public agencies providing adoption services in determining the procedures for recruitment of adoptive families, application process, adoptive study, notification to adoptive applicants of acceptance or denial of application, services to adoptive applicants and families, legal process, and record retention; retention, and fees for preplacement assessments.

Authority G.S. 48-1 et seq.; 143B-153.

### SUBCHAPTER 41P - CHILD-PLACING AGENCIES: ADOPTION

#### SECTION .0100 - APPLICABILITY

##### .0106 ADOPTIVE HOME RECRUITMENT

The agency shall have a written plan for on-going recruitment of adoptive homes for the children it places or plans to place for adoption. The plan shall adhere to the provisions of the Multiethnic Placement Act of 1994 as amended by the Interethnic Adoption Provisions of 1996 and shall be submitted to the Division for its approval. A copy of the Multiethnic Placement Act of 1994 as amending may be obtained from the U. S. Department of Health and Human Services, Children's Bureau, 300 C Street SW, Washington, D.C. 20447. for on-going recruitment of adoptive homes for the children it places or

plans to place for adoption. The plan shall include resources to be used, time-related goals for applicant recruitment, and any limitations or restrictions that may be inherent to its program. The plan shall indicate designated staff and funding sources for implementation of the plan. Agencies shall have a plan which actively recruits homes of the same race or ethnic category as that of the children it serves. An agency may consider the cultural, ethnic, or racial background of the child and the capacity of the prospective adoptive parents to meet the needs of a child as one of the number of factors used to determine the best interest of the child but shall not delay or deny placement of a child for adoption solely on the basis of race, color, or national origin of the adoptive parent or the child.

Authority G.S. 48-3-204; 131D-10.5; 143B-153.

## CHAPTER 42 - INDIVIDUAL AND FAMILY SUPPORT

### SUBCHAPTER 42E - ADULT DAY CARE STANDARDS FOR CERTIFICATION

#### SECTION .1500 - SPECIAL CARE FOR PERSONS WITH ALZHEIMER'S DISEASE OR OTHER DEMENTIA, MENTAL HEALTH DISABILITIES OR OTHER SPECIAL NEEDS DISEASES OR CONDITIONS IN ADULT DAY CARE CENTERS

##### .1503 THE FACILITY SPECIAL CARE SERVICES

In addition to meeting general requirements for facility grounds in Rule .1001(a) of this Subchapter, an adult day care center or home providing special care services shall assure that participants receiving this service have access to an outside area. This area shall be secured or supervised when participants have a physical or cognitive impairment and their safety and well-being would otherwise be compromised.

Authority G.S. 131D-6; 143B-153; S.L. 1999-334.

##### .1504 ENROLLMENT SPECIAL CARE SERVICES

In addition to meeting enrollment policies and procedures requirements in Rule .1101(a) of this Subchapter, an adult day care center or home shall assure the following requirements are met for participant enrollment in a special care services program:

- (1) Disclosure information shall be provided to an individual or the responsible party of an individual seeking enrollment in a center or home providing special care services. The disclosure information shall be written and address policies and procedures listed in Rule .1502 of this Subchapter.
- (2) A qualified health professional shall specify a diagnosis, disability or condition on the participant's medical report that meets the criteria of the specific group of participants to be served through the special care service.
- (3) Any individual with a developmental disability being considered for adult day care services programming enrollment or discharge must proceed through the Developmental Disabilities Single Portal of Entry and

Exit process pursuant to G.S. 122C-132.1 and 10 NCAC 16A .0400.

- (4) A participant transferring from standard day care services to special care services must meet the criteria for that special care service. Family or responsible persons shall agree to the transfer decision.

Authority G.S. 131D-6; 143-153; S.L. 1999-334.

##### .1505 INDIVIDUAL SERVICE PLANS - SPECIAL CARE SERVICES

In addition to meeting individual service plan requirements in Rule .1101(b) of this Subchapter, an adult day care center or home providing special care services shall assure that the individual service plan is based on the participant's needs, interests and level of abilities. It shall specify programming that involves environmental, social and health care strategies to help the participant attain or maintain the maximum level of functioning possible and compensate for lost abilities.

Authority G.S. 131D-6; 143B-153; S.L. 1999-334.

##### .1506 PROGRAM PLAN - SPECIAL CARE SERVICES

In addition to meeting program plan requirements in Rule .1101(c) of this Subchapter, an adult day care center or home providing special care services shall assure that the program plan provides for a balance of activities that promote an optimum level of functioning in all activity areas including personal care activities.

Authority G.S. 131D-6; 143-B-153; S.L. 1999-334.

##### .1507 STAFF ORIENTATION AND TRAINING - SPECIAL CARE SERVICES

An adult day care center or home providing special care services shall assure that special care services staff receive at least the following orientation and training:

- (1) Prior to assuming responsibility for a special care service, the program director shall document receipt of training specific to the population(s) to be served.
- (2) The program director shall have in place a written plan for training staff that identifies content, sources, evaluations and schedules of training. The plan shall be reviewed and updated annually.
- (3) The program director shall assure that within a month of employment, each staff person assigned to special care services shall demonstrate knowledge of the needs, interests and levels of abilities of the participants. This shall be documented in the center's files.
- (4) Within six months of employment, each staff person assigned to special care service shall complete three training experiences. The training shall include, but not be limited to, population specific techniques for communication, behaviors and activities of daily living.
- (5) Each staff person working directly with participants in



special care service shall complete a minimum of two population specific educational or training experiences annually.

- (6) All training experiences of each staff person assigned to special care service shall be documented in the center's files.

Authority G.S. 131D-6; 143B-153; S.L. 1999-334.

#### **.1508 ADDITIONAL REQUIREMENTS FOR SPECIAL CARE SERVICES UNIT**

An adult day care center with a special care services unit shall assure the following:

- (1) An area designated as a special care services unit located within a center that also serves other participants shall have the unit providing special care separated by closed doors and located so that other participants, visitors or staff do not have to pass through the section to reach other areas of the building.
- (2) A special care services unit separated by closed doors from the rest of the adult day center shall meet equipment and furnishing requirements as stated in Rule .1003(a)(1),(2),(3) and (b) of this Subchapter.
- (3) At least one toilet shall be located in the unit.
- (4) An area designated as a special care services unit shall provide space on the unit for each participant as stated in Rule .1001(d)(1) of this Subchapter.
- (5) An area designated as a special care services unit within an adult day center shall meet existing adult day care staffing ratio requirements as stated in Rule .0905(c)(2) of this Subchapter.

Authority G.S. 131D-6; 143B-153; S.L. 1999-334.

### **SUBCHAPTER 42Z - ADULT DAY HEALTH STANDARDS FOR CERTIFICATION**

#### **SECTION .1000 - SPECIAL CARE FOR PERSONS WITH ALZHEIMER'S DISEASE OR RELATED DISORDERS, MENTAL HEALTH DISABILITIES, OR OTHER SPECIAL NEEDS DISEASES OR CONDITIONS IN ADULT DAY CARE CENTERS**

##### **.1002 THE FACILITY SPECIAL CARE SERVICES**

In addition to meeting the general requirements for facility grounds as set forth in 10 NCAC 42E .1001(a), an adult day health home or center or combination center providing special care services shall assure access to a supervised or secured outside area for special care service participants.

Authority G.S. 131-D; 143-153; S.L. 1999-334.

##### **.1003 ENROLLMENT SPECIAL CARE SERVICES**

In addition to meeting enrollment and participation requirements in Rule .0802 of this Subchapter, an adult day health home or center or a combination center providing special care services shall meet the Enrollment - Special Care Services

standards set forth in 10 NCAC 42E .1504.

Authority G.S. 131D-6; 143B-153; S.L. 1999-334.

##### **.1004 INDIVIDUAL SERVICE PLANS - SPECIAL CARE SERVICES**

The Individual Service Plans - Special Care Services standards as set forth in 10 NCAC 42E .1505 shall control for this Subchapter.

Authority G.S. 131D-6; 143B-153; S.L. 1999-334.

##### **.1005 PROGRAM PLAN - SPECIAL CARE SERVICES**

The Program Plan - Special Care Services standards as set forth in 10 NCAC 42E .1506 shall control for this Subchapter.

Authority G.S. 131D-6; 143-153; S.L. 1999-334.

##### **.1006 STAFF ORIENTATION AND TRAINING - SPECIAL CARE SERVICES**

The Staff Orientation and Training - Special Care Services standards as set forth in 10 NCAC 42E .1507 shall control for this Subchapter.

Authority G.S.131D-6; 143-153; S.L. 1999-334.

##### **.1007 ADDITIONAL REQUIREMENTS FOR SPECIAL CARE SERVICES UNIT**

(a) An adult day health center or combination center with a special care services unit shall assure the following:

- (1) A special care services unit separated by closed doors from the rest of the center shall meet equipment and furnishing requirements as stated in Rule .0701(a) of this Subchapter.
- (2) An area designated as a special care services unit shall provide space on the unit for each participant as stated in Rule .0701(b)(1)(A),(B) of this Subchapter.
- (3) An area designated as a special care services unit within the center shall meet existing adult day health staffing ratio requirements as stated in Rule .0603 of this Subchapter.

(b) The Additional Requirements for Special Care Services Unit standards as set forth in 10 NCAC 42E .1508(1),(3) shall control for this Subchapter.

Authority G.S. 131D-6; 143-153; S.L. 1999-334.

### **CHAPTER 43 - TITLE XX COMPREHENSIVE ANNUAL SERVICES PROGRAM PLAN**

#### **SUBCHAPTER 43L - SOCIAL SERVICES BLOCK GRANT**

##### **SECTION .0400 - ADMINISTRATIVE REQUIREMENTS**

##### **.0401 FISCAL MANAGEMENT**

The Division of Social Services shall establish the fiscal

requirements for the Social Services Block Grant as follows:

- (1) Allocation of Funds. Any allocation of Social Services Block Grant Funds made directly to Department of Human Resources divisions or public or private agencies by the Department of Human Resources is based on the following criteria:
  - (a) identified need for the service program;
  - (b) established priorities of the department;
  - (c) allowability of the program under federal and state rules and regulations;
  - (d) assessed or potential performance of the service program;
  - (e) resource utilization;
  - (f) availability of funds necessary to secure federal financial participation.
- (2) The amount of Social Services Block Grant (SSBG) funds allocated by the Department of Human Resources through the Division of Social Services to each county department of social services will be based on the average of the following two factors applied to the total amount of SSBG funds available for county departments of social services:
  - (a) the percentage of the statewide population residing within each county; and
  - (b) the percentage of the statewide unduplicated count of SSI recipients, food stamp recipients, AFDC recipients and medicaid eligible individuals residing in each county.
- (3) Matching Rates for Financial Participation. The following matching rates apply to financial participation in services funded by the Social Services Block Grant:
  - (a) 75 percent financial participation - financial participation for provision of any service listed in Rule .0201 of this Subchapter is available at a rate of 75 percent of the cost of providing the service;
  - (b) 87-1/2 percent financial participation - financial participation for provision of in-home services -- day care services for adults, preparation and delivery of meals, housing and home improvement services, and in-home aide services (levels I through IV) -- is available at a rate of 87-1/2 percent of the cost of providing the service;
  - (c) 90 percent financial participation - financial participation for provision of family planning services and the family planning component of health support services is available at a rate of 90 percent of the cost of providing the service;
  - (d) 100 percent financial participation - financial participation for provision of child day care and developmental day services for children is available at a rate of 100 percent of the cost of services for those child day care services reimbursed from an agency's designated 100 percent day care allocation.
- (4) Transferred Funds. If funds from the Temporary

Assistance for Needy Families (TANF) Block Grant are transferred to the Social Services Block Grant (SSBG) for services previously funded by SSBG, the matching rates outlined in Subparagraph (3) of this Rule shall apply. If funds from TANF are transferred to SSBG for services not previously funded by SSBG, the matching rates as outlined in Subparagraph (3) of this Rule shall not apply.

*Authority G.S. 143B-153.*

## TITLE 11 - DEPARTMENT OF INSURANCE

**N**otice is hereby given in accordance with G.S. 150B-21.2 that the N.C. Department of Insurance intends to adopt rule cited as 11 NCAC 12 .0327. Notice of Rule-making Proceedings was published in the Register on December 15, 1999.

**Proposed Effective Date:** July 1, 2000

**A Public Hearing** will be conducted at 10:00 a.m. on March 3, 2000 at the Third Floor Hearing Room, Dobbs Building, 430 N. Salisbury Street, Raleigh, NC 27611.

**Reason for Proposed Action:** SB 839 authorizes the Commissioner of Insurance to adopt a rule to order interim claim payments to health care providers if claims cannot be processed in a timely fashion because of the Year 2000 computer problems.

**Comment Procedures:** Written comments should be sent to Barbara Morales Burke, Technical Services Group, NC Department of Insurance, 111 Seaboard Avenue, Raleigh, NC 27604. Comments will be received through March 16, 2000.

**Fiscal Note:**

<i>State</i>	<i>Local</i>	<i>Sub</i>	<i>None</i>
			✓

## CHAPTER 12 - LIFE AND HEALTH DIVISION

### SECTION .0300 - GENERAL PROVISIONS

#### .0327 Y2K INTERIM CLAIM PAYMENTS

For the purposes of G.S. 58-2-235(b), a claim shall be considered a clean claim if it is submitted in accordance with an insurer's claim submission requirements that have been communicated to health care providers by the provider agreement, the insurer's provider manual, or formal letters sent to providers explaining claim submission policies. An insurer shall not alter its claim submission requirements to make them more stringent because the insurer has experienced, or anticipates Year-2000 related problems that may interfere with its ability to process claims from health care providers. Clean claims submitted by health care providers that are not processed within 30 days after receipt or in accordance with the insurer's





Authority G.S. 17E-7.

# SECTION .0900 - MINIMUM STANDARDS FOR JUSTICE OFFICER INSTRUCTORS

## .0909 TERMS AND CONDITIONS OF A LIMITED LECTURER CERTIFICATION

(a) An applicant meeting the requirements for certification as a Limited Lecturer shall, for the first 12 months of certification, be in a probationary status. The Limited Lecturer Certification, Probationary Status, shall automatically expire 12 months from the date of issuance.

(b) The probationary instructor certified pursuant to Rule .0908(a)(1), (a)(3), (a)(4) and (a)(6) shall be eligible for full Limited Lecturer status at the end of the probationary period if the instructor, through application, submits to the Commission:

(1) either:

(A) a favorable recommendation from a school director accompanied by certification on a commission Instructor Evaluation Form that the instructor taught at least four hours in each of the topics for which Limited Lecturer Certification, Probationary Status was granted. Such instruction must have occurred in a commission-accredited detention officer training course during the probationary period. The results of the student evaluation must be considered by the school director when determining the recommendation; or

(B) a favorable written evaluation by a commission or staff member, based on an on-site classroom evaluation of the probationary instructor in a commission-accredited detention officer training course. Such evaluation must be certified on a commission Instructor Evaluation Form completed where the probationary instructor taught a minimum of four hours in each topic for which Limited Lecturer Certification, Probationary Status was granted; and

(2) documentation that all other certifications required in 12 NCAC 10B .0908 remain valid; and

(3) possess a current valid CPR certification.

(c) The probationary instructor certified pursuant to Rule .0908(a)(2) and (a)(5) shall be eligible for full Limited Lecturer status at the end of the probationary period if the instructor, through application, submits to the Commission:

(1) either:

(A) a favorable recommendation from a school director accompanied by certification on a commission Instructor Evaluation Form that the instructor taught at least four hours in the topic area for which Limited Lecturer Certification, Probationary Status was granted. Such instruction must have occurred in a commission-accredited detention officer training course or a commission-accredited basic law enforcement training course during

the probationary period. The results of the student evaluation must be considered by the school director when determining the recommendation; or

(B) a favorable written evaluation by a commission or staff member, based on an on-site classroom evaluation of the probationary instructor in a commission-accredited detention officer training course or a commission-accredited basic law enforcement training course. Such evaluation must be certified on a commission Instructor Evaluation Form completed where the probationary instructor taught a minimum of four hours in each topic for which Limited Lecturer Certification, Probationary Status was granted; and

(2) documentation that all other certifications required in 12 NCAC 10B .0908 remain valid; and

(3) possess a current valid CPR certification.

(c)(d) Full Limited Lecturer Certification for instructors certified pursuant to Rule .0908(a)(1), (a)(3), (a)(4) and (a)(6) shall be continuous so long as the lecturer submits to the Division every two years:

(1) either:

(A) a favorable written recommendation from a school director accompanied by certification on a commission instructor evaluation form that the lecturer successfully taught at least four hours in each of the topics for which Limited Lecturer Certification was granted during the previous two-year period; period. Such instruction must have occurred in a commission-accredited detention officer training course during the probationary period. The results of the student evaluation must be considered by the school director when determining the recommendation; or

(B) a favorable written evaluation by a commission member or staff member based on an on-site classroom observation of the lecturer while teaching a minimum of four hours in each of the topics for which Limited Lecturer Certification was granted; granted. Such instruction must have occurred in a commission-accredited detention officer training course during the probationary period. The results of the student evaluation must be considered by the school director when determining the recommendation; and

(2) a renewal application to include documentation that all other certifications required in 12 NCAC 10B .0908 remain valid; and

(3) possess a current valid CPR certification.

(e) Full Limited Lecturer Certification for instructors certified pursuant to Rule .0908(a)(2) and (a)(5) shall be continuous so long as the lecturer submits to the Division every two years:

(1) either:

(A) a favorable written recommendation from a



school director accompanied by certification on a commission instructor evaluation form that the lecturer successfully taught at least four hours in each of the topics for which Limited Lecturer Certification was granted during the previous two-year period. Such instruction must have occurred in a commission-accredited detention officer training course or a commission-accredited basic law enforcement training course during the probationary period. The results of the student evaluation must be considered by the school director when determining the recommendation; or

(B) a favorable written evaluation by a commission member or staff member based on an on-site classroom observation of the lecturer while teaching a minimum of four hours in each of the topics for which Limited Lecturer Certification was granted. Such instruction must have occurred in a commission-accredited detention officer training course or a commission-accredited basic law enforcement training course during the probationary period. The results of the student evaluation must be considered by the school director when determining the recommendation; and

(2) a renewal application to include documentation that all other certifications required in 12 NCAC 10B .0908 remain valid; and

(3) possess a current valid CPR certification.

(d)(f) The date Full Limited Lecturer Certification is originally issued shall be the anniversary date from which each two-year period is figured.

(e)(g) If a lecturer does not teach a minimum of four hours, in each of the topics for which Limited Lecturer Certification was granted, during each two-year period following the awarding of Full Limited Lecturer Certification, his/her certification automatically expires, and the lecturer must then apply for probationary limited lecturer certification and must meet all applicable requirements.

Authority G.S. 17E-4.

## TITLE 13 - DEPARTMENT OF LABOR

**N**otice is hereby given in accordance with G.S. 150B-21.2 that the NCDOL - OSH Division intends to amend the rule cited as 13 NCAC 7F .0201. Notice of Rule-making Proceedings was published in the Register on May 1, 1996.

**Proposed Effective Date:** September 1, 2000

**A Public Hearing** will be conducted at 2:00 p.m. on March 1, 2000 at the North Carolina Department of Labor, Conference Room 249, 4 West Edenton Street, Raleigh, NC 27601.

**Reason for Proposed Action:** A draft proposal for amendments

to Subpart U of the OSHA Standards - Blasting - was submitted to the Division of Occupational Safety and Health by the NC Utility Contractors Association. The amendments to the Standard will update Subpart U to incorporate more current blasting terminology, procedures and techniques and to clarify the language of the standard.

**Note:** A copy of North Carolina's state-specific Blasting Standard as amended from 29 CFR 1926 and incorporated under 13 NCAC 7F .0201 may be obtained by contacting Lynette M. Dean-Johnson at West Edenton Street, Raleigh, NC 27601.

**Comment Procedures:** All interested and potentially affected persons or parties are encouraged to make their views known to the NC Department of Labor whether in support or objection to any or all provisions of this proposed standard. A public hearing will be held. Requests to pre-register to speak at the hearing should be directed to Lynette M. Dean-Johnson, NC Department of Labor Legal Affairs at W. Edenton Street, Raleigh, NC 27601 or via facsimile (919) 733-4235. Speakers will be heard in the order in which they are registered to speak. Written comments must be submitted to Ann B. Wall, at same address on or before March 16, 2000.

## CHAPTER 7 - OFFICE OF OCCUPATIONAL SAFETY AND HEALTH

### SUBCHAPTER 7F - STANDARDS

#### SECTION .0200 - CONSTRUCTION STANDARDS

##### .0201 CONSTRUCTION

The provisions for the Occupational Safety and Health Standards for Construction, Title 29 of the Code of Federal Regulations Part 1926 promulgated as of January 20, 2000, and exclusive of subsequent amendments, are incorporated by reference except as follows:

- (1) Subpart C -- General Safety and Health Provisions -- Personal protective equipment, §1926.28(a) is amended to read as follows: "(a) The employer is responsible for requiring the wearing of appropriate personal protective equipment in all operations where there is an exposure to hazardous conditions or where this part indicates the need for using such equipment to reduce the hazards to the employees."
- (2) Subpart D -- Occupational Health and Environmental Controls:

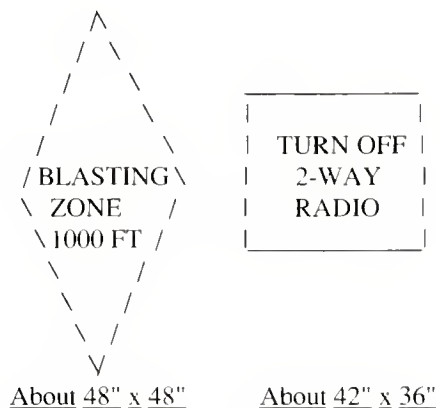
- (a) Addition to 29 CFR 1926.54, Nonionizing radiation, after subpart (a) to read:

"(a1) This standard shall apply to all direct or reflected laser equipment except properly maintained unmodified Class I equipment. Class I equipment is defined as intrinsically safe lasers having less than 0.001 milliwatt power and lasers which cannot create eye damage if viewed accidentally or which present no direct ocular hazard, diffuse ocular hazard or fire hazards."

- (b) Incorporation by reference of modified final rule for 29 CFR 1926.59, Hazard Communication, including Appendices A through E, published in 59 FR (February 9, 1994) pages 6170 - 6184 except that 1926.59(b)(6)(ii) is amended to read:
- "(ii) Any hazardous substance as such term is defined by the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) (42 U.S.C. 9601 *et seq.*), when regulated as a hazardous waste under that Act by the Environmental Protection Agency;"
- (3) Subpart E --Personal Protective and Life Saving Equipment -- addition of (g) to 1926.104 *Safety belts, lifelines, and lanyards*, as follows:
- "(g) Snaphooks shall be a locking type designed and used to prevent disengagement of the snaphook keeper by the connected member. Locking type snaphooks have self-closing, self-locking keepers which remain closed and locked until unlocked and pressed open for connection or disconnection."
- (4) Subpart U--Blasting and Use of Explosives -- additions and amendments to 29 CFR 1926.900 General Provisions, through 1926.914 Definitions applicable to this subpart, as follows:
- "§ 1926.900 General provisions:
- (a) The employer shall permit only persons qualified pursuant to §1926.901 to handle and use explosives. A blaster shall be in charge of each blasting operation; hereafter, referred to as the Blaster-in-Charge.
- (b) Smoking, firearms, sparks, open flame or heat producing devices shall be prohibited where explosives are being stored, handled, transported or used. Exception: This does not apply to devices specifically designed to initiate detonation.
- (c) See 1926.901(b).
- (d) All explosives shall be accounted for at all times. Explosives not being used and not attended shall be kept in a magazine or container that meets the U.S. Bureau of Alcohol, Tobacco and Firearms (hereafter, ATF) storage and access requirements contained in 27 CFR Part 55, which is incorporated herein by reference, including any subsequent amendments. Each employer shall maintain an inventory and use record of all explosives in that employer's possession. The employer, or employer authorized person, shall comply with all applicable local, State and federal laws and regulations requiring notification of any loss, theft, or unauthorized entry into a magazine or container.
- (g) Original containers, ATF Type 2, Type 3, Type 4 or Type 5 magazines or Institute of Makers of Explosives (hereafter, IME) - 22 containers, shall be used for taking detonators and other explosives from storage magazines to the blast site.
- (h) In congested areas and in proximity to a structure, railway, highway or any other installation, the blaster shall take special precautions to control the throw of fragments and to prevent bodily injury to employees and people not working directly on the blasting operation. Such special precautions shall be taken in the loading, delaying, initiation and confinement of each blast and shall include confinement with mats and/or other methods.
- (i) All blast site employees shall follow the directions of the Blaster-in-Charge. All blast site employees shall use and adhere to every reasonable precaution to ensure employee safety including, but not limited to, visual and audible warning signals, flags, or barricades.
- (k) Precautions shall be taken to prevent accidental discharge of electric detonators from current induced by radar, radio transmitters including 2-way radios and mobile telephones, lightning, adjacent powerlines, dust storms, or other sources of extraneous electricity. These precautions shall include:
- (1) See §1926.906(a) and (b).
- (2) At the approach and progress of an electric storm, blasting operations shall be suspended and personnel removed to an area safe from concussion (shock wave), flying material, or gases from an explosion.
- (3) (i) The prominent display of adequate signs, warning against the use of mobile radio transmitters, (e.g., telephones and 2-way radios) on all roads within 1,000 feet of electric blasting operations. If adherence to the 1,000-foot distance would create an operational handicap, then a competent person shall be consulted to evaluate the particular situation, and alternative provisions may be made which are designed to prevent any premature firing of electric detonators. A description of any such alternatives shall be reduced to writing and shall be certified by the competent person consulted as meeting the purposes of this subdivision. The description shall be maintained at the construction during the duration of the work, and shall be available for inspection by representatives of the Commissioner of Labor.
- (ii) Examples of signs which would



meet the requirements of Paragraphs (i) and (k)(3) of this Section are the following:



- (4) Ensuring that mobile transmitters including telephones and 2-way radios which are less than 100 feet away from electric detonators, in other than original containers, shall be deenergized and effectively prevented from operating, (e.g., locked);
- (5) The Blaster-in-Charge shall comply with the recommendations of IME with regard to blasting in the vicinity of radio transmitters as stipulated in Radio Frequency Energy-A Potential Hazard in the Use of Electric Blasting Caps, IME Publication No. 20, March 1971, which is hereby incorporated by reference, including any subsequent editions.
- (l) Empty boxes and associated paper and fiber packing materials, which have previously contained explosives, shall not be used for any purpose, other than that associated with the blasting operation. Such boxes, paper and packing materials shall be disposed of in a manner that prevents reuse and does not constitute a hazard, i.e., burned. The method used for disposal shall comply with all applicable local, State or federal laws.
- (n) Delivery and issue of explosives shall only be made by and to authorized persons and into authorized magazines or temporary storage or handling areas that meet the ATF storage requirements contained in 27 CFR 55.
- (o) Blasting operations in the proximity of overhead power lines, communication lines, utility services, or other services and structures shall not commence until the operators or owners have been notified and measures for safe control have been taken.
- (q) All loading and firing shall be directed and supervised by the Blaster-in-Charge.
- (r) All blasts shall be fired under the control of a blaster, with an appropriate initiation system. All blasts shall be fired in accordance with the manufacturer's recommendations.
- (s) Buildings used for the mixing of blasting agents or water-based explosives shall conform to the requirements of this Section.
- (3) All fuel oil storage facilities shall be separated from the mixing plant and located in such a manner that in case of tank rupture, the oil will be contained and will not drain toward the mixing plant building.
- (4) The building shall be adequately ventilated to prevent explosive or hazardous substance hazards.
- (5) Heating units may be used in the building if they do not depend on combustion processes, and are properly designed and located to prevent explosive or other hazards. All direct sources of heat shall be provided exclusively from units located outside the mixing building.
- (6) All internal-combustion engines used for electric power generation shall be located outside the mixing plant building, or shall be isolated by a firewall and shall be properly ventilated to prevent explosive or exhaust gas hazards to employees. The exhaust systems on all such engines shall be located so any heat or spark generated or emitted cannot be a hazard to any materials in or adjacent to the plant.
- (t) See .900(s).

- (1) See .900(s)(1).
- (2) See .900(s)(2).
- (3) See .900(s)(3).
- (4) See .900(s)(4).
- (5) See .900(s)(5).
- (6) See .900(s)(6).
- (u) To guard against unauthorized entry or initiation of a blast, a blast site shall be attended if loading is suspended or loaded holes are awaiting firing. Additionally, the blast site shall be barricaded, posted, and flagged as necessary to prevent unauthorized access.
- (v) No one shall carry explosives or explosives detonating materials (e.g., blasting caps, detonators, fuse, primers) of any kind on his or her person. This does not prohibit hand-carrying or passing such materials when a hole is being loaded."

"§ 1926.901 Blaster qualifications:

- (a) Blasters shall be able to understand and give written and oral orders.
- (b) Blasters and others authorized to handle or transport explosive materials or conduct blast site activities shall be in sufficiently good physical condition to perform the work safely and not be addicted to, or under the influence of, narcotics, intoxicants, or similar types of drugs.
- (c) Blasters shall be qualified, by reason of training, knowledge, or experience, in the field of transporting, storing, handling, and use of explosives, and have a working knowledge of State, federal and local laws and regulations which pertain to explosives.
- (d) Blasters shall be required by the employer to furnish evidence satisfactory to the employer of competency in handling explosives and performing in a safe manner the type of blasting that will be required.
- (e) Blasters shall be knowledgeable and competent in the use of each type of blasting method used.
- (f) Pursuant to 29 CFR 1926.21(b), the employer shall instruct each employee in the recognition and avoidance of unsafe conditions and the regulations applicable to the employee's work and work environment."

"§ 1926.902 Surface transportation of explosives:

- (a) Surface transportation of explosives and blasting agents shall be in accordance with applicable U.S. Department of Transportation (hereafter, DOT) regulations. Where DOT regulations do not normally apply (e.g., off-road vehicles), compliance shall be in accordance with either the directly related DOT regulation or §1926.902(b) through §1926.902(1), as applicable. Where DOT regulations do not exist, §1926.902(b) through

§1926.902(1) apply.

- (b) Motor vehicles or conveyances transporting explosives shall only be driven by, and be in the charge of, a licensed driver. The driver shall be familiar with the local, State, and Federal regulations governing the transportation of explosives.
- (d) Explosives, blasting agents, and blasting supplies shall not be transported with other materials or cargoes. Blasting caps and detonators shall not be transported in the same vehicle with other explosives unless the provisions of the IME Safety Publication No. 22, "Recommendations for the Safe Transportation of Detonators in a Vehicle with other Explosive Materials," which is incorporated herein by reference including subsequent revisions, are followed.
- (f) When explosives are transported by a vehicle with an open body, an ATF Type 2, ATF Type 3, IME 22 or original manufacturer's container shall be securely attached to the vehicle to contain the cargo.
- (h) Every motor vehicle or conveyance used for transporting explosives shall be marked or placarded on both sides, the front, and the rear with the word "Explosives" in red letters, not less than four inches in height, on white background. The motor vehicle or conveyance may also display, in such a manner that it will be readily visible from all directions, a red flag 18 inches by 30 inches, with the word "Explosives" painted, stamped, or sewed thereon, in white letters, at least six inches in height.
- (j) Motor vehicles or conveyances carrying explosives or blasting agents, shall not be taken inside a garage or shop for repairs or servicing.
- (l) In order to prevent explosives hazards, explosive materials shall be transported to the storage or blast site without delay."

"§ 1926.903 Underground transportation of explosives:

- (a) In order to prevent explosives hazards, all explosives or blasting agents in transit underground shall be taken to the place of use or storage without delay.
- (b) The quantity of explosives or blasting agents taken to an underground loading area shall not exceed the amount estimated by the Blaster-in-Charge to be necessary for the blast.
- (h) Vehicles containing explosive material shall be occupied only by persons necessary for handling the explosive material while in transit.
- (m) Any powder car or conveyance used for transporting explosives or blasting agents shall bear a reflecting sign on each side with the word "Explosives". The sign's letters shall be



- a minimum of 4 inches in height and shall be on a background of sharply contrasting color.
- (n) Compartments for transporting detonators and explosives in the same car or conveyance shall meet IME-22 container specifications or shall be physically separated by a distance of 24 inches or by a solid partition at least 6 inches thick.
- (q) Explosives or blasting agents, not in original containers, shall be placed in a nonconductive, closed container when transported manually."
- "§ 1926.904 Storage of explosives and blasting agents:

- (a) Explosives and blasting agents shall be stored in magazines or containers that meet the applicable provisions of the regulations contained in 27 CFR Part 55, Commerce in Explosives.
- (b) Blasting caps and detonators shall not be stored in the same magazine or container with other explosives or blasting agents. Surplus primers shall be disassembled and components stored separately.
- (c) Smoking and open flames shall not be permitted within 50 feet of explosives, detonators, or blasting agents storage.
- (d) No explosives or blasting agents shall be permanently stored in any underground operation until the operation has at least two modes of exit.
- (e) Permanent underground explosive materials storage shall be at least 300 feet from any shaft, adit, or active underground working area.
- (f) Permanent underground explosive materials storage containing detonators shall not be located closer than 50 feet to any storage containing other explosives or blasting agents."

"§ 1926.905 Loading of explosives or blasting agents:

- (a) Procedures that permit safe and efficient loading shall be established by the Blaster-in-Charge or the employer before loading is started.
- (b) Drill holes shall be sufficiently large to admit easy insertion of the cartridges of explosives.
- (c) Tamping shall be done only with non-metal, non-sparking tamping poles without exposed metal parts, except that nonsparking metal connectors may be used for jointed poles. Violent tamping shall be prohibited. The primer shall never be tamped.
- (d) No holes shall be loaded except those to be fired in the next round of blasting. After loading, remaining explosives and detonators shall be promptly moved to a safe location and attended or stored pursuant to ATF storage requirements contained in 27 CFR Part 55.
- (e) Drilling shall not be started until all visible butts of old holes are examined for unexploded

charges, and if any are found, they shall be disposed of in accordance with §1926.911, before work proceeds.

- (h) Machines, personnel and tools not specifically required for the blasting operation shall be removed from the blast site before explosives are removed from approved storage or transportation vehicles. Blasting operation related vehicles or equipment shall not be driven over, or near enough to, explosive material or initiation systems to come into contact with the explosive material or initiation systems. Equipment not specifically needed for the final blast shall not be operated within 50 feet of loaded holes.
- (i) During loading the only activity permitted within the blast site shall be that required to successfully and safely load the hole.
- (j) Powerlines and portable electric cables for equipment being used shall be kept a safe distance from explosives or blasting agents. The blaster shall assure that cables in the proximity of loaded holes are deenergized and locked out. Additionally, when using electric detonators, the provisions of §1926.906(b) apply.
- (k) Holes shall be checked prior to loading to determine depth and conditions. Only those holes determined by the Blaster-in-Charge to be satisfactory shall be loaded.
- (l) When loading a long line of holes with more than one loading crew, the crews shall be separated by practical distance consistent with safe and efficient operation and supervision of crews.
- (m) No explosive shall be loaded or used underground in the presence of combustible gases or combustible dusts, unless the work is performed in accordance with the Mine Safety and Health Administration (MSHA) standards at 30 CFR 75 related to such environments, which are incorporated herein by reference, including subsequent revisions, and unless the explosives have been approved as permissible explosives for use in gassy or dusty environments by MSHA.
- (n) No explosives other than those in IME Fume Class 1 shall be used. However, explosives complying with the requirements of IME Fume Class 2 and IME Fume Class 3 may be used if adequate ventilation has been provided to prevent explosive or hazardous substance hazards to employees.
- (q) A bore hole shall never be sprung when there is a risk of a premature detonation of a loaded hole.
- (s) Areas in which loading is suspended or loaded holes are awaiting firing shall be attended, and

- barricaded, posted, or flagged as needed to guard against unauthorized entry or initiation.
- (t) The blaster shall keep an accurate, up-to-date record of explosives, blasting agents, and blasting supplies used in each blast and shall keep an accurate running inventory of all explosives and blasting agents in the blaster's custody.
  - (u) When loading blasting agents pneumatically over electric detonators, semiconductive delivery hose shall be used and the equipment shall be bonded and grounded.
  - (v) Primers shall be made up just before their time of use and at the point of use.
  - (w) Holes shall not be drilled in a manner that disturbs or intersects a loaded hole."

"§ 1926.906 Initiation of explosive charges-electric blasting:

- (a) Electric detonators shall not be used where sources of extraneous electricity make the use of electric detonators dangerous. Except during testing, electronic detonator leg wires shall be kept short-circuited (shunted) until they are connected into the circuit for firing.
- (b) If the presence of extraneous electricity is possible, the blaster shall conduct a stray current survey. No holes shall be loaded using electric detonators until the danger of extraneous electricity is eliminated.
- (c) In any single blast using electric detonators, all detonators shall be of the same style or function, and of the same manufacture.
- (d) Electric initiation shall be carried out by using blasting machines or power circuits in accordance with the manufacturer's recommendations.
- (e) When firing a circuit of electric detonators, an adequate quantity of delivered current must be available, in accordance with the manufacturer's recommendations.
- (h) When firing electrically, the insulation on all firing lines shall be in good condition and shall be adequate to prevent voltage leaks to the ground.
- (i) A power circuit used for firing electric detonators shall not be grounded.
- (k) In underground operations there shall be a "lightning" gap of at least 15 feet in the firing system ahead of the main firing switch; that is, between this switch and the source of power. This gap shall be bridged by a flexible jumper cord just before firing the blast.
- (n) When firing with blasting machines, the connections shall be made as recommended by the manufacturer of the electric detonators used.
- (o) The number of electric detonators connected to a blasting machine shall not be in excess of its

rated capacity. A series circuit shall contain no more detonators than the limits recommended by the manufacturer of the electric detonators in use.

- (p) A blaster shall be in charge of the blasting machines.
- (q) A blaster shall test blasting circuits for:
  - (1) Continuity of electric detonator in the blast hole prior to stemming and connection of the blasting line.
  - (2) Resistance of individual series or the resistance of multiple balanced series to be connected in parallel prior to their connection to the blasting line.
  - (3) Continuity of blasting lines prior to the connection of electric detonator series.
  - (4) Total blasting circuit resistance prior to connecting to the power source. A blasting galvanometer, or other instrument specifically designed for testing blasting circuits, shall be used to conduct these tests.
- (r) Whenever the possibility exists that a leading line or blasting wire might be thrown over a live powerline by the force of an explosion, the total length of wires shall be kept too short to hit the lines, or the wires shall be securely anchored to the ground. If neither of these requirements can be satisfied, a nonelectric system shall be used.
- (s) The blaster shall assure that all connections are made from the bore hole back to the source of firing current, and that the leading wires remain shorted, except during testing, and not connected to the blasting machine or other source of current until the blast is to be fired. Only the blaster, or a person under the direct control of the blaster, shall make lead wire connections or fire the shot."

"§ 1926.907 Use of safety fuse:

- (a) A safety fuse that has been hammered or injured in any way shall not be used.
- (d) Only a cap crimper design approved for that purpose shall be used for attaching blasting caps to safety fuse. Crimpers shall be kept in good repair and accessible for use.
- (h) Safety fuses of at least the following minimum lengths shall be used:
  - (1) At least a 36-inch length for 40-second-per-foot safety fuse and
  - (2) At least a 48-inch length for 30-second-per-foot safety fuse.
- (i) At least two people shall be present when multiple cap and fuse blasting is done by hand lighting methods."

"§ 1926.908 Use of detonating cord:

- (a) A detonating cord consistent with the type and physical condition of the bore hole and



- stemming and the type of explosives shall be used.
- (b) Detonating cord shall be handled and used in the same manner as other explosives.
  - (d) Detonating cord shall be handled and used with care to avoid damaging or severing the cord during and after loading and hooking-up. Shock tube shall never be pulled, stretched, kinked, twisted, mashed or abused in any way which could cause the tube to break or otherwise malfunction.
  - (e) Detonating cord connections, shock tube connections and splices shall be competent and positive in accordance with the manufacturer's recommendations. Knot-type or other cord-to-cord connections shall be made only with detonating cord in which the explosive core is dry. Down-the-hole shock tube splices are prohibited.
  - (g) All detonating cord connections, shock tube connections and splices shall be inspected before firing the blast.
  - (h) When detonating cord or shock tube millisecond-delay connectors or short-interval-delay electric detonators are used with detonating cord or shock tube, the practice shall conform strictly to the manufacturer's recommendations.
  - (i) When connecting a detonator to detonating cord or shock tube, the detonator shall be taped or otherwise attached securely along the side or the end of the detonating cord, with the end of the detonator containing the explosive charge pointed in the direction in which the detonation is to proceed.
  - (k) Shock tube shall not be connected to the initiation device until the blast is to be fired."

"§ 1926.909 Firing the blast:

- (a) The Blaster-in-Charge shall establish a code of blasting signals and all blast site employees shall familiarize themselves with and conform to the code. As a minimum, the code shall:
  - (1) contain audible pre-blast and audible all clear signals, and
  - (2) contain an emergency method for guards, flagmen, or other authorized employees to signal "do not fire", and
  - (3) prohibit sounding of the all clear signal until the blaster has checked the blast site for misfires.

Table U-1 is an example of a code of blasting signals that would meet these requirements.

Further, the Blaster-in-Charge shall require the placement of Danger signs and posting of the blasting signals when personnel not associated with the blasting operation are within the blast

area.

- (b) Before a blast is fired, the Blaster-in-Charge shall make certain that all surplus explosives are in an area meeting the ATF explosive storage requirements contained in 27 CFR 55 and that all persons are at a safe distance, or under sufficient cover.
- (c) Flagmen shall be safely stationed on highways which pass through the blast area so as to stop traffic during blasting.
- (d) The Blaster-in-Charge shall fix the time of blasting.
- (e) Before firing an underground blast, warning shall be given, and all possible entries into the blast area, and any entrances to any working place where a drift, raise, or other opening is about to hole through, shall be carefully guarded to prevent entry into the area. The Blaster-in-Charge shall make sure that all surplus employees have been removed from the blast area and that all personnel are out of the blast area."

"§ 1926.910 Inspection after blasting:

- (b) Sufficient time shall be allowed, not less than 15 minutes in tunnels, for the smoke and fumes to dissipate before returning to the blast site. Subsequently, the blaster shall inspect the blast site and surrounding rubble for signs of misfires. If a misfire is found, employee access to the blast area shall be controlled pursuant to §1926.911. Where fumes, fire, or dust are a potential hazard (e.g., in tunnels), the muck pile shall be wetted down prior to general employees returning to the blast site."

"§ 1926.911 Misfires:

- (a) If a misfire is found, the Blaster-in-Charge shall invoke sufficient safeguards to exclude all employees from the potential blast area.
- (b) No work shall be done except that necessary to remove the hazard of the misfire. Only those employees necessary to do the work shall enter the potential blast area. Only the Blaster-in-Charge, and the absolute minimum number of competent, experienced personnel necessary to assess the situation shall approach the hole to inspect the misfire.
- (c) The Blaster-in-Charge shall determine the safest steps for removing the hazard of the misfire. During development and implementation of these steps, the Blaster-in-Charge shall comply with the manufacturer's recommendations. Further, the guidelines of the Safety in the Transportation, Storage, Handling and Use of Explosive Materials, IME Publication No. 17, which is hereby incorporated by reference, including future changes, shall be utilized.
- (d) If there are any misfires while using non-

electric systems and materials, all employees shall remain out of the potential blast area for at least 30 minutes. If electric detonators, shock tube, gas tube or detonating code systems or materials were used and a misfire occurred, the waiting period may be reduced to 15 minutes. In either case, the Blaster-in-Charge shall assess the circumstances and invoke a safe waiting period before allowing any personnel to enter the potential blast area. All lines shall be carefully traced and a search made for unexploded charges.

- (e) No drilling, digging, or picking shall be permitted until all misfires have been detonated or the Blaster-in-Charge approves the work."

"§ 1926.912 Underwater blasting:

- (a) In underwater blasting, no shot shall be fired without the approval of the Blaster-in-Charge.
- (c) Only water-resistant detonators and detonating cords shall be used for all marine blasting. Loading shall be done through a nonsparking loading tube when tube is necessary.
- (d) No blast shall be fired while any vessel under way is closer than 1,500 feet to the blast site. Those on board vessels or craft moored or anchored within 1,500 feet shall be notified before a blast is fired.

**Note:** The warning signals and personnel safety provisions of §1926.909 also apply.

- (g) The storage and handling of explosives aboard vessels used in underwater blasting operations shall be in accordance with the provisions of this Standard on handling and storing explosives.
- (h) Prior to firing the blast, the blaster shall determine the method(s) that will be used for detecting misfires and take preparatory steps (e.g., noting obvious indications of misfire, attaching float(s) that will be released by the firing, staging underwater cameras, or other appropriate means). Misfires shall be handled in accordance with the requirements of §1926.911."

"§ 1926.913 Blasting in excavation work under compressed air:

- (b) When detonators or explosives are brought into an air lock, the only employees who shall be permitted to enter the airlock are the powderman, blaster, lock tender and the employees necessary for carrying the detonators or explosives. No other material, supplies, or equipment shall be locked through with the explosives.
- (d) See §1926.900(a) and §1926.901.
- (f) The explosives suitable for use in wet holes shall be water-resistant and shall be IME Fume Class 1."

"§ 1926.914 Definitions applicable to this Subpart:

- (a) "American Table of Distances" (also known as Quantity Distance Tables)-- the current edition of the American Table of Distances for Storage of Explosives approved by IME.
- (b) "Approved storage facility"-A facility for the storage of explosive materials conforming to the requirements of this part and covered by a license or permit issued under authority of the ATF. (See 27 CFR Part 55.)
- (c) "Blast area" - The area within the influence of flying debris, gases, and concussion from an explosion that may cause injury to property or persons.
- (e) "Blasting agent" - A blasting agent is a mixture consisting of a fuel and oxidizer used for blasting where the finished (mixed) product cannot be detonated with a No. 8 test blasting cap when confined.
- (k) "Electric detonator" - A detonator designed for and capable of detonation by means of an electric current.
- (l) "Electric blasting circuitry"-
  - (1) Bus wire. An expendable wire, used in parallel or series, in parallel circuits, to which are connected the leg wires of electric detonators.
  - (2) Connecting wire. An insulated expendable wire used between electric detonators and the leading wires or between the bus wire and the leading wires.
  - (3) Lead wire. An insulated wire used between the electric power source and the electric detonator circuit.
  - (4) Permanent firing line. A permanently mounted insulated wire used between the electric power source and the electric detonator circuit.
- (m) "Electric delay caps detonators" - Detonators designed to detonate at a predetermined period of time after energy is applied to the ignition system.
- (n) "Explosives" -
  - (1) Any chemical compound, mixture, or device, the primary or common purpose of which is to function by explosion; that is, with substantially instantaneous release of gas and heat, unless such compound, mixture or device is otherwise specifically classified by the U.S. Department of Transportation (USDOT).
  - (2) Any material designated as a Class 1 Explosive by the USDOT. Under the USDOT classification system, Class 1 materials are divided into the following six divisions:



- Division 1.1 - Mass exploding (Formerly Class A)  
Division 1.2 - Projection hazard (Formerly Class A or B)  
Division 1.3 - Fire hazard, minor blast or projection hazard (Formerly Class B)  
Division 1.4 - Minor explosion hazard, not mass detonating (Formerly Class C)  
Division 1.5 - Insensitive explosives, very little probability of initiation or transition from burning to detonation during transport. (Formerly Blasting Agent).  
Division 1.6 - Insensitive articles which do not mass detonate. (No commercial explosives in this division)
- (p) "Magazine" - Any container, building or structure, other than an explosives manufacturing building, used for the storage of explosives.
- (s) "Non-electric delay detonator" - A detonator with an integral delay element in conjunction with and capable of being detonated by a detonation impulse or signal from miniaturized detonating cord or shock tube.
- (v) "Safety fuse" - A flexible cord containing an internal burning medium by which fire is conveyed at a continuous and uniform rate for the purpose of firing detonators.
- (x) "Stemming" - An inert incombustible material or device used to confine or separate explosives in a drill hole, or to cover explosives in mud-capping.
- (z) "Water-based explosives" - Explosive materials that contain substantial quantities of water in their formulation. They may be bulk or packaged products and may be cap sensitive or non cap sensitive (blasting agents). Water-based explosives include:
- (1) "Emulsions" - Explosive materials containing substantial amounts of oxidizer dissolved in water droplets, surrounded by an immiscible fuel or droplets of an immiscible fuel surrounded by water containing substantial amounts of oxidizer.
  - (2) "Slurry" - An explosive material containing substantial portions of a liquid, oxidizers and fuel, plus a cross-linking agent.
  - (3) "Water gel" - An explosive material containing substantial portions of water, oxidizers and fuel, plus a cross-linking agent.
- (bb) "Appropriate authorities" or "Authorities having jurisdiction" - local, State and federal law enforcement authorities required to be notified by law or permit or this Standard.
- (cc) "Blaster-in-Charge" - The person who meets the qualifications contained in §1926.901 and who is authorized to oversee the blasting operations and to use explosives for blasting purposes.
- (dd) "Blast site" - The area where explosive material is handled during loading, including the perimeter formed by loaded blast holes, and 50 feet (15.2 meters) in all directions from loaded holes. A minimum distance of 30 feet (9.1 meters) may replace the 50 feet (15.2 meters) if the perimeter of loaded holes is demarcated with a barrier. The 50 feet (15.2 meters) and alternative 30 feet (9.1 meters) requirements also apply in all directions along the full depth of the holes. In underground mines, 15 feet of solid rib or pillar may be substituted for the 50 feet distance.
- (ee) "Shock tube" - A small diameter plastic tube used for initiating detonators. Shock tube contains a limited amount of reactive material so that the energy transmitted through the tube by means of detonation wave is guided through, and confined within, the walls of the tube.
- (ff) "Blasting operation" - Any work or activities associated with the use of explosives on a blast site.
- (gg) "Attended" - Presence of an individual or continuous monitoring to prevent unauthorized entry or access."
- (+4)(5) Subpart V -- Power Transmission and Distribution -- 1926.950(c)(1)(i) is rewritten to read as follows:  
 "(i) The employee is insulated or guarded from the energized part (insulating gloves or insulating gloves with sleeves rated for the voltage involved shall be considered insulation of the employee only with regard to the energized part upon which work is being performed), or"
- (5)(6) Subpart Z -- Toxic and Hazardous Substances -- incorporation of the existing standard for Bloodborne Pathogens, 29 CFR 1910.1030, excluding subparagraph (e) HIV and HBV Research Laboratories and Production Facilities, into the Safety & Health Regulations for Construction at 29 CFR 1926.1130. Final rule as published in 56 FR

(December 6, 1991) pages 64175 - 64182, including Appendix A -- Hepatitis B Vaccine Declination (Mandatory) -- with corrections as published in 57 FR (July 1, 1992) page 29206, and with the following revision to the definition of Occupational Exposure under subsection (b) Definitions:

"Occupational Exposure means reasonably anticipated skin, eye, mucous membrane, or parenteral contact with blood or other potentially infectious materials that may result from the performance of collateral first aid duties by an employee in the areas of construction, alteration, or repair, including painting and decorating."

Authority G.S. 95-131; 150B-21.6.

## TITLE 15A - DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES

**N**otice is hereby given in accordance with G.S. 150B-21.2 that the ENR - Coastal Resources Commission intends to amend the rule cited as 15A NCAC 7H .0209. Notice of Rule-making Proceedings was published in the Register on May 14, 1999.

**Proposed Effective Date:** August 1, 2001

**A Public Hearing** will be conducted at 4:30 p.m. on March 23, 2000 at the Sheraton Atlantic Beach, Atlantic Beach, NC.

**Reason for Proposed Action:** In July 1997, the Coastal Resources Commission adopted a temporary rule to establish guidelines for development along urban waterfronts. The General Assembly adopted HB 1059, which nullified the CRC's actions. Since HB 1059 (NCGS 113A-120.2 is set to expire in July 2000), the CRC would like to adopt rules for development along cultural and historic urban waterfronts.

**Comment Procedures:** Please contact Kim Crawford, Coastal Policy Analyst, NC Div. Of Coastal Management, PO Box 27687, Raleigh, NC 27611-7687. Comments will be received through March 23, 2000.

### Fiscal Note:

State	Local	Sub	None
	✓		

## CHAPTER 7 - COASTAL MANAGEMENT

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

#### SECTION .0200 - THE ESTUARINE SYSTEM

#### .0209 ESTUARINE SHORELINES

(a) **Rationale.** As an AEC, estuarine shorelines, although characterized as dry land, are considered a component of the estuarine system because of the close association with the adjacent estuarine waters. This Section defines estuarine shorelines, describes the significance, and articulates standards for development.

(b) **Description.** Estuarine shorelines are those non-ocean shorelines which are especially vulnerable to erosion, flooding, or other adverse effects of wind and water and are intimately connected to the estuary. This area extends from the mean high water level or normal water level along the estuaries, sounds, bays, and brackish waters as set forth in an agreement adopted by the Wildlife Resources Commission and the Department of Environment, Health, and Natural Resources [described in Rule .0206(a) of this Section] for a distance of 75 feet landward. For those estuarine shorelines immediately contiguous to waters classified as Outstanding Resource Waters by the Environmental Management Commission, the estuarine shoreline AEC shall extend to 575 feet landward from the mean high water level or normal water level, unless the Coastal Resources Commission establishes the boundary at a greater or lesser extent following required public hearing(s) within the affected county or counties.

(c) **Significance.** Development within estuarine shorelines influences the quality of estuarine life and is subject to the damaging processes of shore front erosion and flooding.

(d) **Management Objective.** To ensure shoreline development is compatible with both the dynamic nature of estuarine shorelines and the values of the estuarine system.

(e) **Use Standards.**

- (1) All development projects, proposals, and designs shall substantially preserve and not weaken or eliminate natural barriers to erosion, including, but not limited to, peat marshland, resistant clay shorelines, and cypress-gum protective fringe areas adjacent to vulnerable shorelines.
- (2) All development projects, proposals, and designs shall limit the construction of impervious surfaces and areas not allowing natural drainage to only so much as is necessary to adequately service the major purpose or use for which the lot is to be developed. Impervious surfaces shall not exceed 30 percent of the AEC area of the lot, unless the applicant can effectively demonstrate, through innovative design, that the protection provided by the design would be equal to or exceed the protection by the 30 percent limitation. Redevelopment of areas exceeding the 30 percent impervious surface limitation can be permitted if impervious areas are not increased and the applicant designs the project to comply with the intent of the rule to the maximum extent practical.
- (3) All development projects, proposals, and designs shall comply with the following mandatory standards of the North Carolina Sedimentation Pollution Control Act of 1973:
  - (A) All development projects, proposals, and designs shall provide for a buffer zone along the margin of the estuarine water which is sufficient to confine visible siltation within 25



- percent of the buffer zone nearest the land disturbing development.
- (B) No development project proposal or design shall permit an angle for graded slopes or fill which is greater than an angle which can be retained by vegetative cover or other adequate erosion-control devices or structures.
  - (C) All development projects, proposals, and designs which involve uncovering more than one acre of land shall plant a ground cover sufficient to restrain erosion within 30 working days of completion of the grading; provided that this shall not apply to clearing land for the purpose of forming a reservoir later to be inundated.
- (4) Development shall not have a significant adverse impact on estuarine resources.
  - (5) Development shall not significantly interfere with existing public rights of access to, or use of, navigable waters or public resources.
  - (6) No major public facility shall be permitted if such facility is likely to require extraordinary public expenditures for maintenance and continued use, unless it can be shown that the public purpose served by the facility outweighs the required public expenditures for construction, maintenance, and continued use. For the purpose of this standard, "public facility" shall mean a project which is paid for in any part by public funds.
  - (7) Development shall not cause major or irreversible damage to valuable, documented historic architectural or archaeological resources.
  - (8) Established common-law and statutory public rights of access to the public trust lands and waters in estuarine areas shall not be eliminated or restricted. Development shall not encroach upon public accessways nor shall it limit the intended use of the accessways.
  - (9) Within the AEC for shorelines contiguous to waters classified as Outstanding Resource Waters by the EMC, no CAMA permit will be approved for any project which would be inconsistent with applicable use standards adopted by the CRC, EMC or MFC for estuarine waters, public trust areas, or coastal wetlands. For development activities not covered by specific use standards, no permit will be issued if the activity would, based on site specific information, materially degrade the water quality or outstanding resource values unless such degradation is temporary.
- (f) Specific Use Standards for ORW Estuarine Shorelines.
- (1) Within the AEC for estuarine shorelines contiguous to waters classified as ORW by the EMC, all development projects, proposals, and designs shall limit the built upon area to no more than 25 percent of the AEC area of the land to be developed or any lower site specific percentage as adopted by the EMC as necessary to protect the exceptional water quality and outstanding resource values of the ORW, and shall:
    - (A) have no stormwater collection system;
    - (B) provide a buffer zone of at least 30 feet from the mean high water line;
    - (C) otherwise be consistent with the use standards set out in Paragraph (e) of this Rule.
  - (2) Development (other than single-family residential lots) more than 75 feet from the mean high water line but within the AEC which as of June 1, 1989:
    - (A) has a CAMA permit application in process, or
    - (B) has received preliminary subdivision plat approval or preliminary site plan approval under applicable local ordinances, and in which substantial financial resources have been invested in design or improvement; will be permitted in accordance with rules and standards in effect as of June 1, 1989.
  - (3) Single-family residential lots which would not be buildable under the low-density standards defined in Paragraph (f)(1) of this Rule may be developed for single-family residential purposes so long as the development complies with those standards to the maximum extent possible.
  - (4) For ORW's nominated subsequent to June 1, 1989, the effective date in Paragraph (f)(2) of this Rule shall be the dates of nomination by the EMC.
- (g) Urban Waterfronts:
- (1) Description. Urban Waterfronts are waterfront areas, not adjacent to Outstanding Resource Waters, in the Coastal Shorelines AEC that lie within the corporate limits of any municipality duly chartered within the 20 coastal counties of the state. In determining whether an area is an urban waterfront, the following criteria shall be met as of the effective date of this Rule: The area lies wholly within the corporate limits of a municipality; and the area is in a central business district where there is minimal undeveloped land, mixed land uses, and urban level services such as water, sewer, streets, solid waste management, roads, police and fire protection.
  - (2) Significance. Urban waterfronts are recognized as having cultural, historical and economic significance for many coastal municipalities. Maritime traditions and longstanding development patterns make these areas suitable for maintaining or promoting dense development along the shore. With proper planning and stormwater management, these areas may continue to preserve the local historical and aesthetic values while enhancing the economy.
  - (3) Management Objectives. To provide for the continued cultural, historical and economic benefits of urban waterfronts. Activities such as in-fill development, reuse and redevelopment facilitate efficient use of already urbanized areas and reduce development pressure on surrounding areas, thus minimizing the adverse cumulative environmental effects on estuarine and ocean systems. While recognizing that opportunities to preserve buffers are limited in highly developed urban areas, they are

encouraged where practical.

(4) Use Standards:

(A) Upland development within designated Urban Waterfronts shall meet the following standards:

- (i) The development must be consistent with the locally adopted land use plan;
- (ii) Within the Coastal Shorelines AEC for shorelines contiguous to all waters not classified as Outstanding Resource Waters, no buffer is required for development that meets at least one of the following standards:

- (I) A stormwater collection system certified by a licensed design professional and approved during the permit application process. The stormwater collection system must be maintained for the life of the project and must provide protection that is equal to or exceeds that provided under the impervious surface limitation established pursuant to this Rule, or
- (II) Connect to a local stormwater collection system that does not discharge into coastal wetlands, estuarine waters or public trust areas, or
- (III) Connect to a local stormwater collection system that has an existing stormwater management plan approved by the Division of Water Quality.

(B) Non-water dependent uses over public trust waters may be allowed only within designated Urban Waterfronts as set out in this Rule.

- (i) Existing structures over coastal wetlands, estuarine waters and public trust areas may be used for non-water dependent purposes.
- (ii) New structures or expansions of existing structures built for non-water dependent purposes are limited to pile supported, unroofed, unenclosed decks and boardwalks, and must meet the following criteria:

- (I) The proposed development must be consistent with a locally adopted waterfront access plan that provides for enhanced public access to the shoreline;
- (II) Structures must be pile supported and require no filling of coastal wetlands, estuarine waters or public trust areas;
- (III) Structures shall not extend more than 20 ft. waterward of the

normal high water level or normal water level;

(IV) Structures must be elevated at least three feet over the wetland substrate measured from the bottom of the decking;

(V) Structures shall have no more than six feet of any dimension extending over coastal wetlands;

(VI) Structures shall not interfere with access to any riparian property and shall have a minimum setback of 15 feet between any part of the structure and the adjacent property owners= areas of riparian access. The line of division of areas of riparian access shall be established by drawing a line along the channel or deep water in front of the properties, then drawing a line perpendicular to the line of the channel so that it intersects with the shore at the point the upland property line meets the water's edge. The minimum setback provided in the rule may be waived by the written agreement of the adjacent riparian owner(s) or when two adjoining riparian owners are co-applicants. Should the adjacent property be sold before construction of the structure commences, the applicant shall obtain a written agreement with the new owner waiving the minimum setback and submit it to the permitting agency prior to initiating any development;

(VII) Structures must be consistent with the US Army Corps of Engineers= setbacks along federally authorized waterways;

(VIII) Structures shall have no significant adverse impacts on fishery resources, water quality or adjacent wetlands and there is no reasonable alternative that would avoid wetlands;

(IX) Structures shall not degrade High Quality Waters, Outstanding Resource Waters, Primary Nursery Areas or waters classified as SA by the Environmental Management Commission; and

(X) Structures shall not pose a threat



to navigation.

Authority G.S. 113A-107(b); 113A-108; 113A-113(b); 113A-124.

## TITLE 17 - DEPARTMENT OF REVENUE

**N**otice is hereby given that the North Carolina Department of Revenue intends to amend the rule cited as 17 NCAC 1C .0502.

**Editor's Note:** G.S. 150B-1(d)(4) exempts the Department of Revenue from Part 2 Article 2A of Chapter 150B with respect to the notice and hearing requirements. The Department will however publish the text of proposed rules in the North Carolina Register prior to the scheduled time of review by the Rules Review Commission.

**Proposed Effective Date:** July 1, 2000

**Instructions on How to Demand a Public Hearing:** Contact Mr. Keith McCombs at (919) 733-6800 to discuss the proposed change. If a hearing is desired, submit a written request for a hearing to Mr. Keith McCombs at NC Department of Revenue, PO Box 25000, Raleigh, NC 27640.

**Reason for Proposed Action:** The Department is getting an increasing number of foreign checks. The rule is amended to emphasize the requirement in G.S. 105-241 that taxes be paid in the national currency. Technical and formatting changes are also made.

**Comment Procedures:** Submit written comments to Mr. Keith McCombs at North Carolina Department of Revenue, Accounting Division, PO Box 25000, Raleigh, NC 27640.

### Fiscal Impact

State	Local	Sub.	None
			✓

## CHAPTER 1 - DEPARTMENTAL RULES

### SUBCHAPTER 1C - GENERAL ADMINISTRATION

#### SECTION .0500 - FORM OF PAYMENT

##### .0502 METHOD OF PAYMENT

(a) **Methods.** -- Tax payments, including penalty and interest, ~~shall~~ **must** be made by cash, warrant, uncertified check, certified check, money order, or ~~other~~ **another** instrument freely negotiable at par through the Federal Reserve System unless otherwise specified. The Department ~~shall~~ **must** notify the taxpayer at least 30 days in advance if a specific method is to be required.

(b) **Collection.** -- All payments other than by U.S. currency ~~(cash)~~ **are** subject to collection.

(c) **U.S. Institutions and Currency.** -- Checks, money orders ~~orders~~, or ~~other~~ instruments ~~must be~~ drawn on U.S. financial institutions in U.S. dollars and cents. ~~If the Department accepts an instrument drawn on a foreign bank, it shall be entered in the State's financial institution.~~ Any ~~institution~~, ~~any~~ transfer fees, service charges, discrepancies in exchange rate, or other fees ~~shall be~~ **are** the responsibility of the remitter and ~~will be~~ deducted from the proceeds. When ~~collected~~, the net proceeds ~~shall be~~ **are** credited against the tax liability for which the remittance was made.

(d) **Certified Funds.** -- Checks ~~which that~~ have been returned to the Department due to insufficient funds in a taxpayer's account or nonexistence of an account, ~~shall~~ **account must** be repaid to the Department with certified funds ~~where~~ **when** the penalty under G.S. 105-236(1) is applicable: **applies**.

Authority G.S. 105-241; 105-236(1); 105-262.

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**N**otice is hereby given that the North Carolina Department of Revenue intends to amend the rules cited as 17 NCAC 1C .0504; .0506; .0509.

**Editor's Note:** G.S. 150B-1(d)(4) exempts the Department of Revenue from Part 2 Article 2A of Chapter 150B with respect to the notice and hearing requirements. The Department will however publish the text of proposed rules in the North Carolina Register prior to the scheduled time of review by the Rules Review Commission.

**Proposed Effective Date:** July 1, 2000

**Instructions on How to Demand a Public Hearing:** Contact Ms. Elizabeth Williams at (919) 733-7307 to discuss the proposed changes. If a hearing is desired, submit a written request for a hearing to Ms. Elizabeth Williams at NC Department of Revenue, PO Box 871, Raleigh, NC 27602.

### Reason for Proposed Action:

**17 NCAC 1C .0504** - S.L. 99-389 adds corporations that make federal estimated income tax payments by EFT to the list of taxpayers that must make State tax payments by EFT. The rule is amended to reflect this legislative change and to make technical changes.

**17 NCAC 1C .0506** - Some of the taxes in the list of voluntary participation have been repealed and some new taxes have been added for which the taxpayers can pay by EFT. The rule is changed to state a general principle and avoid the need to change the rule whenever a particular tax is repealed or a new tax is enacted.

**17 NCAC 1C .0509** - The current rule does not address the piped gas tax and has inaccurate information about returns. The rule is amended to state a general principle about the effect of an EFT payment on other filing obligations rather than address each tax type. A payment coupon, such as a CD-429, is not a return and the penalties for filing a late return do not

apply if a CD-429 is filed late. The rule implies that failure to file penalties as well as failure to pay penalties would apply in this and other similar circumstances, which is not the case. The rule is amended to correct this implication.

**Comment Procedures:** Submit written comments to Ms. Elizabeth Williams at North Carolina Department of Revenue, PO Box 871, Raleigh, NC 27602.

**Fiscal Impact**

State	Local	Sub.	None
			✓

**CHAPTER 1 - DEPARTMENTAL RULES**

**SUBCHAPTER 1C - GENERAL ADMINISTRATION**

**SECTION .0500 - FORM OF PAYMENT**

**.0504 WHEN PAYMENT BY EFT IS REQUIRED**

(a) Taxpayers who paid one million two hundred thousand dollars (\$1,200,000) or more of Withholding of Income Taxes from wages of individuals levied under Chapter 105 Article 4A during the selection period shall remit payments due and payable after January 1, 1994 by electronic funds transfer. Taxpayers who paid two hundred forty thousand dollars (\$240,000) or more of Withholding of Income Taxes from wages of individuals levied under Chapter 105 Article 4A during the selection period shall remit payments due and payable after January 1, 1996 by electronic funds transfer.

(b) Taxpayers who paid four hundred thousand dollars (\$400,000) or more of Corporate Income Tax who are required to make installment payments of Estimated Income Tax under Chapter 105 Article 4C during the selection period shall remit payments due and payable after January 1, 1994 by electronic funds transfer. Taxpayers who paid two hundred forty thousand dollars (\$240,000) or more of Corporate Income Tax who are required to make installment payments of Estimated Income Tax under Chapter 105 Article 4C during the selection period shall remit payments due and payable after January 1, 1996 by electronic funds transfer.

(c) Taxpayers subject to the following tax types who paid one million two hundred thousand dollars (\$1,200,000) or more during the selection period shall remit payments due on or after July 1, 1994 by electronic funds transfer:

- (1) Alcoholic Beverage Excise Taxes payable under Chapter 105 Article 2C;
- (2) Utilities Franchise Taxes levied under G.S. 105-116 or G.S. 105-120;
- (3) Utilities Sales Taxes due under the provisions of G.S. 105-164.4(a)(4c).

Taxpayers subject to the above tax types who paid two hundred forty thousand dollars (\$240,000) or more during the selection period shall remit payments due on or after January 1, 1996 by electronic funds transfer.

(d) Except as provided in Subparagraph (c)(3) of this Rule, taxpayers who paid one million two hundred thousand dollars

(\$1,200,000) or more in Sales and Use Tax levied under Chapter 105 Article 5 and Articles 39, 40, and 42 of Subchapter VIII during the selection period shall remit payments due on or after October 1, 1994 by EFT. Except as provided in Subparagraph (c)(3) of this Rule, taxpayers who paid two hundred forty thousand dollars (\$240,000) or more in Sales and Use Tax levied under Chapter 105 Article 5 and Articles 39, 40, and 42 of Subchapter VIII during the selection period shall remit payments due on or after October 1, 1995 by EFT.

(e) Taxpayers who paid two hundred forty thousand dollars (\$240,000) or more in Motor Fuels Taxes levied under Chapter 105 Article 36C and 36D of Subchapter V during the selection period shall remit payments due on or after July 1, 1995 by EFT.

(f) Taxpayers who paid one million two hundred thousand dollars (\$1,200,000) or more of Tobacco Products Tax levied under Chapter 105 Article 2A during the selection period shall remit payments due on or after January 1, 1995 by electronic funds transfer. Taxpayers who paid two hundred forty thousand dollars (\$240,000) or more of Tobacco Products Tax levied under Chapter 105 Article 2A during the selection period shall remit payments due on or after January 1, 1996 by electronic funds transfer.

(g) Taxpayers who paid one million two hundred thousand dollars (\$1,200,000) or more of Soft Drink Tax levied under Chapter 105 Article 2B during the selection period shall remit payments due on or after January 1, 1995 by electronic funds transfer. Taxpayers who paid two hundred forty thousand dollars (\$240,000) or more of Soft Drink Tax levied under Chapter 105 Article 2B during the selection period shall remit payments due on or after January 1, 1996 by electronic funds transfer.

(h) Taxpayers who paid two hundred forty thousand dollars (\$240,000) or more of Insurance Taxes levied under G.S. 105 Article 8B during the selection period shall remit payments due on or after January 1, 1996 by electronic funds transfer.

(i) The determination as to which taxpayers shall be subject to the remittance provisions to the rules in this Section shall be made by the Department, on a tax by tax basis, and shall be based on the average amount of tax paid during any 12 consecutive month period preceding the implementation of any new application or review of the payment requirement.

(j) The Department shall notify the selected taxpayers of the requirements of these Rules by first class mail to their last address of record.

(k) The Department shall provide the selected taxpayers with forms necessary for registering to make payments for the taxes through EFT. The Department shall provide an explanation of the payment options available.

(l) The taxpayer shall register to make payments for the taxes through EFT, and shall select a payment option subject to approval by the Department in accordance with Rule .0508(b).

(m) The Department shall provide technical assistance and guidance to the selected taxpayers concerning the payment of taxes through EFT. An EFT hotline shall be available to the taxpayers from 8:00 a.m. through 5:00 p.m., Eastern Standard Time, each business day, with exception of State holidays.

(a) Certain Corporations. -- A corporation that makes its federal estimated corporate income tax payments by EFT must



make its State estimated corporate income tax payments by EFT. A corporation that makes its federal estimated corporate income tax payments by EFT must obtain an EFT registration form and submit it to the Department.

(b) Other Taxpayers. -- A taxpayer who pays in a selection period at least two hundred forth thousand dollars \$240,000 of a tax that is reported on a quarterly, monthly, or more frequent basis must pay that tax by EFT when the Department notifies the taxpayer of this requirement. The Department must notify a taxpayer by first class mail sent to the last address of record. When notified, the taxpayer must complete an EFT registration form and begin making payments by EFT by the date set by the Department. That date must be at least 60 days after the date of the notice.

(c) Assistance. -- The Department must provide technical assistance to taxpayers required to pay taxes by EFT. The Department must have an EFT hotline available to taxpayers each business day from 8:00 a.m. to 5:00 p.m., Eastern Standard Time. A State holiday is not a business day.

Authority G.S. 105-241; 105-163.40; 105-262.

#### **.0506 VOLUNTARY EFT PROGRAM PARTICIPATION**

(a) The following taxpayers not subject to remittance provisions of 17 NCAC 1C-.0504 may elect to participate in the EFT Program on or after January 1, 1995:

- (1) Taxpayers required to file returns and pay Withholding of Income Taxes from wages of individuals under Article 4A;
- (2) Taxpayers required to remit installment payments of Estimated Corporate Income Tax under Chapter 105 Article 4C;
- (3) Taxpayers who remit Alcoholic Beverage Excise Taxes payable under Chapter 105 Article 2C;
- (4) Taxpayers who remit Utility Sales Tax payable under the provisions of G.S. 105-164.4 (a)(4c);
- (5) Taxpayers who remit Utility Franchise Tax payable under G.S. 105-116 or G.S. 105-120 excluding telephone companies who remit less than three thousand dollars (\$3,000.00) per month;
- (6) Taxpayers who remit Sales and Use Tax under G.S. 105-164.16(b);
- (7) Taxpayers who remit Motor Fuels Taxes levied under Chapter 105 Article 36C and 36D;
- (8) Taxpayers who remit Tobacco Products Tax levied under Chapter 105 Article 2A;
- (9) Taxpayers who remit Soft Drink Tax levied under Chapter 105 Article 2B;
- (10) Taxpayers who remit Insurance Taxes levied under Chapter 105 Article 8B;

(b) Taxpayers electing to voluntarily participate in the EFT Program shall complete and return Form AC-EFT-100V, Electronic Funds Transfer Authorization Agreement for Voluntary Participants;

(c) Taxpayers who elect to participate in the EFT Program shall remit payments electronically for a minimum of twelve consecutive months. A taxpayer may withdraw from the EFT

Program after 12 months by giving the Department 45 days written notice;

(d) Taxpayers who elect to participate in the EFT Program shall be subject to the penalty provisions stated in G.S. 105-236 (1a) and (1b);

(e) Taxpayers electing to participate in the EFT Program shall be subject to the same rules as taxpayers subject to the remittance provisions of 17 NCAC 1C-.0504.

(a) Eligibility. -- A taxpayer who is not required to pay a tax by EFT may make its payments of that tax by EFT with the approval of the Secretary. A taxpayer who wants to pay a tax by EFT must submit an EFT registration form to the Secretary and must receive notice from the Secretary that the registration has been approved. The Department's process is not currently designed to accept all payments by EFT. Some tax types and payment amounts will not be approved for payment by EFT.

(b) Period. -- A taxpayer who receives approval to pay a tax by EFT must make its payments of that tax by EFT for a minimum of 12 consecutive months. A taxpayer may stop making its tax payments by EFT after 12 months by giving the Department at least 45 days written notice.

(c) Duties. -- A taxpayer who receives approval to pay a tax by EFT is subject to the same requirements as a taxpayer who is required to make tax payments by EFT. The penalties in G.S. 105-236(1a) and (1b) apply to a taxpayer who voluntarily makes tax payments by EFT.

Authority G.S. 105-241; 105-262; 105-236.

#### **.0509 EFT PAYMENT PROCEDURES**

(a) Initiating Transfer. -- Taxpayers who are required to remit tax payments through EFT must initiate the transfer so that the amount due settles into the Department's bank account on or before the due date under the appropriate General Statute. If a tax due date falls on a Saturday, a Sunday, or a legal holiday, the deposit by electronic funds transfer is required on or before the first banking day thereafter. If the date on which the taxpayer is required to initiate either an ACH Debit or an ACH Credit transfer (call-in day) falls on a Saturday, Sunday, or a holiday, the taxpayer must initiate the transaction on the preceding business day. Thus, the deposit date (settlement day) will be the first business day following the due date.

(b) ACH Credit. -- If a taxpayer is approved for the ACH Credit payment method, the taxpayer is responsible for ensuring the bank originating the transaction has the information necessary for timely completion of the transaction. Further the taxpayer is responsible for the correct completion of the transaction. The taxpayer shall must provide the information necessary for the bank to complete the NACHA CCD+ entry with the TXP Banking Convention addenda record.

(c) Effect on Filing Requirements. -- The EFT method of payment does not change the current filing requirements for tax returns except for Withholding Taxes, Installment Payments of Estimated Income Tax by Corporations and Utility Franchise Taxes. The payment information received by the Department for Withholding Taxes and Installment Payments of Estimated Income Tax by Corporations constitutes the filing of Forms NC-5P and CD-429, respectively. For Utility Franchise Taxes,

~~the payment information accompanying the funds transfer constitutes the filing requirement for the first two months of a calendar quarter for Electric and Piped Gas Companies and Telephone Companies who liability exceeds three thousand dollars (\$3,000) or more per month. reports and returns. It is a substitute, however, for filing a tax payment coupon, such as an NC-5 for withholding tax payments or a CD-429 for corporate estimated income tax payments. It is also a substitute for a payment requirement for which no payment coupon is used, such as the payment requirement imposed on companies by G.S. 105-116 and G.S. 105-120 for the first two months of each calendar quarter. Late EFT payments are subject to the penalty in G.S. 105-236 for failure to pay a tax when due and are subject to any other applicable penalties.~~

~~(d) For tax types in which the tax payment information constitutes the filing of a tax return, an affirmation statement on the registration form shall be completed by the taxpayer certifying that the tax payment information the Department shall receive will be true and complete.~~

~~(e) Any payment required by EFT which is not timely made or the return is not filed by the due date shall be subject to the either late payment or late filing penalties or both under G.S. 105-236 and interest.~~

~~(f) The Department shall furnish an appropriate form for filing a tax return, if applicable, indicating an EFT status for a taxpayer required to remit tax payments by EFT. If a taxpayer form is utilized, it shall have the same EFT designation as the Departmental form and is subject to Departmental approval.~~

Authority G.S. 105-236; 105-241; 105-262.

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**N**otice is hereby given that the North Carolina Department of Revenue intends to amend the rule cited as 17 NCAC 1C .0601.

**Editor's Note:** G.S. 150B-1(d)(4) exempts the Department of Revenue from Part 2 Article 2A of Chapter 150B with respect to the notice and hearing requirements. The Department will however publish the text of proposed rules in the North Carolina Register prior to the scheduled time of review by the Rules Review Commission.

**Proposed Effective Date:** July 1, 2000

**Instructions on How to Demand a Public Hearing:** Contact Ms. Sabra Faires at (919) 715-0237 to discuss the proposed change. If a hearing is desired, submit a written request for a hearing to Ms. Sabra Faires at NC Department of Revenue, PO Box 871, Raleigh, NC 27602.

**Reason for Proposed Action:** The Department has a Forms Coordinator and that person is the one to contact about substitute forms. The amendment to the rule changes the instruction about who to contact in the Department on the subject of substitute forms.

**Comment Procedures:** Submit written comments to Ms. Sabra Faires at NC Department of Revenue, PO Box 871, Raleigh, NC 27602.

**Fiscal Impact**

State	Local	Sub.	None
			✓

**CHAPTER 1 - DEPARTMENTAL RULES**

**SUBCHAPTER 1C - GENERAL ADMINISTRATION**

**SECTION .0600 - SUBSTITUTE FORMS**

**.0601 APPROVAL REQUIRED FOR SUBSTITUTE FORMS**

(a) Process -- The Department prepares forms for taxpayers to use in reporting and paying taxes. The forms are designed to be able to be processed accurately and efficiently on the Department's processing equipment. A company that wants to reproduce a form of the Department for use by a taxpayer must meet the requirements of the Department before it does so. These requirements include obtaining from the Department a vendor number and the technical specifications for the form, submitting to the Department a draft of the substitute form for approval, and receiving a letter from the Department stating that the draft substitute form submitted complies with the Department's requirements. The person at the Department to contact to obtain approval of a substitute form is ~~the Director of the Division that administers the tax:~~ Department's Forms Coordinator.

(b) Rejection -- The Department may reject any form that is submitted and is not a form prepared by the Department or approved for use by the Department.

Authority 105-252; 105-262.

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**N**otice is hereby given that the North Carolina Department of Revenue intends to amend the rule cited at 17 NCAC 3C .0108 and repeal the rule cited as 17 NCAC 3B .0302.

**Editor's Note:** G.S. 150B-1(d)(4) exempts the Department of Revenue from Part 2 Article 2A of Chapter 150B with respect to the notice and hearing requirements. The Department will however publish the text of proposed rules in the North Carolina Register prior to the scheduled time of review by the Rules Review Commission.

**Proposed Effective Date:** July 1, 2000

**Instructions on How to Demand a Public Hearing:** Contact Mr. Sam McEwen at (919) 733-3565 to discuss the proposed changes. If a hearing is desired, submit a written request for a hearing to Mr. Sam McEwen at NC Department of Revenue, Personal Taxes Division, PO Box 871, Raleigh, NC 27602.



**Reason for Proposed Action:**

**17 NCAC 3B .0302** - S.L. 98-212 repealed the inheritance tax and replaced it with an estate "pick-up" tax, effective January 1, 1999. The new tax does not have classes of beneficiaries. This rule is therefore obsolete.

**17 NCAC 3C .0108** - The rule is revised to reflect changes in Form D-410 and to make technical changes.

**Comment Procedures:** Submit written comments to Mr. Sam McEwen at NC Department of Revenue, Personal Taxes Division, PO Box 871, Raleigh, NC 27602.

**Fiscal Impact**

State	Local	Sub.	None
			✓

**CHAPTER 3 - INHERITANCE AND GIFT TAX  
DIVISION**

**SUBCHAPTER 3B - INHERITANCE TAX**

**SECTION .0300 - EXEMPTIONS AND CLASSES**

**.0302 STEP-GRANDCHILDREN**

A step-grandchild is classified as a class "A" beneficiary.

Authority G.S. 105-4; 105-262; *Ingram v. Johnson* 260 NC 697, 133 S.E. 2<sup>nd</sup> 662 (1963).

**SUBCHAPTER 3C - GIFT TAX**

**.0108 EXTENSIONS**

(a) Application. -- If the Gift Tax Return, Form G-600, cannot be filed by the due date of April 15, a donor may apply for an automatic six-month extension of time to file the return. To receive the extension, a donor must file Form D-410, Application for Automatic Extension of Time to File State Income or Gift Tax Return; Extension, by the original due date of the return. In lieu of filing Form D-410, an automatic six-month extension of time to file the gift tax return will be granted to a donor who files Federal Form 4868, Application for Automatic Extension of Time, with the Internal Revenue Service and submits to the Department a copy of the completed Form 4868 by the original due date of the return. When filing a copy of Form 4868 in lieu of Form D-410, a donor must clearly state that the form is for North Carolina, must mark through the federal amounts shown on the form, and must enter the applicable amounts for North Carolina.

(b) Late Payment Penalty. -- An extension does not extend the time for payment of the tax due. Tax not paid by the original due date of the return is subject to the 10% penalty for failure to pay a tax when due. The Department does not assess this penalty if the donor paid at least 90% of the amount of tax due by the original due date of the return. Interest applies to all amounts not paid by the original due date of the return. A 10 percent late payment penalty applies to the remaining balance due if the tax paid by the due date of the return is less than 90 percent of the total amount of tax due. If the 90 percent rule is

met, any remaining balance due, including interest, must be paid with the gift tax return before the expiration of the extension period to avoid the late payment penalty. If the application for extension is determined to be invalid, both the late filing and the late payment penalties will apply. An application for extension is considered invalid if the amount entered on the extension form as the tax expected to be due is not properly estimated. In determining whether the amount reflected as tax due on the application is properly estimated, all facts and circumstances, including the amount of tax due in prior years, whether substantial underpayments have been made in other years, and whether a donor made a bona fide and reasonable attempt to locate, gather, and consult information, are considered.

(c) Donors Outside U.S. -- Donors, including military personnel, living outside the United States and Puerto Rico (including military personnel) are granted an automatic extension of two months for filing a North Carolina gift tax return. No application is required to receive this extension.

(d) Return. -- A return may be filed at any time within the extension period but it must be filed before the end of the extension period to avoid the late filing penalty. A return that is filed after the end of the extension period is subject to the penalty for failure to file a return.

Authority G.S. 105-197; 105-236; 105-262; 105-263.

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**Notice** is hereby given that the North Carolina Department of Revenue intends to repeal the rules cited as 17 NCAC 4B .4301-.4302, .4401-.4402.

**Editor's Note:** G.S. 150B-1(d)(4) exempts the Department of Revenue from Part 2 Article 2A of Chapter 150B with respect to the notice and hearing requirements. The Department will however publish the text of proposed rules in the North Carolina Register prior to the scheduled time of review by the Rules Review Commission.

**Proposed Effective Date:** July 1, 2000

**Instructions on How to Demand a Public Hearing:** Contact Mr. Billy Daniel at (919) 733-8510 to discuss the proposed changes. If a hearing is desired, submit a written request for a hearing to Mr. Billy Daniel at NC Department of Revenue, Corporate Tax Division, PO Box 871, Raleigh, NC 27602.

**Reason for Proposed Action:**

**17 NCAC 4B .4301-.4302** - These rules are unnecessary because they repeat the statutes and .4301 is inaccurate in part. G.S. 105-104 addresses the manner of obtaining a license from the Secretary of Revenue and G.S. 105-41(i) states that the license alone does not authorize the practice of a profession for which a qualification license is required.

**17 NCAC 4B .4401-.4402** - G.S. 105-109 has been revised and G.S. 105-109.1 has been repealed so that the Article 9 penalty and interest provisions apply to privilege license taxes. These rules are therefore inaccurate and obsolete.

**Comment Procedures:** *Submit written comments to Mr. Billy Daniel at NC Department of Revenue, Corporate Tax Division, PO Box 871, Raleigh, NC 27602.*

105-266;

Authority G.S. 105-109; 105-109.1; 105-262.

**Fiscal Note:**

State      Local      Sub      None

✓

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**N**otice is hereby given that the North Carolina Department of Revenue intends to amend the rules cited as 17 NCAC 4C .1101, .1801, and repeal the rules cited as 17 NCAC 4C .0603; 4E .0201.

**Editor's Note:** G.S. 150B-1(d)(4) exempts the Department of Revenue from Part 2 Article 2A of Chapter 150B with respect to the notice and hearing requirements. The Department will however publish the text of proposed rules in the North Carolina Register prior to the scheduled time of review by the Rules Review Commission.

**Proposed Effective Date:** July 1, 2000

**Instructions on How to Demand a Public Hearing:** Contact Mr. Keith Hartmann at (919) 733-8510 to discuss the proposed changes. If a hearing is desired, submit a written request for a hearing to Mr. Keith Hartmann at NC Department of Revenue, Corporate Tax Division, PO Box 871, Raleigh, NC 27602.

**Reason for Proposed Action:**

**17 NCAC 4C .0603** - This Rule is unnecessary and inaccurate. It is unnecessary because it repeats the substance of G.S. 105-113.18(1a).

**17 NCAC 4C .1101** - The due date of the return set out in the rule is incorrect and the reference to the form will soon be inaccurate because the Department is revising the forms. The changes to the rule reflect the corrections and the form revisions.

**17 NCAC 4C .1801** - S.L. 98-212 repealed the 50% penalty and made the tobacco taxes subject to the Article 9 penalties. The reference to the form will soon be inaccurate because the Department is revising these forms. The changes to the rule reflect the previous legislative change and the form revisions.

**17 NCAC 4E .0201** - This Rule is unnecessary and inaccurate. It is unnecessary because it repeats the substance of G.S. 105-113.83 and the list of forms is not current.

**Comment Procedures:** *Submit written comments to Mr. Keith Hartmann at NC Department of Revenue, Corporate Tax Division, PO Box 871, Raleigh, NC 27602.*

**Fiscal Note:**

State      Local      Sub      None

✓

**CHAPTER 4 - GROSS RECEIPTS AND PRIVILEGE  
LICENSE TAXES**

**SUBCHAPTER 4B - LICENSE TAXES**

**SECTION .4300 - MANNER OF OBTAINING  
LICENSES FROM SECRETARY OF REVENUE**

**.4301 APPLICATION FOR PRIVILEGE LICENSE**

Form B-202, the preaddressed application for privilege license, is mailed the early part of June to the address of the preceding year's license. Form B-202A, the nonpreaddressed application for privilege license, may be obtained either by writing to North Carolina Department of Revenue, Business License and Returns Unit, PO Box 25000, Raleigh, NC 27640, or by contacting a branch office of the Department of Revenue. Either form may be used in making an application for a privilege license. Remittance of tax due must accompany any application for license.

Authority G.S. 105-104; 105-262.

**.4302 PRIVILEGE LICENSE**

A privilege license is issued for each type license purchased. Such a license is evidence that the privilege license tax is paid for the privilege of carrying on the business as described on the license. However, this license alone does not authorize the practice of any profession, business or trade for which a state qualification license is required.

Authority G.S. 105-33; 105-104; 105-262.

**SECTION .4400 - ENGAGING IN BUSINESS  
WITHOUT A LICENSE**

**.4401 PENALTY PROVISIONS**

As Article 2, License Taxes, is provided with its own administrative provisions covering penalties, penalties provided therein are applicable rather than penalties provided under G.S. 105-236.

Authority G.S. 105-109; 105-262.

**.4402 RATE OF PENALTY; INTEREST**

Penalty accrues at the rate of five percent per month for each delinquent month or fraction thereof, not to exceed 50 percent of the tax. Interest at the rate established under G.S. 105-241.1(i) shall apply to delinquent taxes specified under G.S. 105-109.1 and to refunds of overpayment of taxes in accordance with G.S.



**CHAPTER 4 - GROSS RECEIPTS AND PRIVILEGE  
LICENSE TAXES**

**SUBCHAPTER 4C - CIGARETTE TAX**

**SECTION .0600 - CIGARETTE MANUFACTURER**

**.0603 TAX ON COMPLIMENTARY PACKS**

A cigarette manufacturer electing to use the monthly report method authorized under G.S. 105-113.10 for reporting its distribution of complimentary cigarettes not otherwise exempt under G.S. 105-113.5 shall file such report no later than the 15th day of the month following the close of the preceding month. Remittance covering the cigarette tax applicable shall accompany the report.

*Authority G.S. 105-113.5; 105-113.10; 105-262.*

**SECTION .1100 - RAILROADS AND OCEAN-GOING  
VESSELS**

**.1101 DEALERS ON TRAINS**

Railroads operating interstate and having non-tax-paid inventory of cigarettes are permitted to sell cigarettes by the pack, but such carriers shall procure permission from the secretary to make such sales and shall report all sales made within North Carolina to the Office Examination Division, Business License and Return Unit of the department on or before the 15th day of each month. Such reports shall be on Form B-A-17 (Monthly Report of Sales of Cigarettes by Dealers on Trains and Commercial Airlines) prescribed by the department for that purpose, and shall show all sales for the immediate preceding month. A remittance for the face amount of the excise tax due the state on such sales shall be submitted with the report. Railroads that sell non-tax paid cigarettes on trains traveling in North Carolina must file a monthly return with the Department. The return must be filed on a form prescribed by the Secretary and must state the amount of non-tax-paid cigarettes sold on the train in this State during the month. A return is due by the 20<sup>th</sup> of each month. The tax on cigarette sales reported on the return

is due when the return is due.

*Authority G.S. 105-113.6; 105-262.*

**SECTION .1800 - MONTHLY REPORT, INVOICE,  
AND RECORD REQUIREMENTS**

**.1801 MONTHLY REPORT REQUIREMENTS**

(a) Wholesale dealers and retail dealers, liable for the tax under G.S. 105-113.35, must file monthly reports on Form B-A-101 (Monthly Other Tobacco Products Excise Tax Report) with the Secretary within twenty days after the close of each month showing transactions for the preceding month. This monthly report is required whether or not any tax is shown to be due. The Secretary will provide the forms which must be filled out in detail, and any remittance must accompany these reports.

(b) Failure to file a timely report with tax due for the month will result in the Department of Revenue disallowing the 4 percent discount for timely payment and adding a 50 percent penalty and applicable interest.

A tobacco products wholesale dealer or retail dealer licensed under G.S. 105-113.36 must file a monthly return in accordance with G.S. 105-113.37. A return must be filed each month even if no tax is due for that month.

*Authority G.S. 105-113.37; 105-262.*

**SUBCHAPTER 4E - ALCOHOLIC BEVERAGES TAX**

**SECTION .0200 - MONTHLY REPORTS: PAYMENT  
OF TAX**

**.0201 FILING OF MONTHLY REPORTS**

Monthly reports, as follows, provided by the Secretary of Revenue, shall be filed with the North Carolina Department of Revenue, license and excise tax division, Raleigh, North Carolina, on or before the 15th day of each month covering transactions in alcoholic beverages for the preceding month by those licensees required to file, together with remittance of tax where applicable:

Report Form	To Be Filed By	With Tax
(1) B-C-710	Resident beer wholesaler and importer;	X
(2) B-C-715	Beer manufacturer and nonresident wholesaler;	
(3) B-C-761	Dealers on trains (beer sales);	X
(4) B-C-775	A.B.C. Boards;	X
(5) B-C-776	Dealers on trains (spirituous liquor sales);	X
(6) B-C-780	Dealers on trains (unfortified wine sales);	X
(7) B-C-783	Resident unfortified wine wholesaler and importer;	X
(8) B-C-784	Resident fortified wine wholesaler and importer;	X
(9) B-C-787	Unfortified wine manufacturer	

- (10) B-C-788 and nonresident wholesaler,  
Fortified wine manufacturer  
(11) B-C-796 and nonresident wholesaler;  
Nonresident shippers of bulk  
wine to authorized resident  
bottlers.

Authority G.S. 105-113.76; 105-113.83; 105-113.84; 105-262.

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**N**otice is hereby given that the North Carolina Department of Revenue intends to amend the rule cited as 17 NCAC 5C .0703, and repeal the rules cited as 17 NCAC 5B .0603, .0803, .0903; 5C .2003.

**Editor's Note:** G.S. 150B-1(d)(4) exempts the Department of Revenue from Part 2 Article 2A of Chapter 150B with respect to the notice and hearing requirements. The Department will however publish the text of proposed rules in the North Carolina Register prior to the scheduled time of review by the Rules Review Commission.

**Proposed Effective Date:** July 1, 2000

**Instructions on How to Demand a Public Hearing:** Contact Mr. Billy Daniel at (919) 733-8510 to discuss the proposed changes. If a hearing is desired, submit a written request for a hearing to Mr. Billy Daniel at NC Department of Revenue, Corporate Tax Division, PO Box 871, Raleigh, NC 27602.

**Reason for Proposed Action:**

**17 NCAC 5B .0603, .0803, .0903** - These rules are either obsolete or unnecessary. Rules 5B .0603 and .0803 are obsolete; there are no taxpayers in the category of telegraph company or street bus company. Rule 5B .0903 is unnecessary and somewhat inaccurate.

**17 NCAC 5C .0703** - This rule is amended to describe more circumstances in which dividend income can be business, as opposed to nonbusiness, income. The current rule gives only one example and may create the incorrect implication that the example given is the only circumstance in which dividend income can be business income. The changes clarify the rule and more accurately reflect the Department's interpretation in this area. Technical changes are also made to this Rule.

**17 NCAC 5C .2003** - This Rule is unnecessary because it repeats G.S. 105-241.1 and G.S. 105-236. February 7, 2000

**Comment Procedures:** Submit written comments to Mr. Billy Daniel at North Carolina Department of Revenue, Corporate Tax Division, PO Box 871, Raleigh, NC 27602.

**Fiscal Note:**

State	Local	Sub	None
			✓

**CHAPTER 5 - CORPORATE FRANCHISE, INCOME,**

**AND INSURANCE TAXES**

**SUBCHAPTER 5B - FRANCHISE TAX**

**SECTION .0600 - TELEGRAPH COMPANIES**

**.0603 FORM TO BE USED FOR FILING**

No specific form is provided by the Secretary for reporting the franchise or privilege tax on telegraph companies; therefore the corporation shall devise a form to be used for filing to include all information prescribed by G.S. 105-119.

Authority G.S. 105-119; 105-262.

**SECTION .0800 - STREET TRANSPORTATION COMPANIES**

**.0803 CORPORATION BILLED FOR THE TAX**

There is no form to be completed by the corporation for the computation of franchise or privilege tax on street transportation companies; rather it is billed to the corporation by the Corporate Division.

Authority G.S. 105-120.1; 105-262.

**SECTION .0900 - MUTUAL BURIAL ASSOCIATION**

**.0903 CORPORATION BILLED FOR THE TAX**

There is no form to be completed by the corporation for the computation of franchise or privilege tax on domestic mutual burial associations; rather it is to be billed to the corporation by the Corporate Division.

Authority G.S. 105-121.1; 105-262.

**SUBCHAPTER 5C - CORPORATE INCOME TAX**

**SECTION .0700 - BUSINESS AND NONBUSINESS INCOME**

**.0703 BUSINESS AND NONBUSINESS INCOME**

The classification of income by the labels customarily given them: customary labels, such as interest, rents, royalties, or capital gains, is of no aid in determining whether that income is business or nonbusiness income. The For example, income from property or the gain or loss recognized on the sale of property; for example, property may be business income or nonbusiness income depending upon the its relation to the taxpayer's trade or business: business. Income may be business income even



though the transaction or activity that gave rise to the income did not occur in this State.

Income is business income unless it is clearly classifiable as nonbusiness income. A taxpayer must establish that its classification of income as nonbusiness income is proper. The following list gives examples of when an item of income is considered business income:

- (1) Rental income from real or tangible personal property constitutes business income when the rental of the property is a principal business activity of the taxpayer or the rental of the property is related to or incidental to the taxpayer's principal business activity.
- (2) A gain or loss from the sale, exchange, or other disposition of real or personal property constitutes business income if the property while owned by the taxpayer was used in the taxpayer's trade or business or was used to produce business income. However, the gain or loss will constitute nonbusiness income providing: income, unless for at least three years before the disposition the following statements apply:
  - (a) the The property was subsequently utilized used principally for the production of nonbusiness income for a period of at least three years prior to the disposition; and income.
  - (b) the The property was reflected as nonbusiness on the corporate income tax returns filed for those years.
- (3) Interest income is business income if the intangible with respect to which the interest was received arises arose out of or was created by a business activity of the taxpayer and in those situations where the purpose for acquiring is or if the acquisition of the intangible directly with respect to which the interest was received was related to the business activity of the taxpayer.
- (4) Dividend income is business income when dealing in securities is a principal business activity of the taxpayer; if any of the following circumstances applies:
  - (a) The dividend arose out of or was acquired in the regular course of the taxpayer's trade or business.
  - (b) The taxpayer's purpose in acquiring or holding the stock with respect to which the dividend was received was related to the taxpayer's trade or business.
  - (c) The dividend is received from a unitary subsidiary of the taxpayer.
- (5) Patent and copyright royalties are business income if the patent or copyright was created or used as an integral part of a principal business activity of the taxpayer.
- (6) Property that a taxpayer includes in the property factor of its apportionment formula or for which the taxpayer takes a deduction against business income is presumed to be an integral part of the taxpayer's regular trade or business operations.

Authority G.S. 105-130.4; 105-262.

## SECTION .2000 - EXTENSION OF TIME FOR FILING RETURN

### .2003 INTEREST AND PENALTIES

~~Interest accrues at the rate established pursuant to G.S. 105-241.1(i) on any tax paid after the date set by statute for filing the return. The statutory due date for filing a corporation franchise and income tax return is on or before the 15th day of the third month following the close of the corporation's income year. A penalty for failure to file of five percent of the total taxes due is incurred each month a return is delinquent with the minimum penalty being five dollars (\$5.00) and the maximum penalty being 25 percent. In addition the corporation is subject to the failure to pay by due date penalty of 10 percent. Both penalties are applicable pursuant to G.S. 105-236.~~

Authority G.S. 105-236; 105-262.

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**N**otice is hereby given that the North Carolina Department of Revenue intends to repeal the rule cited as 17 NCAC 5C .0702.

**Editor's Note:** G.S. 150B-1(d)(4) exempts the Department of Revenue from Part 2 Article 2A of Chapter 150B with respect to the notice and hearing requirements. The Department will however publish the text of proposed rules in the North Carolina Register prior to the scheduled time of review by the Rules Review Commission.

**Proposed Effective Date:** July 1, 2000

**Instructions on How to Demand a Public Hearing:** Contact Mr. Jack Harper at (919) 733-8510 to discuss the proposed change. If a hearing is desired, submit a written request for a hearing to Mr. Jack Harper at NC Department of Revenue, Corporate Tax Division, PO Box 871, Raleigh, NC 27602.

**Reason for Proposed Action:** The rule is repealed because it is incorporated in revised Rule 17 NCAC 5C .0703, which is being amended at the same time.

**Comment Procedures:** Submit written comments to Mr. Jack Harper at North Carolina Department of Revenue, Corporate Tax Division, PO Box 871, Raleigh, NC 27602.

#### Fiscal Note:

State	Local	Sub	None
			✓

## CHAPTER 5 - CORPORATE FRANCHISE, INCOME, AND INSURANCE TAXES

### SUBCHAPTER 5C - CORPORATE INCOME TAX

SECTION .0700 - BUSINESS AND NONBUSINESS INCOME

.0702 BUSINESS AND NONBUSINESS INCOME DEFINED

The business income of the taxpayer is that portion of the taxpayer's entire net income which arises from the conduct of the taxpayer's trade or business operations. For purposes of administration of G.S. 105-130.4, the income of the taxpayer is business income unless classified as nonbusiness income under the law and these Rules.

Authority G.S. 105-130.4; 105-262.

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**Notice** is hereby given that the North Carolina Department of Revenue intends to amend the rules cited as 17 NCAC 6B .0605, .3503, and repeal the rule cited as 17 NCAC 6B .3408.

**Editor's Note:** G.S. 150B-1(d)(4) exempts the Department of Revenue from Part 2 Article 2A of Chapter 150B with respect to the notice and hearing requirements. The Department will however publish the text of proposed rules in the North Carolina Register prior to the scheduled time of review by the Rules Review Commission.

**Proposed Effective Date:** July 1, 2000

**Instructions on How to Demand a Public Hearing** (must be requested in writing within 15 days of notice): Contact Mr. Sam McEwen at (919) 733-356 to discuss the proposed changes. If a hearing is desired, submit a written request for a hearing to Mr. Sam McEwen at the North Carolina Department of Revenue, Personal Taxes Division, PO Box 871, Raleigh, NC 27602.

**Reason for Proposed Action:**

**17 NCAC 6B .0605** - S.L. 99-342 recodified and revised most of the energy tax credits. The changes to this Rule reflect the legislative changes.

**17 NCAC 6B .3408** - S.L. 99-348 amended G.S. 105-266(c)(1) to provide that a waiver automatically extends the time in which a taxpayer can request a refund. This Rule conflicts with that legislative change and needs to be repealed.

**17 NCAC 6B .3503** - The Department no longer requires a copy of the federal partnership return to be submitted with the North Carolina partnership return. The rule is amended to reflect this change.

**Comment Procedures:** Submit written comments to Mr. Sam McEwen at the North Carolina Department of Revenue, Personal Taxes Division, PO Box 871, Raleigh, NC 27602.

**Fiscal Note:**

State	Local	Sub	None
			✓

CHAPTER 6 - INDIVIDUAL INCOME TAX

SUBCHAPTER 6B - INDIVIDUAL INCOME TAX

SECTION .0600 - TAX CREDITS

.0605 RESIDENTIAL SOLAR ENERGY EQUIPMENT

A corporation that causes a solar energy system to be constructed or installed in any residential building used or sold by the corporation for commercial or business purposes in North Carolina or an individual, including an individual member of a partnership and an individual shareholder of an S corporation, who causes a solar energy system to be constructed or installed in any building in North Carolina is allowed a solar energy equipment credit. The credit is limited to 40 percent of the installation and equipment costs of the solar energy system, not to exceed one thousand five hundred dollars (\$1,500) per system or per year on any single building or for each family dwelling unit of a multi-dwelling building. Installation of two systems in the same year which work independently of each other in one building will be limited to a maximum one thousand five hundred dollars (\$1,500) credit. However, if two systems working independently were installed in separate years, an allowable credit, not to exceed one thousand five hundred dollars (\$1,500) each year, would be allowed for each system. The credit is only allowable to the taxpayer who owns or controls the building at the time of installation or to the owner who first occupies a building or the owner-lessor who first leases a building constructed or modified for sale in which a solar energy system is constructed or installed.

(a) Scope. -- This Rule describes solar energy equipment that qualifies under G.S. 105-129.16A for the tax credit for investing in renewable energy property when the equipment is placed in service in a residential unit. A residential unit is a single-family dwelling or a dwelling unit in a multi-dwelling building. The rule does not address solar energy equipment for non-residential buildings.

(1) Limits. -- The tax credit for investing in residential solar energy equipment is 35% of the cost of the equipment, subject to the per residential unit maximum amounts set in G.S. 105-129.16A. The maximums vary depending on whether the equipment is for water heating, space heating or cooling, generating electricity, or another purpose. Each maximum is an annual maximum that applies to each residential unit. The cost of the property includes the cost of installing it. The credit cannot exceed 50% of the tax liability for the year, after that liability has been reduced by all other credits. Only one credit is allowed per system, regardless of the number of subsequent owners or owner-lessors. The cost of repairs Repairs to an existing solar system will do not qualify for any additional credit; however, enhancements to an existing system could qualify for a credit provided the taxpayer has not yet exceeded the maximum one thousand five hundred dollars (\$1,500) credit allowed for the system. qualify up to the applicable annual maximum. The cost on which



the credit is based is the sales price less discounts, rebates, advertising, installation assistance, and name referral allowances paid to the purchaser or someone he or she designates, other similar reductions, and the fair market value of items given as inducements to purchase the solar energy system. If the allowable credit exceeds 50% of the tax liability for the year after being reduced by all other credits, the unused portion of the credit may be carried over for the next five succeeding years.

A system is not a solar energy system for purposes of the tax credit until it is installed and fully functional. If an individual has paid for the system, but it is not yet installed and available for use during the year, no credit is allowed until the year in which the system is placed in service.

(2) Items That Do Not Qualify. -- Equipment, components, and other items not qualifying for the as solar energy equipment tax credit include:

- (A) Insulation (except where otherwise noted in this Rule).
- (B) Storm windows and storm doors.
- (C) Wood burning stoves and furnaces.
- (D) Oil and gas furnaces, including replacement burners and ignition systems labeled as "energy efficient."
- (E) Automatic set back thermostats.
- (F) Heat pumps, including both air and water-source units.
- (G) Evaporative cooling systems.

To qualify for the tax credit, a solar energy system must conform to all applicable state and local codes and inspecting jurisdictions. The intent of the credit is to encourage the installation and use of equipment that takes advantage of the renewable resource, solar energy. Systems which only incidentally incorporate solar energy to sell other products do not satisfy the intent of this credit. Therefore, any portion of a system that serves an additional purpose to what is necessary to collect, store, and utilize solar energy either does not qualify for the credit or only a percentage of the cost qualifies in accordance with this Rule.

(b) **SOLAR ENERGY SYSTEMS.** Solar energy is energy that is derived directly from sunlight (solar radiation). Solar energy property is equipment that uses solar energy to heat or cool a building or provide hot water or electricity to offset loads associated with the building. Solar energy property includes active, passive and solar-electric solar energy systems. A taxpayer claiming a solar energy equipment tax credit must designate on the North Carolina income tax return the type of solar system installed.

(c) **ACTIVE SOLAR ENERGY SYSTEM.** An active solar energy system is capable of collecting solar radiation, converting it into heat, and transferring the heat to storage or to the point of use. Any solar system which has a fan, pump, or other mechanical means of moving the collection medium in the collection loop of the system is an active system. While the components, design, operation, and performance of active

systems will vary, to qualify for the tax credit the system must have the following capabilities:

- (1) A means of collecting or absorbing sunlight to heat fluids (liquid, vapor or air).
- (2) A means of transporting the heated fluids directly to the point of use or to a thermal storage system to be distributed later for use.

100% of the cost of the active solar system is eligible for the tax credit. Components of a solar system which serve an additional purpose to what is necessary for the active solar system (e.g. conventional heating systems, air conditioning, or domestic hot water systems) do not qualify for the credit.

(d) **SOLAR-ELECTRIC SYSTEM.** A solar-electric system is a system that converts sunlight into usable electricity. This can be done by any one of a number of processes including photovoltaic and solar thermal-electric. These systems may be used to power direct current (DC) or alternating current (AC) devices. Some systems use the energy as it is produced while others require energy storage which allows the energy to be used as it is needed. 100% of the cost of all parts of the system that are necessary to collect, ~~store and convert~~ store, and convert solar energy into usable electrical energy is eligible for the credit. Portions of the system which serve an additional purpose to what is necessary for the solar-electric system do not qualify for the credit.

**Energy Storage System Limits.** Energy storage systems capable of storing more than the equivalent of 50 hours of the solar collector's peak performance shall be considered excessive and shall not qualify for the credit.

**Example:** A photovoltaic system with a maximum collector output of 500 Watts. Maximum allowable battery storage size would be 25,000 Watt-hours or 25kWh. (calculation: 500 Watts x 50 peak hours = 25,000 Watt-hours = 25 kWh)

(e) **PASSIVE SOLAR ENERGY SYSTEM.** A passive solar energy system is an assembly of components which is designed to provide a net energy savings to a building from solar energy, using non-mechanical means of moving heat from the collection area to thermal storage. All qualifying equipment and materials must be integral parts of a system designed to collect, convert, transport or control energy derived directly from sunlight. To qualify as a passive solar energy system, the following elements must be present:

- (1) solar collection surface;
- (2) thermal storage; and
- (3) control and distribution elements.

These three elements must be designed to work together as a whole.

Items which only incidentally provide passive solar benefits are not eligible. For example, southfacing glass is only eligible if part of a complete system with thermal storage and control and distribution elements. Components which serve a dual function in a building are not fully eligible for the tax credit.

There are two exceptions to the solar system criteria (requiring all three elements). The first is a thermosiphoning collector, which may be used without thermal storage. Thermosiphoning collectors, sometimes ~~known~~ known as dayheaters or window box heaters, qualify for the tax credit. The second exception is a "sun-tempered" house. The limited solar collection surface

allows the contents of the house to serve as the thermal mass to keep the house from overheating.

Eligibility requirements are established below according to subsystem type and individual component type.

(A) Solar Collection Surfaces: All solar collection surfaces must be oriented to within 30 degrees of true south for new construction and within 45 degrees of true south for retrofits. Solar collection surfaces must be no more than 25 percent shaded on December 21 between 11 a.m. and 2 p.m. (December 21 is the day when the sun is at the lowest angle in the sky). Solar collection must be designed so as not to cause additional heat gain to the conditioned area of the building in the summer. Solar collection surfaces include:

- (i) South-facing windows. These must be at least double-glazed or equipped with moveable insulation having an insulating value of at least R-3 to prevent nighttime heat loss. They must also be shaded to prevent direct sunlight from entering the conditioned area at noon on June 21 (June 21 is the day when the sun is at the highest angle in the sky). The percentage of windows eligible for the solar energy equipment tax credit is calculated using the worksheet in Paragraph (g) of this Rule. The purpose of the calculation is to determine that portion of south-facing windows which have been added to improve passive solar performance. The formula does this by taking into account the amount of windows on the non-south walls of the house to ensure that credit is given to houses that have more windows on the south side than any other orientation.
- (ii) Attached solar greenhouses and other "sunspaces". These must be double-glazed or equipped with moveable insulation having an insulating value of at least R-3. They must also have a means of distributing the solar heat into the conditioned area of the adjacent building. The greenhouse or "sunspace" must have a specifically designed distribution method to facilitate or enhance the convective flow. Greenhouses or other sunspaces which do not provide solar heat to an adjacent building or which require heat from non-solar sources to maintain inside temperature for any reason are not eligible for the tax credit as a "sunspace." If supplementary heating is used in a "sunspace", the classification shall change, and the space may qualify

under section a. South-facing windows. 50% of the cost of glazing and accompanying structural components, including foundation, framing, siding, insulation, and roofing materials, is eligible for the credit. Thermal storage, and control and distribution elements are eligible according to the formulas listed for those categories. For prefabricated sunspaces in which component costs are not provided, 50% the cost of the sunspace is eligible for the credit.

- (iii) Trombe wall or water-wall glazing. 100% of the cost of glazing and framing mounted no more than two feet in front of a thermal storage wall is eligible for the credit, provided that its sole function is for the collection of solar energy.
  - (iv) Skylights. 100% of the cost of skylights located on a south-facing roof having a pitch of 8-12 (34 tilt angle from horizontal) or greater is eligible for the credit. These must be double-glazed or equipped with moveable insulation having an insulating value of at least R-3.
  - (v) Thermosiphoning collectors. 100% of the cost of solar collectors that operate on thermosiphoning principles and that serve no other function besides solar collection is eligible for the credit. These include solar window box heaters, thermosiphoning water and air panels, and "breadbox" solar water heaters.
- (B) Thermal Storage Elements: Devices or materials specifically designed for the storage of solar energy are eligible for the solar energy equipment tax credit. These materials must either be exposed to direct sunlight in the heating season or have a specific means of transporting solar energy to the thermal storage element. These materials must be located within the insulated shell of the building or enclosed by fixed or moveable insulation or double-glazing. Masonry products used as thermal storage in walls or floors must be a minimum of two inches thick. Materials which are not specifically designed for thermal storage, such as hot tubs, swimming pools, single layer gypsum board, wood paneling and flooring, linoleum tile, masonry walls and floors not exposed to direct sunlight during the heating season, and floors covered with carpeting are not eligible for the credit. 100% of the cost of qualifying thermal storage elements is eligible for the credit.



(C) Control and Distribution: Devices that are specifically designed to control heat loss or heat gain or to distribute heat energy from a passive solar energy system are eligible for the solar energy equipment tax credit. These include:

- (i) Moveable insulation. 100% of the cost of moveable insulation devices is eligible for the credit provided they have an R-value of at least 3 and seal tightly against the window frame. Standard draperies and curtains do not qualify.
- (ii) Shading devices. 100% of the cost of devices used to shade solar collection surfaces is eligible for the credit, provided that these devices shade no portion of the collection surface at noon on December 21 and completely shade the collection surface at noon on June 21. Adjustable or removable awnings, solar screens, and lattice work used to support vines are examples of shading devices. Overhangs that meet the above criteria and extend more than 12 inches will be eligible. Trees, shrubbery and other vegetation are not eligible, nor are interior shading devices such as shades or blinds.
- (iii) Ducts, fans, vents, backflow preventers, etc... 100% of the cost of these items is eligible for the credit if designed exclusively as part of the solar energy distribution (not collection) system. Although fans are not technically passive elements, some passive systems may use fans to assist the natural convective flows to improve system performance. Ceiling fans, attic fans and free standing fans are not eligible for the credit.
- (iv) Controls. 100% of the cost of thermostatic controls or other controls, sensors and equipment is eligible for the credit when designed as part of the solar system.

(f) Glossary. When using this Rule, the following terms mean:

- (1) collection loop - that part of a solar energy system which first collects solar energy, converts it to heat and moves the heated media to a thermal storage mass, distribution system or point of use.
- (2) collector - a device which collects solar radiation and converts it to heat.
- (3) conditioned area - any space within the shell of a building which is artificially heated or cooled at any time.
- (4) double-glazing - two separate layers of glazing enclosing air to create an insulating barrier.

- (5) glazing - a covering of transparent or translucent material used for admitting light.
- (6) greenhouse - a "sunspace" the primary purpose of which is to grow plants.
- (7) heat gain - an increase in the amount of heat contained in a space, resulting from direct solar radiation and heat given off by people, lights, equipment, machinery and other sources.
- (8) heat loss - a decrease in the amount of heat contained in a space, resulting from heat flow through walls, windows, roof and other building envelope components.
- (9) heating season - the period in North Carolina from October to May.
- (10) photovoltaic - the process of generating electricity from light.
- (11) retrofit - the addition of a solar energy system or other device to an existing home.
- (12) R-value - a unit of thermal resistance used for comparing insulation values for different materials; the reciprocal of thermal conductivity; the higher the R-value of a material, the greater its insulating properties.
- (13) skylight - a clear or translucent panel set into a roof to admit sunlight into a building.
- (14) sun-tempered - a house having a south-facing window area which is less than 7% of the floor area, window areas less than 7% of the floor area on the other exterior walls, and no specifically-designed thermal storage element. The limited solar collection surface allows the contents of the house to serve as the thermal mass to keep the house from overheating.
- (15) sunspace - also known as a Florida room, solar greenhouse or solarium. A structure added onto or incorporated into a building that is specifically designed to collect solar energy, but also serves as additional living space to grow plants by virtue of allowing human access. A sunspace is thermally isolated from the rest of the building by walls, windows or doors.
- (16) thermal storage - a device or medium specifically designed and constructed to absorb collected solar heat and store it for later use.
- (17) thermosiphoning - the convective circulation of fluid or air which occurs when warm fluid or air rises and is displaced by cooler fluid or air in the same system.
- (18) Trombe Trombe wall - a passive heating system consisting of a vertical masonry wall with glazing in front. Solar radiation is absorbed by the wall, converted to heat and transferred to the building by convection, radiation or combination thereof.
- (19) water wall - an interior wall of water-filled containers used for solar energy collection and storage.

(g) PASSIVE SOLAR ENERGY SYSTEM WORKSHEET. Solar Collection Surfaces

South-facing windows

- (1) Find the total area of windows on all exterior walls by multiplying the length times the width of the

- area inside the frames. \_\_\_\_\_ sq. ft.
- (2) Find the area of south-facing windows by multiplying the length times the width of the area inside the frames. \_\_\_\_\_ sq. ft.
- (3) Subtract line 2. from line 1. \_\_\_\_\_ sq. ft.
- (4) Find the area of the north, east and west-facing walls by multiplying the length of each wall times the height from floor to ceiling. \_\_\_\_\_ sq. ft.
- (5) Find the area of the south-facing wall by multiplying the length times the height from floor to ceiling. \_\_\_\_\_ sq. ft.
- (6) Divide line 5. by line 4. \_\_\_\_\_ sq. ft.
- (7) Multiply line 6. by line 3. \_\_\_\_\_ sq. ft.
- (8) Subtract line 7. from line 2. \_\_\_\_\_ sq. ft.
- (9) Divide line 8. by line 1. to find the percentage of windows eligible for the tax credit. \_\_\_\_\_
- (10) Multiply line 9. by the total cost of exterior windows \$ \_\_\_\_\_

**IMPORTANT:** This form worksheet must be retained with your tax records for examination by the North Carolina Department of Revenue. It will be a necessary supporting document, together with other substantiation for the credit claimed on your tax return, for active, passive, and solar electric systems.

Authority G.S. 105-129.15; 105-129.16A; 105-262.

## SECTION .3400 - STATUTE OF LIMITATIONS AND FEDERAL CHANGES

### .3408 WAIVER OF TIME LIMITATION

A waiver of time limitation under G.S. 105-241.1(e) does not extend the limitation of time for refund.

Authority G.S. 105-241.1; 105-262; 105-266; 105-266.1.

## SECTION .3500 - PARTNERSHIPS

### .3503 PARTNERSHIP RETURNS

(a) When Required. -- A North Carolina partnership return (Form D-403); return, Form D-403, must be filed by every partnership doing business in North Carolina if a federal partnership return was required to be filed. The partnership return shall must be filed on or before April 15 if on a calendar year basis and on or before the 15th day of the fourth month following the end of the fiscal year if on a fiscal year basis. For individual income tax purposes, the term "business carried on in this State" means the operation of any activity within North Carolina regularly, continuously, and systematically for the purpose of income or profit. A sporadic activity, a hobby, or an amusement diversion does not come within the definition of a business carried on in this State. Income from an intangible source, including gain realized from the sale of intangible property, which is received in the course of a business carried on in this State so as to have a taxable situs here (including such income which is included in the distributive share of partnership income, whether distributed or not) is included in the numerator of the fraction used in determining the portion of federal taxable income that is taxable to North Carolina by a nonresident. The

return must include the names and addresses of the individuals entitled to share in the net income of the partnership and must be signed by the managing partner and the individual preparing the return.

(b) NC K-1. -- A partnership must provide a completed Schedule NC K-1, or similar schedule, to each person who was a partner in the partnership at any time during the year reflecting that partner's share of the partnership's income, adjustments, tax credits, and tax paid by the manager of the partnership. The schedule must be provided to each partner on or before the day on which the partnership return is required to be filed. When reporting the distributive share of tax credits, a list of the amount and type of tax credits must be provided each taxpayer.

(c) A copy of the federal Partnership Income Tax Return, Form 1065, and all schedules, including each K-1 must be attached to the North Carolina partnership return.

(d) (c) Investment Acitivity. -- In determining whether a partnership is carrying on a trade or business in North Carolina if its principal business activity is "investments," all facts and circumstances must be considered. Determining factors include all of the following:

- (1) the The extent of business operations in this State, including maintaining having an office, number of employees, property, or bank transactions in this State; State.
- (2) the The source of principal income (interest and dividends versus gain from the sale of securities); securities).
- (3) the The length of time securities are held (long-term holding of securities for capital appreciation versus short-term trading for profit); profit.
- (4) volume The volume of transactions and value of securities bought and sold.

If a partnership's only activities within North Carolina are in the nature of an investment account in which the securities are held for capital appreciation and income, the receipt of dividends and interest and the occasional sales of stocks and bonds does do not constitute carrying on a trade or business in this State. A nonresident partner shall not include his State, and a nonresident partner's distributive share of the partnership's this income in is excludable from the numerator of the fraction in determining used to determine the nonresident partner's North Carolina taxable income. If the activities of the partnership are extensive, the partnership is deemed considered to be engaged in a trade or business and a nonresident partner must include his distributive share of the partnership's income in the numerator; business, and a nonresident partner's distributive share of this income must be included in the numerator of the fraction used to determine the nonresident partner's North Carolina taxable income.

Authority G.S. 105-152(a)(2); 105-154(c); 105-262.

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**N**otice is hereby given that the North Carolina Department of Revenue intends to amend the rules cited as 17 NCAC 7B .0104, .0118, .0123, .0207, .1401, .1404, .1601-.1602, .1702, .1801-.1802, .1902, .2213, .2401-.2402, .2801, .2901, .3001,



.3004, .3009, .3013, .3204, .4301, .4303, and repeal the rules cited as 17 NCAC 7B .1402, .2903, .3010.

**Editor's Note:** G.S. 150B-1(d)(4) exempts the Department of Revenue from Part 2 Article 2A of Chapter 150B with respect to the notice and hearing requirements. The Department will however publish the text of proposed rules in the North Carolina Register prior to the scheduled time of review by the Rules Review Commission.

**Proposed Effective Date:** July 1, 2000

**Instructions on How to Demand a Public Hearing** (must be requested in writing within 15 days of notice): Contact Mr. Tim Holmes at (919) 733-2151 to discuss the proposed changes. If a hearing is desired, submit a written request for a hearing to Mr. Tim Holmes at the North Carolina Department of Revenue, Sales and Use Tax Division, PO Box 871, Raleigh, NC 27602.

**Reason for Proposed Action:**

**17 NCAC 7B .0104** - The Department has changed the way it processes sales and use tax returns. The proposed changes to Paragraph (c) of this Rule conform to the new requirements. The changes to Paragraph (f) of this Rule reflect the changes made by S.L. 99-341.

**17 NCAC 7B .0118** - S.L. 99-438 repealed the \$15.00 registration fee, effective January 1, 2000. The rule is changed to reflect the repeal of the fee.

**17 NCAC 7B .0123** - This change corrects an incorrect statutory reference to the definition of "commercial fishing operations" and rearranges the substance of this rule.

**17 NCAC 7B .0207** - S.L. 98-121 repealed the requirement for wholesale merchants to obtain a license. The change in this Rule reflects the repeal of that license.

**17 NCAC 7B .1401-.1402, .1801-.1802, .2401-.2402** - S.L. 99-438 exempted all prescription drugs from sales and use tax.

**17 NCAC 7B .1404** - S.L. 99-438 exempted certain durable medical supplies from sales tax.

**17 NCAC 7B .1601** - This Rule is amended to delete information that is repeated in other rules and to rearrange the rule in a way that is easier to understand.

**17 NCAC 7B .1602, .1702** - These rules are amended to delete information that is repeated in other rules, to delete parts that repeat the statutes, to delete the incorrect reference to a 6-month refund claim period.

**17 NCAC 7B .1902** - S.L. 99-438 repealed the sales and use tax exemption for trade-ins.

**17 NCAC 7B .2213** - S.L. 99-438 increased the amount of a tip that is not subject to sales and use tax from 15% to 20%.

**17 NCAC 7B .2801** - S.L. 99-360 recodified part of one of the sales tax statutes.

**17 NCAC 7B .2901** - The rule is amended to specify what a soft drink is for purposes of the application of sales tax on items sold in vending machines, to specify how to calculate the combined State and Mecklenburg 6 1/2% tax, to incorporate the current Rule .2903 and delete unnecessary language.

**17 NCAC 7B .2903** - The substance of this Rule is being combined with 17 NCAC 7B .2901. With this combination, the

rule is no longer needed.

**17 NCAC 7B .3001, .3004, .3009-.3010, .3013** - S.L. 99-438 repealed the sales tax exemption for trade-ins.

**17 NCAC 7B .3204** - S.L. 99-360 recodified part of one of the sales tax statutes.

**17 NCAC 7B .4301, .4303** - S.L. 99-360 added fuel to the list of items for which interstate carriers can obtain a refund.

**Comment Procedures:** Submit written comments to Mr. Tim Holmes at the North Carolina Department of Revenue, Sales and Use Tax Division, PO Box 871, Raleigh, NC 27602.

**Fiscal Note:**

<b>State</b>	<b>Local</b>	<b>Sub</b>	<b>None</b>
			✓

**CHAPTER 7 - SALES AND USE TAX**

**SUBCHAPTER 7B - STATE SALES AND USE TAX**

**SECTION .0100 - GENERAL PROVISIONS**

**.0104 RETURNS**

(a) General. -- G.S. 105-164.16 establishes the filing frequency of sales and use tax returns and the content of the returns. G.S. 105-164.4(c) requires a retailer and a wholesale merchant to register with the Department and obtain a certificate of registration. G.S. 105-164.6 requires a retailer who delivers property for storage, use, or consumption but does not have a place of business in this State to register with the Department and obtain a certificate of registration. A person who is engaged in business, is not otherwise required to file a sales and use tax return, and, on two or more occasions within a twelve-month period, purchases property subject to use tax must register with the Department and begin filing sales and use tax returns. A person who is engaged in business, is not otherwise required to file a sales and use tax return, and purchases property subject to use tax only once in a twelve-month period must file a return and pay the tax due within 15 days after the end of the month in which the purchase was made.

(b) Schedules. A retailer who files an estimated return for a semimonthly reporting period that reports tax payable by more than one location in the State must attach two schedules to the return. One schedule must list the amount of State tax due for each location in the State and the other must list the amount of local tax due for each county.

(c) No Sales or Purchases By Business. -- A retailer who does not make any sales during a reporting period must file a return for that period and mark "no sales" enter 0.00 (zero) on the Total Due line on the return. Similarly, a person who is not a retailer but is engaged in business, purchases tangible personal property for the business that is subject to use tax, and does not make any taxable purchases during a reporting period must file a return for that period and mark "no purchases" enter 0.00 (zero) on the Total Due line on the return.

(d) Seasonal Business. A retailer who engages in business for six or fewer consecutive months in each year may register as a seasonal filer and indicate the months in which the retailer

engages in business. A retailer who is registered as a seasonal filer is not required to file a return for an off-season reporting period in which the retailer did not engage in business.

(e) Wholesale Merchant. -- A person who engages exclusively in the business of making wholesale sales is not required to file a return. A person who, on two or more occasions within a twelve-month period, either makes taxable sales to users, consumers, or nonregistered merchants or makes purchases subject to use tax is not engaged exclusively in the business of making wholesale sales and must begin filing sales and use tax returns. A wholesale merchant who is not required to file a sales and use tax return and who, on only one occasion within a twelve-month period, either makes taxable sales to users, consumers, or nonregistered merchants or makes purchases subject to use tax must file a return and pay the tax due within 15 days after the end of the month in which the sale or purchase was made.

(f) Non-Business Use Tax. -- An individual who is not engaged in the business of selling tangible personal property at retail and who purchases for a non-business purpose tangible personal property that is subject to use tax must report the tax due on an annual basis. An individual who is required to file an individual income tax return must pay the use tax with the individual income tax return for that year. An individual who is not required to file an individual income tax return must report the tax due on Form E-554. The return Form E-554 is due annually by the date set under G.S. 105-164.16.

Authority G.S. 105-164.3; 105-164.16; 105-262; 105-269.14.

## **.0118 CHANGE IN OWNERSHIP**

When a partnership dissolves and one or both more of the former partners begin operating a starts a new business on an individual basis, each person operating a business shall complete an application for registration and pay the registration fee. new business must complete an application for registration. When a partnership or proprietorship is succeeded by a corporation, the corporation shall complete an application for registration and remit the fee. a new business entity, the new entity must complete an application for registration.

Authority G.S. 105-164.4; 105-262.

## **.0123 COMMERCIAL FISHERMAN'S CERTIFICATE**

(a) A Commercial Fisherman's Certificate, Form E-558, may be completed by a person who fishes commercially and accepted by a retail or wholesale merchant as the merchant's authority to sell to a commercial fisherman boats, fuel oil, lubricating oils, machinery, equipment, nets, rigging, paints, parts, accessories and supplies, such as paint brushes, acetylene, oxygen, paint rollers, funnels, sanding discs, welding rods, saw blades, drill bits, and similar property, including foul weather gear, gloves and life vests, for use by them principally in commercial fishing operations without charging and remitting any sales or use tax thereon. Commercial fishing operations is defined in G.S. 113-152. Commercial fishing operations include charter boat and head boat operators when they operate under a charter or as a head boat taking people fishing for hire, but does not include

persons principally taking fish for recreation or personal use or consumption:

(b) To be exempt from sales or use tax under the provisions of G.S. 105-164.13(9), the property must be of a type named therein and must be sold to persons for use by them principally in commercial fishing operations.

(c) Each certificate shall be prepared in duplicate and a copy retained by the commercial fisherman and by the merchant.

(d) The certificate may not be used to purchase food, clothing, or other personal effects of commercial fishermen other than foul weather gear, gloves, and life vests for use in commercial fishing operations. Sales to commercial fishermen of tableware, toothpaste, soap, or other personal effects of commercial fishermen are subject to the four percent State tax and any applicable local sales or use tax. Sales to commercial fishermen of food are subject to State tax at the rate set in G.S. 105-164.4(a)(5) and any applicable local sales tax.

(e) Persons who catch fish or other seafood for recreation or their own use or consumption and not for sale are not eligible to use a Commercial Fisherman's Certificate. Sales of tangible personal property to persons for use in taking marine mammals; shellfish, crustaceans, and all other fishes for recreational or personal use or consumption are subject to the four percent state tax and any applicable local sales or use tax.

(f) Vendors that do not choose to use the Commercial Fisherman's Certificate must maintain other evidence in writing adequate to support the conclusion that such sales are exempt from tax in accordance with the provisions of G.S. 105-164.13(9).

(a) Certificate. -- A commercial fisherman may apply for a Commercial Fisherman's Certificate, Form E-588. The certificate authorizes a retailer or a wholesale merchant to whom it is presented to sell property that is exempt from sales and use tax under G.S. 105-164.13(9) to the commercial fisherman without collecting sales and use tax. A retailer or a wholesale merchant who does not collect tax on an item sold to a commercial fisherman and does not have a certificate to support the tax-free sale must have other written evidence that supports the tax-free sale.

(b) Items Covered by Certificate. -- The items listed in G.S. 105-164.13(9) can be purchased under a Commercial Fisherman's Certificate if the items are to be used principally in commercial fishing operations. Commercial fishing operations include charter boat and head boat operations that charge people to take them fishing. Items that can be exempt under G.S. 105-164.13(9) and, therefore, purchased under a certificate include paint brushes, paint rollers, acetylene, oxygen, funnels, sanding discs, welding rods, saw blades, drill bits, foul weather gear, gloves, and life vests. These items are exempt if they are for use principally in commercial fishing operations.

(c) Items Not Covered By Certificate. -- Only items that are described in G.S. 105-164.13(9) and are for use principally in commercial fishing operations are exempt from tax and therefore eligible to purchased under a certificate. Items for personal use by a commercial fisherman are not exempt under G.S. 105-164.13(9) and, therefore, may not be purchased under a certificate. Personal items include tableware, toothpaste, soap, food, and clothing, except possibly foul weather gear, gloves,



and life vests. Items for use in catching marine mammals, fish, shellfish, and crustaceans for recreation or personal use or consumption are not exempt and cannot be purchased under a certificate.

Authority G.S. 105-164.4; 105-164.6; 105-164.13; 105-262.

## SECTION .0200 - GENERAL APPLICATION OF LAW TO MANUFACTURING AND INDUSTRIAL PROCESSING

### .0207 PURCHASES BY MANUFACTURERS

A manufacturer who purchases taxable tangible personal property for use in the business is Purchases of tangible personal property by a manufacturer for use in its manufacturing business are subject to use tax. A manufacturer who owes use tax must report and pay the tax in accordance with the filing requirements for a wholesale merchant. This requirement applies even if the manufacturer is not required to obtain a license as a wholesale merchant.

Authority G.S. 105-164.6; 105-262.

## SECTION .1400 - SALES OF MEDICINES: DRUGS AND MEDICAL SUPPLIES

### .1401 PRESCRIPTION DRUGS

~~Sales of drugs or medicines on written prescription of a physician or dentist and insulin, whether or not sold on prescription, are exempt from sales or use tax. Sales of nonprescription medicines or drugs, other than insulin, to users or consumers are subject to the four percent state and any applicable local sales or use tax. For the purpose of this Rule, the term "physician" does not include a doctor of chiropractic. Sales of drugs or medicines pursuant to a physician's or dentist's telephone (oral) prescription are exempt from sales or use tax provided the prescription is reduced to writing, signed by the pharmacist and filed in the same manner as an original written prescription. The terms "medicines" and "drugs" shall mean all medicines in the generally accepted sense of the term and also include tonics for internal use, vitamins, ointments, liniments, antiseptics, anesthetics, serums, and other remedies having preventive and curative properties in medical treatment. Medicines or drugs sold pursuant to the refilling of a physician's or dentist's prescription are likewise exempt from the tax. Vendors making sales of medicines or drugs pursuant to physicians' or dentists' prescriptions or in refilling the same must keep sales records which will clearly segregate such prescription sales. All original prescriptions must be filed and kept available for inspection by the Secretary of Revenue or his authorized agent. When a sale is made to refill a prescription, the seller's records must indicate the original prescription number.~~

Prescription drugs are exempt from sales and use tax. This applies regardless of whether the drug is used by a physician or another medical provider in administering treatment to a patient.

Authority G.S. 105-164.13; 105-262.

### .1402 MEDICINES: SALES TO PHYSICIANS

~~Physicians, dentists and hospitals are considered to be the users or consumers of medicines and drugs which they purchase for use in administering treatment to their patients; therefore, sales thereof to physicians, dentists and hospitals for such use are subject to the four percent state tax and any applicable local sales or use tax, and this is true notwithstanding such medicines and drugs may be of the type usually sold only on the prescription of a physician or dentist. If a physician or dentist should, in fact, make outright sales of medicines or drugs to his patients or to other consumer customers, such sales are exempt from sales or use tax provided such medicines or drugs are sold on written prescription of the physician or dentist, or another physician or dentist, and a record is made of each such sale and kept, along with the written prescription, as a part of the seller's permanent records. If a hospital maintains a pharmacy from which sales of drugs and medicines are made to individuals or to patients for their use after they leave the hospital, such sales are exempt from tax provided they are made on written prescription of a physician or dentist and a record of the sale and the prescription is kept in the manner described in 17 NCAC 7B .1401. An entry on a patient's medical record card or chart of medicines or drugs for such patient does not meet the requirements of a written prescription. Physicians, dentists and hospitals making sales of medicines and drugs, as set forth in this Rule, may purchase the medicines and drugs which they will resell or use in administering treatment to their patients without payment of tax to their vendors if the physician, dentist or hospital making the purchase has registered with the Department of Revenue for sales and use tax purposes and furnished his vendor properly executed certificates of resale, Form E-590. In such cases, the physicians, dentists or hospitals become liable for remitting the four percent state tax and any applicable local sales or use tax directly to this Department on the cost price of the medicines and drugs which they use in administering treatment to their patients, and the medicines and drugs sold on written prescription for subsequent use by the patient will be exempt from tax.~~

Authority G.S. 105-164.4; 105-164.6; 105-262.

### .1404 MEDICAL SUPPLIES AND EQUIPMENT

~~Sales to physicians, dentists, hospitals, or other users or consumers of medical supplies, medical instruments, medical equipment, instruments and laboratory equipment used to diagnose, prevent, treat, or cure disease are subject to applicable state and local sales or use tax. Sales of medical equipment and medical supplies are also subject to applicable state and local sales or use tax, unless their sale is exempt under G.S. 105-164.13(12)d. That statute exempts from tax durable medical equipment and related medical supplies that are covered under the Medicare or Medicaid program and are sold on either a certificate of medical necessity or a written prescription. Items listed below are subject to tax, items tax, unless their sale is exempt under G.S. 105-164.13(12)d. Items not included in the list may also be subject to tax:~~

- (1) Adhesive tape
- (2) Alcohol

- (3) Bandages
- (4) Battery chargers
- (5) Bed pans
- (6) Betadine solution
- (7) Blood glucose monitors
- (8) Blood glucose test/reagent strips
- (9) Blood or urine control strips
- (10) Breathing circuits
- (11) CO/2 saturation monitors and accessories
- (12) Cotton
- (13) Crutch and cane holders
- (14) Cylinder tank carriers
- (15) Dial-a-dose insulin delivery devices
- (16) Dressings
- (17) Exam gloves
- (18) Gauze
- (19) Knives
- (20) I.V. hangers
- (21) I.V. poles
- (22) Lancets
- (23) Microscopes
- (24) Mouthpieces
- (25) Needles
- (26) Peak flow meters
- (27) Percussors
- (28) Pulse oximeters
- (29) Rollabout chairs
- (30) Scissors
- (31) Sterile water
- (32) Surgical gloves
- (33) Syringes
- (34) Tracheal suction catheters
- (35) Tracheostomy care kits
- (36) Tracheostomy cleaning brushes
- (37) Tracheostomy masks and collars
- (38) Tubing, sold by the linear foot or otherwise
- (39) Urinals
- (40) Urine test or reagent strips or tablets
- (41) X-ray machines

Authority G.S. 105-164.4; 105-164.6; 105-164.13; 105-262.

## SECTION .1600 - SALES TO OR BY HOSPITALS; EDUCATIONAL; CHARITABLE OR RELIGIOUS INSTITUTIONS; ETC.; AND REFUNDS THERETO

### .1601 SALES TO OR BY NONPROFIT ENTITIES

(a) Sales of taxable tangible personal property to hospitals not operated for profit, educational institutions not operated for profit, churches, orphanages, and other charitable or religious institutions or organizations not operated for profit are subject to sales or use tax when such property is purchased for use or consumption. Sales of building materials, supplies, fixtures, and equipment to contractors for use in the performance of contracts with any institution or organization named in this Rule are also subject to sales or use tax.

(b) Sales of tangible personal property to nonprofit organizations such as chambers of commerce, civic clubs,

fraternities, sororities or other fraternal, civic or patriotic organizations for use or consumption are subject to sales or use tax and such organizations are not entitled to any refund.

(c) When any institution or organization named in this Rule makes taxable purchases of tangible personal property from a North Carolina supplier or a registered out-of-state supplier who charges the North Carolina and any applicable local sales or use tax thereon, such institution or organization must remit the tax on such purchases to the supplier. Any such institution or organization making taxable purchases of tangible personal property from an out-of-state supplier who does not collect the North Carolina and any applicable local sales or use tax thereon is required to register with the department and file returns monthly with remittance of the tax due on such purchases. Any such institution or organization which does not owe any tax for a given month shall file a report reflecting no tax due.

(d) If any institution or organization named in this Rule makes taxable retail sales, it must register with the department and collect and remit the tax due on such sales. The refund provisions contained in 17 NCAC 7B .1602 do not apply to the tax on such sales and no part thereof shall be refunded or claimed as a refund. Institutions and organizations properly registered for sales and use tax purposes may purchase the tangible personal property which they resell without paying tax thereon to their suppliers provided they have furnished such suppliers with properly executed certificates of resale, Form E-590. Certificates of resale may not be used by any institution or organization named in this Rule, or by any other vendee, in making purchases of tangible personal property to be used or consumed by such purchaser.

(a) Sales To Nonprofits. -- Sales of taxable tangible personal property to a nonprofit entity for use or consumption by that entity are subject to sales or use tax. Nonprofit entities include hospitals not operated for profit, educational institutions not operated for profit, churches, and civic groups such as chambers of commerce, fraternities, sororities, and scout clubs. Sales of building materials, supplies, fixtures, and equipment to contractors for use in the performance of contracts with a nonprofit entity are also subject to sales or use tax. A nonprofit entity must pay sales tax charged on its purchases and is liable for use tax on its purchases when no sales tax is collected. A nonprofit entity that owes use tax must file a return in accordance with 17 NCAC 7B .0104.

(b) Sales By Nonprofits. -- Sales by nonprofit entities are subject to sales or use tax unless a specific exemption applies to the sale. A nonprofit entity that makes taxable retail sales must register with the Department and file sales and use tax returns. A nonprofit entity that is registered with the Department may obtain a Certificate of Resale, Form E-590. The certificate cannot be used for items the nonprofit entity intends to use or consume.

Authority G.S. 105-164.4; 105-164.6; 105-164.13; 105-262.

### .1602 REFUNDS TO NONPROFIT ENTITIES

(a) Eligibility. -- The refund provisions contained in this Rule do not apply to the tax on taxable sales by the nonprofit entities named in G.S. 105-164.14(b) and no part thereof shall be



refunded or claimed as a refund. Nonprofit entities registered for sales and use tax purposes may purchase the tangible personal property which they resell without paying tax thereon to their suppliers provided they have furnished such suppliers with properly executed Certificates of Resale, Form E-590. Certificates of resale may not be used by any nonprofit entity in making purchases of tangible personal property to be used or consumed by such purchaser. A nonprofit entity listed in G.S. 106-164.14(b) may file a claim for refund for sales or use tax paid by it on items purchased for its use and for sales and use tax paid indirectly by it on building materials, supplies, fixtures, and equipment that become part of a building it owns or leases and uses to conduct its nonprofit activity. A claim for refund must be filed on a form provided by the Department. A claim for refund applies to taxes paid during the period for which the claim for refund is filed.

(b) All refund claims shall be substantiated by proper documentary proof and only the taxes actually paid by the claimant during the period for which the claim for refund is filed may be included in the claim. Any local sales or use taxes included in the claim shall be separately stated in the claim for refund. In cases where more than one county's tax has been paid, a breakdown shall be attached to the claim showing the amount of each county's local tax separately.

(c) (b) Proof for Direct Purchases. -- As to taxes paid on the claimant's purchases for use, other than those made by contractors performing work for the claimant, invoices or copies of invoices showing the property purchased, the cost thereof, the date of purchase and the amount of state and local sales or use tax paid during the refund period shall constitute proper documentary proof. A claim for refund must be supported by documentation showing the amount of tax paid. For items purchased by a nonprofit entity for its use, adequate documentation is an invoice or copy of an invoice that sets out the item purchased, the date of the purchase, the cost of the item, and the amount of sales or use tax paid.

(d) (c) Proof for Contractor Purchases. -- To substantiate a refund claim for sales or use taxes paid on purchases of building materials, supplies, fixtures and equipment by its contractor, the claimant shall secure from such contractor certified statements setting forth the cost of the property purchased from each vendor and the amount of state and local sales or use taxes paid thereon. In the event the contractor makes several purchases from the same vendor, such certified statement shall indicate the invoice numbers, the inclusive dates of the invoices, the total amount of the invoices and the sales and use taxes paid thereon. Such statement shall also include the cost of any tangible personal property withdrawn from the contractor's warehouse stock and the amount of state and local sales or use tax paid thereon by the contractor. Similar certified statements by his subcontractors shall be obtained by the general contractor and furnished to the claimant. Any local sales or use taxes included in the contractor's statements shall be shown separately from the state sales or use taxes. The contractor's statements shall not contain sales or use taxes paid on purchases of tangible personal property by such contractors for use in performing the contract which does not annex to, affix to or in some manner become a part of the building or structure being erected, altered or repaired

which is owned or leased by a nonprofit entity for use by a nonprofit entity named in G.S. 105-164.14(b) for carrying on its nonprofit activities. A claim for refund for sales or use tax paid indirectly on building materials, supplies, fixtures, and equipment must be supported by adequate documentation showing the amount paid. Adequate documentation is a certified statement from the contractor or subcontractor that purchased the items. The statement must indicate the item purchased, the vendor from whom it was purchased, the invoice number of the purchase, the cost of the item, and the amount of sales or use tax paid. Only items that become part of a building the nonprofit entity owns or leases and uses to conduct its nonprofit activity are eligible for a refund. A contractor may not include in its statement items the contractor purchased and used to fulfill the contract but did not become part of the building constructed. Examples of property on which sales or use tax has been paid by the contractor and which shall items that are not be included in the contractor's statement are scaffolding, forms for concrete, fuel for the operation of machinery and equipment, tools, equipment repair parts, equipment rentals rentals, and blueprints.

(e) The refund provisions set forth in this Rule apply only to the nonprofit entities described in G.S. 105-164.14(b), but do not apply to nonprofit fraternal, civic or patriotic organizations, notwithstanding that such organizations may perform certain charitable functions. The refund provisions set forth in this Rule do not apply to nonprofit entities which are owned and controlled by the United States, the state or a unit of local government except hospitals and medical accommodations created under the Hospital Authorities Law, Article 2 of G.S. 131E and nonprofit hospitals owned and controlled by a unit of local government that elect to receive semiannual refunds under G.S. 105-164.14(b) instead of annual refunds under G.S. 105-164.14(c). Any nonprofit hospital owned and controlled by a unit of local government may submit a written request to receive semiannual refunds under G.S. 105-164.14(b) instead of annual refunds under G.S. 105-164.14(c). The request shall be effective beginning with the six-months refund period following the date of the request and applies to sales or use taxes paid on or after the first day of the refund period for which the request is effective.

(f) (d) Items Not Refundable. -- The refund provisions of this Rule do not apply to sales taxes incurred by employees on purchases of food, lodging, or other taxable travel expenses paid by employees and reimbursed by a nonprofit entity listed in G.S. 105-164.14(b). These expenses are personal to the employee because the contract for food, shelter, and travel is between the employee and the provider and payment of the tax is by the employee individually and personally. In this circumstance, a nonprofit entity has not incurred any sales tax liability and has not paid any sales tax; instead, it has chosen to reimburse a personal expense of the employee. The refund provisions of this Rule do not apply to any of the following:

- (1) Charges by a utility for electricity; electricity and local, toll, or private telecommunications services.
- (2) Occupancy taxes levied and administered by certain counties and cities in this state: State.
- (3) Prepared food and beverage taxes levied by various local governments in this state: State.

- (4) Highway use taxes paid on the purchase, lease, or rental of motor vehicles.
- (5) The white goods disposal tax levied on new white goods.
- (6) The scrap tire disposal tax levied on new tires.
- (7) The dry-cleaning solvent tax levied on dry-cleaning solvent purchased by a dry cleaning facility.

Authority G.S. 105-164.14; 105-262; 105-264.

## SECTION .1700 - SALES TO OR BY THE STATE: COUNTIES; AND OTHER POLITICAL SUBDIVISIONS

### .1702 REFUNDS TO COUNTIES, CITIES, AND OTHER GOVERNMENTAL ENTITIES

(a) G.S. 105-164.14(c) lists the governmental entities that are allowed an annual refund of sales and use taxes as well as the sales and use taxes for which a refund is allowed. The refund allowed under G.S. 105-164.14(c) does not apply to taxes that are not refundable under 17 NCAC 7B .1602(f): The entities listed are eligible for refunds of sales and use taxes paid on their purchases to the same extent as other nonprofit entities. Rule 17 NCAC 7B .0602 addresses refunds for nonprofit entities. Governmental entities must file an annual claim for refund, however, instead of a semiannual claim for refund. The annual claim requirement does not apply to a hospital or another medical facility that is an agency of a county or city and has received approval from the Secretary to file a claim for refund on a semiannual basis. Rule 17 NCAC 7B .1802 explains this approval process.

(b) Nonprofit hospitals owned and controlled by a unit of local government may file claims for refund of sales and use taxes on a semiannual basis under the provisions of G.S. 105-164.14(b) rather than file annually as a part of the local government. In order to file semiannually, the hospital shall submit a written request to the Secretary of Revenue and the request shall be effective beginning with the six-month refund period following the date of the request and applies to sales and use taxes paid on or after the first day of the refund period for which the request is effective.

(c) All refund claims must be substantiated by proper documentary proof and only those taxes actually paid by the claimant during the fiscal year covered by the refund claim may be included in the claim. Any local sales or use taxes included in the claim must be separately stated in the claim for refund. In cases where more than one county's sales and use tax has been paid, a breakdown must be attached to the claim for refund showing the amount of each county's local tax separately.

(d) As to taxes paid by governmental entities on purchases for use, other than those made by contractors performing work for the claimant, invoices or copies of invoices showing the property purchased, the cost thereof, the date of purchase, the amount of state and local sales or use tax paid thereon and a record reflecting the date of payment shall constitute proper documentary proof.

(e) To substantiate a refund claim for sales or use taxes paid on purchases of building materials, supplies, fixtures, and

equipment by its contractor, the claimant shall secure from such contractor certified statements setting forth the cost of the property purchased from each vendor and the amount of state and local sales or use taxes paid thereon. In the event the contractor makes several purchases from the same vendor, such certified statement shall indicate the invoice numbers, the inclusive dates of the invoices, the total amount of the invoices, and the state and local sales and use taxes paid thereon. Such statement shall also include the cost of any tangible personal property withdrawn from the contractor's warehouse stock and the amount of state and local sales or use tax paid thereon by the contractor. Similar certified statements by his subcontractors shall be obtained by the general contractor and furnished to the claimant. Any local sales or use taxes included in the contractor's statements shall be shown separately from the state sales or use taxes. The contractor's statements shall not contain sales or use taxes paid on purchases of tangible personal property purchased by such contractors for use in performing the contract which does not annex to, affix to or in some manner become a part of the building or structure being erected, altered or repaired that is owned or leased by a governmental entity for use by the governmental entity as defined by G.S. 105-164.14(c). Examples of property on which sales or use tax has been paid by the contractor and which shall not be included in the contractor's statement are scaffolding, forms for concrete, fuel for the operation of machinery and equipment, tools, equipment repair parts, equipment rentals and blueprints.

Authority G.S. 105-164.14; 105-262.

## SECTION .1800 - HOSPITALS AND SANITARIUMS

### .1801 SALES TO AND BY HOSPITALS AND SIMILAR INSTITUTIONS

(a) General. -- Hospitals, sanitariums, nursing homes, and rest homes are primarily engaged in rendering services and are considered the users or consumers of all tangible personal property they purchase for use in connection with these institutions. These institutions are liable for payment of sales or use tax on their purchases of tangible personal property except as explained in this Rule.

(b) Drugs and Medicines. -- Hospitals, sanitariums, nursing homes, and rest homes are considered the users or consumers of drugs or medicines they administer to patients. Purchases of drugs or medicines, other than insulin, by these institutions for use are subject to the four percent state tax and any applicable local sales or use tax. Sales of insulin are exempt from sales or use taxes whether or not sold on prescription.

If one of these institutions operates a pharmacy from which it makes across the counter sales of medicines and drugs and from which it purchases all medicines and drugs used by it in treating patients, then the institution may purchase drugs or medicines from a supplier without payment of tax if the institution is registered with the Department of Revenue for sales or use tax purposes and has furnished the supplier with a properly executed Certificate of Resale, Form E-590. By executing the certificate of resale, the institution assumes the liability for payment of and must pay directly to the department all sales or use taxes due on



drugs and medicines used by the institution in caring for its patients. Sales of drugs and medicines by the pharmacy on prescription of physicians and dentists are exempt from tax. Sales of drugs and medicines, other than insulin, by the pharmacy without written prescriptions of physicians or dentists are subject to the four percent state tax and any applicable local sales or use tax.

(c) (b) Food. -- Purchases of food by hospitals, sanitariums, nursing homes, or rest homes for use in furnishing meals to patients are exempt from State tax, but not the two-% local tax, if the food could be purchased under the Food Stamp Program. If food purchased by an institution could not be purchased under that Program, the food is subject to both State and local sales or use tax. If, in addition to furnishing meals to patients, one of these institutions operates a cafeteria from which it makes sales of prepared meals or food to guests, visitors, employees, staff, or other persons, the institution must register with the Department of Revenue and collect and remit the tax on its sales. If the food purchased by the institution for use in furnishing meals to patients cannot be distinguished from the food purchased for resale through the cafeteria, the institution may purchase all the food under a certificate of resale. An institution that does this assumes liability for payment of sales or use tax on food used in furnishing meals to its patients and on sales of meals by the cafeteria.

(d) (c) Meals to Students. -- Meals and food products sold by a hospital operated by a State or private educational institution to student nurses are exempt from tax in accordance with G.S. 105-164.13(27).

(e) (d) Purchases for Consumption. -- Except as provided by Paragraphs (b) and (c) Paragraph (b) of this Rule, a Certificate of Resale, Form E-590, may not be used by hospitals, sanitariums, nursing homes, or rest homes when making taxable purchases of tangible personal property for use or consumption. The tax due on taxable purchases from North Carolina suppliers or out-of-state suppliers who charge North Carolina sales or use tax must be paid to the suppliers. An institution that makes taxable purchases from an out-of-state supplier who does not collect and remit North Carolina sales or use tax must register with the department and remit monthly the tax due on the purchases.

Authority G.S. 105-164.4; 105-164.6; 105-262; 105-467.

## **.1802 REFUNDS TO HOSPITALS AND SIMILAR MEDICAL FACILITIES**

(a) ~~Hospitals, sanitariums, religious institutions and organizations, charitable nursing homes, and charitable rest homes not operated for profit are entitled to semiannual refunds of sales and use taxes paid by them on their direct purchases of tangible personal property, including medicines and drugs, for use in carrying on their work. For the purpose of the refund, sales or use taxes paid by contractors on their purchases of building materials, supplies, fixtures and equipment which become a part of or are annexed to a building or structure being erected, altered or repaired under contract with such hospitals, sanitariums, charitable nursing homes and charitable rest homes that is owned or leased by such institutions and used in carrying~~

on their nonprofit activities are deemed to be taxes paid on direct purchases.

~~(b) As to taxes paid on purchases for use other than those made by contractors performing work for the claimant, invoices or copies of invoices showing the property purchased, the cost thereof, the date of purchase and the amount of sales or use tax paid thereon during the refund period shall constitute proper documentary proof. To substantiate a refund claim for sales or use taxes paid on purchases of building materials, supplies, fixtures and equipment by its contractor, the claimant shall secure from such contractor certified statements setting forth the cost of the property purchased from each vendor and the amount of sales and use taxes paid thereon. In the event the contractor makes several purchases from the same vendor, the certified statements may indicate the invoice numbers, the inclusive dates of the invoices, the total amount of the invoices and the sales or use taxes paid thereon in lieu of an itemized listing of each separate invoice. The statements shall also include the cost of any tangible personal property withdrawn from the contractor's warehouse stock and the amount of sales or use tax paid thereon by the contractor. Similar certified statements by his subcontractors shall be obtained by the general contractor and furnished to the claimant.~~

~~(c) Sales and use taxes paid by hospitals, sanitariums, charitable nursing homes and charitable rest homes which are agencies of counties and incorporated cities and towns on their direct purchases of tangible personal property, including medicines and drugs, and by their contractors on purchases of building materials, supplies, fixtures and equipment becoming a part of or annexing to a building or structure being erected, altered or repaired under contract with such institutions that is owned or leased by such institutions for their own use are also refundable; however, such refund shall be included in the claim filed by the county or incorporated city or town which is to be filed within six months after the close of the claimant's fiscal year. The documentary proof as explained in Paragraph (b) of this Rule shall be submitted to the county or incorporated city or town filing the claim. The refund provisions are not applicable to hospitals, sanitariums, charitable nursing homes and charitable rest homes which are agencies of the state or any political subdivisions thereof other than counties and incorporated cities and towns. Nonprofit hospitals owned and controlled by a unit of local government may file for a refund on a semiannual basis under G.S. 105-164.14(b) rather than file annually as a part of the local government unit. In order to file semiannually, the institution shall submit a written request to do so to the Secretary of Revenue and the request is effective beginning with the six-months refund period following the date of the request and applies to sales and use tax paid on or after the first day of the refund period for which the request is effective.~~

~~(d) The refund provisions set forth in Paragraphs (a), (b) and (c) of this Rule are not applicable to taxes paid by hospitals, sanitariums, religious institutions and organizations, charitable nursing homes and charitable rest homes on their taxable sales and these taxes shall not be refunded or claimed as a refund. The refund provisions are not applicable to sales tax incurred by employees on purchases of food, lodgings or other taxable travel~~

expenses paid by employees and reimbursed by the institution. Such expenses are personal to the employee since the contract for food, shelter and travel is between the employee and the provider and payment of the tax is by the employee individually and personally and such tax shall not be refunded under the provisions of this Rule. The institution has incurred and paid no sales tax liability. In such cases, it has chosen to reimburse a personal expense of the employee.

(c) The refund provisions in this Rule do not apply to taxes that are not refundable under 17 NCAC 7B-1602(f).

(a) Most Nonprofits. -- Hospitals and other medical facilities that are listed in G.S. 105-164.14(b)(1) through (4) are eligible for refunds as nonprofit entities. Rule 17 NCAC 7B .0602 addresses refunds for nonprofit entities.

(b) County and City Facilities. -- Sales or use taxes paid on purchases by hospitals and other medical facilities that are agencies of a county or city are refundable to the same extent as sales or use taxes paid on purchases by other nonprofit hospitals, but the county or city must file the claim for refund. This requirement applies unless the facility has submitted a written request to the Secretary to file a semiannual refund claim on its own behalf, rather than have its purchases included in the county's or city's annual refund claim, and the request has been approved by the Secretary. An approved request becomes effective on the date set by the Secretary and applies to sales and use taxes paid on or after the effective date.

(c) Other Facilities. -- Hospitals and other medical facilities not covered by Paragraphs (a) and (b) of this Rule are not eligible for sales and use tax refunds.

Authority G.S. 105-164.14; 105-262; 105-264.

## SECTION .1900 - TIRE RECAPPERS AND RETREADERS: TIRE AND TUBE REPAIRS

### .1902 SECONDHAND TIRES

Sales to users or consumers of secondhand tires that have been recapped or retreaded are subject to sales or use tax on the full sales price without any deduction whatever on account of any trade-in credit or allowance. Sales to users or consumers of unrecapped or unretreaded secondhand tires are also subject to sales or use tax unless such tires qualify as exempt trade-ins: tax.

Authority G.S. 105-164.4; 105-164.6; 105-262.

## SECTION .2200 - FOOD AND FOOD PRODUCTS FOR HUMAN CONSUMPTION

### .2213 SERVICE CHARGE

If any personnel other than those directly involved in the service of food, beverages or meals share in a service charge or gratuity, then the total amount thereof is subject to tax. If the service charge or gratuity is in excess of 15 percent of the sales price, and 15 percent is given to the personnel directly involved in the service of food, beverages or meals, so much of the service charge as does not exceed 15 percent of the sales price is exempt from sales tax when the other conditions of G.S. 105-164.13A are met and that amount of the service charge or

gratuity in excess of 15 percent of the sales price is taxable. If persons other than the aforementioned personnel share in the 15 percent service charge or gratuity, the total amount thereof is taxable.

A service charge is exempt from sales tax under G.S. 105-164.13A only if it meets the conditions in that statute. If a service charge does not exceed 20% of the sales price and personnel who are not directly involved in the service of food, beverages, or meals receive part of the service charge, then none of the service charge is exempt. If a service charge exceeds 20% of the sales price and personnel who are directly involved in the service of food, beverages, or meals receive an amount equal to 20% of the sales price, the amount received by them is exempt if the service charge is separately stated as required by G.S. 105-164.13A. In this circumstance, if the personnel who are directly involved do not receive an amount equal to 20% of the service charge, then none of the charge is exempt. The amount of a service charge that exceeds 20% of the sales price is subject to tax.

Authority G.S. 105-164.4; 105-164.6; 105-164.13A; 105-262.

## SECTION .2400 - VETERINARIANS

### .2401 SALES OF MEDICAL SUPPLIES AND EQUIPMENT TO VETERINARIANS

(a) Veterinarians are engaged in rendering professional services and are the users or consumers of medicines or drugs and other tangible personal property which they purchase for use in administering treatment to animals. Purchases by veterinarians of medicines or drugs for use in the treatment of pets, such as birds, dogs and cats, are subject to the four percent state tax and any applicable local sales or use tax notwithstanding such medicines and drugs may be of the type usually sold on the prescription of a veterinarian. Veterinarians shall remit the tax due on such purchases to their suppliers who collect and remit North Carolina sales and use taxes. When such purchases are made from out-of-state suppliers who do not collect and remit the applicable sales or use tax, the veterinarians shall remit the use tax due thereon directly to the North Carolina Department of Revenue. Purchases and sales by veterinarians of medicines and drugs for use in the treatment of animals, including cattle, horses, mules, sheep, chickens, turkeys and other domestic animals usually found on a farm, and other animals or poultry held or produced for commercial purposes are exempt from sales or use tax.

(b) Veterinarians who make purchases of medicines or drugs for use in the treatment of animals and pets, and by reason of the multiple uses to be made of the medicines or drugs cannot determine the application of tax thereto until they are used may, in connection with such purchases, furnish Veterinarian's Certificate, Form E-567, to their vendors and assume liability for payment of the applicable tax to the Secretary of Revenue on that portion which is used in the treatment of pets. Veterinarians making purchases pursuant to a Veterinarian's Certificate, Form E-567, shall register with the Department for the purpose of remitting the use tax due on that portion of such medicines and drugs used in treating pets. The certificate shall be prepared in



duplicate and copies retained by the veterinarian and the vendor as a part of their permanent records. Vendors that do not choose to use the Veterinarian's Certificate, Form E-567, shall maintain other evidence in writing adequate to support the conclusion that such sales are exempt from tax in accordance with the provisions of G.S. 105-164.13(2).

(c) Sales to veterinarians of medical supplies, including such items as cotton, gauze, adhesive tape, bandages and other dressings and medical instruments and equipment, such as knives, needles, scissors, microscopes, x-ray machines and other laboratory equipment used for testing and diagnosis, and for the prevention, treatment or cure of diseases in animals are subject to the four percent state tax and any applicable local sales or use tax.

A veterinarian is a physician. Therefore, sales to a veterinarian of medical instruments, laboratory equipment, medical supplies, and medical equipment used to diagnose, prevent, treat, or cure disease are subject to applicable State and local sales or use tax. Rule 17 NCAC 7B .1404 lists medical items that are subject to tax.

Authority G.S. 105-164.4; 105-164.6; 105-262.

## **.2402 SALES BY VETERINARIANS**

(a) Sales of drugs and medicines on the written prescription of a veterinarian, whether from an inventory of medicines and drugs maintained by the veterinarian or whether by or through an independent pharmacy or drug store, are exempt from sales or use tax. The terms "medicines" and "drugs" shall mean medicines in the generally accepted sense of the term and also includes remedies and tonics for internal use, vaccines, vitamins, ointments, liniments, antiseptics and other medicinal substances having preventive and curative properties in the prevention, treatment or cure of disease in animals.

(b) When a veterinarian maintains an inventory of medicines and drugs from which sales are made pursuant to a veterinarian's written prescription, to persons who actually receive the medicines or drugs for subsequent administration, such sales are exempt from sales or use tax provided adequate records are maintained which clearly segregate such prescription sales. In the absence of a written prescription, a copy of which is kept on file, veterinarians making such prescription sales must clearly show on the patients' medical records, cards or charts the diagnosis of the illness or ailment, the kind and amount of medicines or drugs prescribed, the sales price of such medicines or drugs and the frequency with which such medicines or drugs are to be administered to the patient. Records must be maintained that show charges to customers for professional services and such records must be kept in a manner so that such prescription sales of medicines and drugs can be related or traced to the patients' medical records, cards or charts. The foregoing does not apply to medicines or drugs that are administered by the veterinarian to the patient in connection with the treatment of patients since veterinarians are the users of any such medicines or drugs so administered.

(c) Sales of medicines or drugs by a pharmacy on the written prescription of a veterinarian are exempt from sales or use tax. Sales of medicines and drugs by a pharmacy pursuant to a

veterinarian's telephone (oral) prescription are exempt from sales or use tax provided the prescription is reduced to writing, signed by the pharmacist and filed in the same manner as an original written prescription. Medicines or drugs sold pursuant to the refilling of a veterinarian's prescription are likewise exempt from tax. Vendors making sales of medicines or drugs pursuant to a veterinarian's prescription or refilling the same must keep sales records which will clearly segregate such prescription sales. All original prescriptions must be filed and kept available for inspection by the Secretary of Revenue or her authorized agent.

(d) Veterinarians who maintain an inventory for the purpose of making sales of medicines, drugs, flea powder, soap, pet food, dog collars and similar items at retail must register with the Department and collect and remit the applicable tax on such sales. A veterinarian who uses tangible personal property in rendering professional services and also makes sales of the same type property may, in connection with such purchases, furnish Certificates of Resale, Form E-590, to his vendors. The veterinarian is then liable for remitting the applicable use tax on the property which is used and the applicable sales tax on sales of such property to users or consumers.

Sales by veterinarians are subject to sales or use tax unless a specific exemption applies to the sale. A veterinarian who makes taxable retail sales must register with the Department and file sales and use tax returns. A veterinarian who is registered with the Department may obtain a Certificate of Resale, Form E-590. The certificate can be used to purchase, without payment of tax, items the veterinarian is purchasing for resale. If a veterinarian uses an item, such as flea powder, soap, or pet food, in providing professional services and also sells the same type of item, the veterinarian may not know when purchasing the item whether the veterinarian will use the item or sell it. For items of this type, the veterinarian may use the Certificate of Resale to purchase the item without payment of tax. The veterinarian is then liable for remitting the applicable use tax, if the veterinarian uses the item, or the applicable sales tax, if the veterinarian sells the item.

Authority G.S. 105-164.4; 105-164.6; 105-262.

## **SECTION .2800 - FLORISTS; NURSERYMEN; GREENHOUSE OPERATORS AND FARMERS**

### **.2801 FLORISTS; NURSERYMEN; GREENHOUSE OPERATORS AND FARMERS**

(a) Retail sales of wreaths, bouquets and similar items are subject to the four percent state and any applicable local sales or use tax.

(b) Retail sales of flowers, potted plants, shrubbery and similar nursery stock and retail sales of fruits, vegetables and other farm products are subject to the four percent state and any applicable local sales or use tax unless the product in question is a product of the farm and is sold in its original state by the producer of the product who is not primarily a retail merchant at the location where the product is sold.

(c) For the purpose of the exemption afforded by G.S. 105-164.13(4b), nurserymen and greenhouse operators are considered to be farmers. Nursery stock which is not sold

during the season in which it was purchased by the nurserymen, greenhouse operators and other farmers but is retained until the next season and growth is added thereto by virtue of such retention is considered to be a product of the farm and is exempt from sales and use taxes when sold by such nurserymen, greenhouse operators or farmers who are not selling primarily as retail merchants.

(d) Nurserymen, greenhouse operators and other types of farmers that make retail sales of farm products that they have produced which are in their original state are not liable for collecting and remitting sales tax on these sales unless they are selling primarily in their capacity as retail merchants. Such vendors are selling primarily as producers when the total dollar sales volume of their produced farm products in the original state regularly exceeds fifty percent of the total dollar sales volume of their purchased products and their produced products. Such vendors are selling primarily in their capacity as retail merchants when their total dollar sales volume of purchased products regularly exceeds fifty percent of the total dollar sales volume of their purchased and produced products. Such classification shall remain in effect until either category of sales on a regular basis has changed to another principal type. If such producer-vendors operate more than one location, the preceding is applicable to the total dollar sales volume of each location separately. The total dollar sales volume to be used in determining the classification of "producer" or "retail merchant" shall include all sales of tangible personal property without regard to any items or sales that might otherwise be exempt from tax by the Sales and Use Tax Statutes.

(e) If such vendors are not classified primarily as retail merchants on the basis of the total dollar sales volume, sales of their produced products in the original state are exempt from tax; however, retail sales of any farm products or any other taxable merchandise acquired by purchase are subject to any applicable tax. If such vendors are classified primarily as retail merchants on the basis of the total dollar sales volume, they shall be liable for tax accordingly; i.e., all retail sales of both types of products shall be subject to the tax unless specific sales are statutorily exempt from tax.

(f) When vendors who are not primarily retail merchants make sales of farm products produced by them and products acquired by purchase, separate records must be maintained of sales of products produced by them. Records of purchased products, as well as sales thereof, must be kept and maintained in a manner that can be accurately and conveniently checked by the agents of the Secretary of Revenue; otherwise, all sales are subject to the tax.

(g) Producers making taxable sales must register with the Department of Revenue for the purpose of collecting and remitting the tax due thereon.

(h) When nurserymen, greenhouse operators, florists or other persons make taxable sales of shrubbery, young trees or similar items, and as a part of the transaction transplant them to the land of the purchaser for a lump sum or a flat rate, the entire amount of the transaction is subject to the four percent state and any applicable local sales or use tax unless such vendors segregate on the invoice that portion of the charge which is for the property sold and that portion of the charge which is for

transplanting.

(i) For the purpose of the exemption afforded by G.S. 105-164.13(4b), nurserymen and greenhouse operators are considered to be farmers; therefore, the fact that they may be selling tangible personal property primarily as a retailer and not as a producer does not preclude certain of their purchases of tangible personal property for use from the one percent state rate of tax with a maximum tax of eighty dollars (\$80.00) per article levied pursuant to G.S. ~~105-164.4(a)(1d)~~ 105-164.4A(1). 17 NCAC 7B .1101 provides additional information regarding the above levy.

Authority G.S. 105-164.4; 105-164.4A; 105-164.6; 105-164.13; 105-262.

## SECTION .2900 - VENDING MACHINES

### .2901 SALES THROUGH VENDING MACHINES

If a person operates a number of vending machines from which taxable sales are made at various locations in this state, one retailer's license may be held by such person at his principal place of business and the tax may be accounted for in one return reflecting the total gross receipts derived from sales through all vending machines operated in this state:

(a) Requirement. -- A person who sells tangible personal property through a vending machine must register with the Department and remit sales tax on the sales price of the property sold, unless the sale is exempt from tax. The sale of an item in a vending machine for one cent is exempt from tax.

(b) Sales Price. -- The "sales price" of an item sold in a vending machine differs depending on the item. For closed-container soft drinks and tobacco products sold through vending machines, the sales price is 100% of the price at which the item is sold in the vending machine. For all other items, the sales price is 50% of the price at which the item is sold in the vending machine. A vending machine retailer may calculate receipts from items sold, separate the receipts from items that are taxable at 100% of their price from those that are taxable at 50% of their price, and then divide the receipts by the appropriate number to determine the amount of sales tax due. The appropriate number for sales not subject to the Mecklenburg Public Transportation ½% tax is 106% (100% plus the combined State 4% rate and general local 2% rate). The appropriate number for sales subject to the additional Mecklenburg tax is 106.5%.

(c) Soft Drink Defined. -- A soft drink is any nonalcoholic beverage, whether carbonated or not, except the following:

- (1) Drinks that contain at least 35% natural liquid milk.
- (2) Drinks that contain 100% natural fruit or vegetable juice without added ingredients of any kind other than vitamins, minerals, or ingredients extracted from an item and later returned to the item during the manufacturing process.
- (3) Coffee.
- (4) Tea.
- (5) Natural water.

Authority G.S. 105-164.3; 105-164.4; 105-164.13; 105-262.



**.2903 EXCLUSION OF TAX FROM RECEIPTS**

Vending machine operators are permitted to separate their receipts which are 100 percent taxable from their receipts which are 50 percent taxable and, after calculating the taxable amounts of each, may divide those total taxable amounts by 106 percent to arrive at taxable sales reportable on their sales and use tax returns. Records must be kept to support such sales as provided by G.S. 105-164.22 and G.S. 105-164.24.

*Authority G.S. 105-164.4; 105-262.*

**SECTION .3000 - ARTICLES TAKEN IN TRADE:  
TRADE-INS; REPOSSESSIONS; RETURNED  
MERCHANDISE; USED OR SECONDHAND  
MERCHANDISE**

**.3001 TRADE-INS**

Sales or use tax must be computed and paid on the full gross sales price of a new article without any deduction for any trade-in credit or allowance. The sale of a used article by the vendor who accepted same it in trade as a credit or part payment on the sale of a new article will be exempt from sales or use tax provided tax was paid on the gross sales price of the new article: is also subject to tax at the gross sales price.

*Authority G.S. 105-164.4; 105-164.13; 105-262.*

**.3004 SECONDHAND PROPERTY**

Retail sales of used or secondhand tangible personal property which the vendor acquired by purchase, or by any means other than by trade-in or repossession are subject to the four percent state tax and any applicable local sales or use tax. In cases where a vendor reacquires property that is collateral for a nonrecourse endorsement by the vendor to a financing institution, the vendor has actually repurchased the property. In such case, it is not property repossessed by the vendor and the gross sales price of such property is subject to the four percent state tax and any applicable local sales or use tax when sold at retail. Used or secondhand property accepted in lieu of commissions is deemed to have been purchased. The original stock in trade of the merchant is not limited to newly manufactured articles; therefore, the fact that tangible personal property is secondhand or used does not exempt sales of such property from the tax.

(a) Tax Status. -- The original stock in trade of a retailer is not limited to newly manufactured articles. Therefore, the fact that property is used or secondhand does not exempt it from sales or use tax. Retail sales of secondhand property acquired by any means other than repossession are subject to sales or use tax.

(b) Purchases. -- When a vendor acquires property in any of the following circumstances, the property is considered to have been purchased and is therefore subject to tax:

- (1) The vendor reacquires property that is collateral for a nonrecourse endorsement given by the vendor to a financial institution.
- (2) The vendor accepts secondhand or other property in lieu of commissions.

*Authority G.S. 105-164.4; 105-164.6; 105-262.*

**.3009 TRANSFER OF REPOSSESSED ITEMS TO  
NEW BUSINESS**

(a) When a proprietorship or partnership is succeeded by a corporation and the merchandise inventory is sold or transferred to the corporation for resale, tax is not due on such transactions. The corporation will be liable for collecting and remitting the four percent state tax and any applicable local sales or use tax on its retail sales of tangible personal property acquired from the proprietorship or partnership, including any tangible personal property which would have been exempt from tax under the provisions of G.S. 105-164.13(16) if sold by the proprietorship or partnership as repossessed or traded-in articles.

(b) When corporations merge pursuant to the provisions of G.S. 55-11-01 and the merchandise inventory is transferred from the predecessor corporation to a surviving corporation for resale, the tax is not due on such transactions. Furthermore, G.S. 55-11-01 operates so that the exemption from sales tax provided by G.S. 105-164.13(16) and applicable to sales of repossessed articles or sales of used articles taken in trade by a predecessor corporation on the sales price of new articles is applicable to the sale of such repossessed or traded-in articles when they are sold by the surviving corporation.

A repossessed item that is in the inventory of a business and would be exempt under G.S. 105-164.13(16) if sold by the business becomes taxable when the business dissolves and transfers its inventory to a successor business entity. This applies to all business reformulations except a merger of two or more business entities in which the inventory is transferred to the surviving business entity.

*Authority G.S. 105-164.4; 105-164.6; 105-262.*

**.3010 TRADE-INS ON EXEMPT SALES**

Sales or use tax is due on the sales price as defined in G.S. 105-164.3(16). When a new article is exempt from tax, the retail sale of the tangible personal property taken in trade on such transactions is subject to the applicable state and any applicable local sales or use tax.

*Authority G.S. 105-164.4; 105-164.5; 105-164.13; 105-262.*

**.3013 USED PARTS FROM JUNKED PROPERTY**

Retail sales of used parts which that have been removed from junked tangible personal property, including motor vehicles, by persons engaged in the business of selling such merchandise the parts are subject to the applicable sales tax. When traded-in or repossessed articles are dismantled and the their parts therefrom are sold at retail by such businesses, retail, the parts have lost their identity as traded-in or repossessed articles and are subject to the tax.

*Authority G.S. 105-164.4; 105-164.6; 105-262.*

**SECTION .3200 - TELECOMMUNICATIONS AND  
TELEGRAPH COMPANIES**

### .3204 CELLULAR TELEPHONE COMPANIES

(a) 1%, \$80 Maximum Rate on Purchases. -- Those firms known as cellular telephone companies, which are licensed by the Federal Communications Commission and which provide their customers, on a commercial basis, access to local telecommunications company lines to make and receive telephonic quality communications by use of radio frequencies come within the purview of G.S. 105-164.4(a)(1d) and this Rule as they relate to the one percent rate of tax on specified equipment. Sales to such firms of microwave transmitters and receivers, antennas, radio channel units, and central office telecommunications equipment, switchboard or private branch exchange equipment and prewritten computer programs used in providing telecommunications services to subscribers are subject to the one percent sales or use tax with a maximum tax of eighty dollars (\$80.00) per single article. Sales to such firms of towers to support antennas used to transmit and receive signals of microwave radios used in providing such telephonic quality communications are subject to the one percent sales or use tax with a maximum tax of eighty dollars (\$80.00). For the purpose of applying the maximum tax, a tower is considered to be a single article only when the complete tower is sold by the same vendor. Sales of antenna cable used in transmitting the radio signals from the microwave antenna to the microwave transmitter or receiver are subject to the one percent rate of tax. The preferential one percent, maximum eighty dollars (\$80.00) per article rate in G.S. 105-164.4A(3) applies to cellular telephone companies. Sales to these companies of the following items are subject to this preferential rate:

- (1) Antennas.
- (2) Antenna cable used in transmitting the radio signals from the microwave antenna to the microwave transmitter or receiver.
- (3) Central office telecommunications equipment.
- (4) Microwave transmitters and receivers.
- (5) Prewritten computer programs used in providing telecommunications services to subscribers.
- (6) Radio channel units.
- (7) Switchboard or private branch exchange equipment.
- (8) Towers to support antennas used to transmit and receive signals of microwave radios used in providing telephonic quality communications. For the purpose of applying the maximum tax, a tower is considered to be a single article only when the complete tower is sold by the same vendor.

(b) Rates on Services and Sales. -- The gross receipts derived by a cellular telephone company from providing intrastate local toll or private telecommunications services, including basic service charges, system access charges and general usage charges, are subject to the three percent or six and one-half percent sales tax as provided by G.S. 105-164.4(a)(4a) or (4c). G.S. 105-164.4(a)(4a) and (4c) set the tax rates on local telecommunications service and intrastate toll and private telecommunications service. Telecommunications service includes basic service charges, system access charges, and general usage charges. Sales or leases of radio telephone equipment to subscribers are subject to the four percent state and any applicable local sales or use taxes.

Authority G.S. 105-164.4; 105-164.4A; 105-164.6; 105-262; 105-264.

### SECTION .4300 - REFUNDS TO INTERSTATE CARRIERS

#### .4301 REFUNDS TO INTERSTATE CARRIERS

(a) Scope. -- This Rule sets out the requirements for application by an interstate carrier, as defined in G.S. 105-164.14(a), for the refund allowed by that statute: explains the sales and use tax refund allowed to interstate carriers under G.S. 105-164.14(a) The refund authorized by that statute does not apply to taxes listed in 17 NCAC 7B .1602(f); 1602(d).

(b) Eligible Items. -- The following are items of tangible personal property which may be included in purchases on the application for refund, Form E-581, filed by interstate carriers: The following items are considered to be fuel, a lubricant, a repair part, or an accessory. Therefore, sales and use taxes paid on the purchase of one of these items is eligible for refund under G.S. 105-164.14(a):

- (1) antennas;
- (2) antifreeze;
- (3) bedding for motor vehicle sleeping compartments;
- (4) charts for tachographs;
- (5) decals for motor vehicles;
- (6) emergency flares and reflectors;
- (7) fire extinguishers;
- (8) freon or nitrogen used in refrigerating and cooling motor vehicles;
- (9) furniture pads;
- (10) lifeboats and oxygen masks;
- (11) load jacks and chains;
- (12) mobile CB radios;
- (13) motor vehicle seat cushions;
- (14) paints for decals;
- (15) polyethylene liners (used to waterproof trailers);
- (16) pouches for registration cards and permits;
- (17) radios;
- (18) ramp equipment (aircraft steps used to embark or disembark aircraft);
- (19) ropes and chains to tie down cargo (adapted for use on motor vehicles; otherwise not allowed);
- (20) signs (metal signs attached to trucks);
- (21) tarpaulins;
- (22) tire chains;
- (23) tire and tubes;
- (24) welding rods for repair of motor vehicles;
- (25) windshield solvents;
- (26) zipped covers for grills.

(c) Items not Eligible. -- The following are purchases of items of tangible personal property which shall not be included in the claim: The following items are not considered to be fuel, a lubricant, a repair part, or an accessory. Therefore, sales and use taxes paid on the purchase of one of these items is not eligible for refund under G.S. 105-164.14(a):

- (1) drivers' gloves;
- (2) drivers' uniforms;
- (3) food trays (airplanes);



- (4) fork lift tires and parts;
- (5) gauges for testing equipment;
- (6) hand trucks;
- (7) license and inspection fees;
- (8) pallets;
- (9) pillows (airplanes);
- (10) repair labor;
- (11) road service charges;
- (12) security seals;
- (13) sixty percent on recapped tires where forty percent of the combined price is taxed (17 NCAC 7B .1901);
- (14) tire volume discounts;
- (15) tools, shop supplies;
- (16) trip logs;
- (17) wax and washing supplies.

(d) Other Items. -- The lists in this Rule are not intended to be exclusive, but are for illustrative purposes only. If there is any question as to whether or not any item which does not appear therein should be included in total purchases on the application for refund, a ruling on such items may be obtained from the Sales and Use Tax Division: do not include every item that is or is not subject to refund. Upon request, the Sales and Use Tax Division will determine if an item not included in either list is subject to refund.

(e) Amount of Refund. -- The Secretary shall compute the North Carolina sales or use tax which would be due with respect to all lubricants, repair parts and accessories acquired during the refund period as though all such purchases were made in this state but only on such proportion of the total purchase prices thereof as the total number of miles of operation of such applicant's motor vehicles, railroad cars, locomotives and airplanes within this state bears to the total number of miles of operation of such applicant's motor vehicles, railroad cars, locomotives and airplanes within and without this state, and such amount of sales and use tax as the applicant has paid in this state during said refund period in excess of the amount so computed shall be refunded to the applicant: G.S. 105-164.14(a) sets out the formula for computing the amount of a refund. Under the formula, an interstate carrier receives a refund for a percentage of the tax paid on eligible items.

(f) The Secretary shall compute the county sales or use tax which would be due with respect to all lubricants, repair parts and accessories acquired during the refund period in the same manner as the state sales and use tax set out in Paragraph (e) of this Rule.

(g) Application for refund forms shall be furnished by the Secretary of Revenue and shall be signed by a duly authorized person and notarized. Claims shall be filed quarterly within 60 days from the close of each quarter ending in March, June, September and December of each year covering the purchases or acquisitions during the preceding quarter of lubricants, repair parts and accessories for motor vehicles, railroad cars, locomotives and airplanes. Any claim not filed during the period specified above shall not be allowed unless an extension of time has been granted, in which case the claim shall be filed during the extended period.

(h) The application for refund shall show, in addition to all other required information, the total number of miles of

operation of motor vehicles, railroad cars, locomotives and airplanes within and without this state, the total number of miles of operation of motor vehicles, railroad cars, locomotives and airplanes in this state, the total purchase price of lubricants, repair parts and accessories for motor vehicles, railroad cars, locomotives and airplanes and the total amount of North Carolina state and county sales and use tax paid on such purchases. Any sales or use tax paid to state or local taxing authorities shall be excluded from total purchases as shown on the application for refund. The amount of purchases of accessories attached to motor vehicles at the time of purchase on which the highway use tax was paid shall not be included in total purchases on the refund form. The application for refund form shall contain the procedure prescribed for computing the amount of the refund and the information necessary to complete such application. Records, upon which the application for refund is based, shall be maintained in such manner as to enable a representative of the Department of Revenue to accurately and conveniently verify the correctness of the applicant's statements. The application for refund shall be completed in triplicate and two copies returned to the North Carolina Department of Revenue, Office Examination Division, Raleigh, North Carolina, within the time prescribed herein. After a representative of the Department has verified the correctness of the application for refund, a voucher for the amount due, if any, will be issued.

(i) Nothing in this Rule shall be so construed as to relieve any taxpayer of liability for remitting sales or use tax on taxable purchases of lubricants, repair parts and accessories for motor vehicles, railroad cars, locomotives and airplanes.

Authority G.S. 105-164.14; 105-262.

### .4303 APPLICATION

(a) Persons, firms or corporations who are qualified under G.S. 105-164.14(a) to receive a refund of North Carolina state and county sales or use tax paid by them on purchases or acquisitions of lubricants, repair parts or accessories in this state for motor vehicles, railroad cars, locomotives and airplanes operated by such taxpayer shall include in a current quarterly refund claim only lubricants, repair parts or accessories acquired and the tax paid thereon during the quarter covered by the claim. If a taxpayer includes in a current quarterly refund claim any lubricants, repair parts or accessories acquired or the tax paid thereon during a noncurrent quarter, same will be disallowed.

(b) Any taxpayer qualified to receive refunds authorized by G.S. 105-164.14(a) who pays sales or use tax to a supplier or use tax directly to the Secretary of Revenue as a result of an assessment made by the Secretary on sales or purchases of lubricants, repair parts or accessories made during a noncurrent quarter may apply for a refund of such taxes under G.S. 106-164.14(a) by filing an amended claim for refund of taxes within the time and in the manner prescribed by G.S. 105-266.1 for each quarter during which such purchases were made. The amended claim must show the information required by 17 NCAC 7B .4301, including the number of miles of operation within and without this state of motor vehicles, railroad cars, locomotives and airplanes during each quarter; the total purchase price of lubricants, repair parts or accessories for motor vehicles;

railroad cars, locomotives and airplanes purchased during each quarter; and the total amount of North Carolina state and local sales and/or use taxes paid on such purchases during each quarter, including any tax paid thereon to vendors or directly to the Secretary of Revenue as the result of the assessments referred to in this Rule. Records must be maintained in such manner as to enable a representative of the Secretary of Revenue to accurately verify such claim.

An interstate carrier must file Form E-581 to obtain a refund under G.S. 105-164.14(a). A refund period is a calendar quarter. A claim for refund covers sales and use taxes paid during a quarter. A claim for refund is due within 60 days after the end of a quarter. The Department cannot accept a claim for refund filed later than 3 years after its due date. A claim for refund can include only taxes paid for the calendar covered by the claim. An amended claim for refund can be filed to correct an understatement of a refund claimed for a prior quarter. An amended claim for refund must be filed to correct an overstatement of a refund made for a prior quarter.

Authority G.S. 105-164.14; 105-262.

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**N**otice is hereby given that the North Carolina Department of Revenue intends to amend the rules cited as 17 NCAC 91.0302; 9K .0602, and repeal the rule cited as 17 NCAC 9L .0403.

**Editor's Note:** G.S. 150B-1(d)(4) exempts the Department of Revenue from Part 2 Article 2A of Chapter 150N with respect to the notice and hearing requirements. The Department will however publish the text of proposed rules in the North Carolina Register prior to the scheduled time of review by the Rules Review Commission.

**Proposed Effective Date:** July 1, 2000

**Instructions on How to Demand a Public Hearing:** Contact Mr. Julian Fitzgerald at (919) 733-8200 to discuss the proposed changes. If a hearing is desired, submit a written request for a hearing to Mr. Julian Fitzgerald at the North Carolina Department of Revenue, Motor Fuel Tax Division, PO Box 25000, Raleigh, NC 27602.

**Reason for Proposed Action:**

**17 NCAC 91.0302** - S.L. 98-1367 amended G.S. 105-449.39 to delete the option of carrying forward a credit to a subsequent period. The change to this Rule reflects this legislative change.

**17 NCAC 9K .0602** - The record-keeping requirement for bulk-end users needs to be clarified. Records of all withdrawals from storage are not needed. The change specifies when a record of a withdrawal from storage is needed.

**17 NCAC 9L .0403** - This Rule is obsolete and needs to be repealed.

**Comment Procedures:** Submit written comments to Mr. Julian

Fitzgerald at the North Carolina Department of Revenue, Motor Fuel Tax Division, PO Box 25000, Raleigh, NC 27602.

**Fiscal Note:**

State	Local	Sub	None
			✓

**CHAPTER 9 - MOTOR FUELS TAXES**

**SUBCHAPTER 9I - HIGHWAY FUEL USE TAX**

**SECTION .0300 - CREDITS AND REFUNDS**

**.0302 REFUNDS**

(a) The Secretary may make refunds without prior audit or without having been furnished bond if the motor carrier has complied with the provisions of Subchapter V of G.S. 105 and the rules adopted thereunder motor fuel tax laws and rules for a period of one full prior registration year.

(b) Beginning with the first quarter of 1990, a motor carrier may request a refund when its credit for North Carolina tax paid fuel purchases for its subject vehicles exceeds its liability for fuel used in North Carolina by such vehicles. The motor carrier may request a refund for the excess by checking the designated block on the quarterly or annual highway fuel use tax report form.

(c) A motor carrier may also request refund for any of the eight preceding quarters on which its credit exceeds its liability in North Carolina and on which it has not been previously refunded for such excess, or it has not used such excess as a credit for subsequent quarters on which it had incurred a net liability except that any refund for excess purchases prior the first quarter of 1990 must be applied for on Form Gas-1280 within 180 days from the end of the quarter for which the refund is requested.

Authority G.S. 105-262; 105-449.39; 105-449.40.

**SUBCHAPTER 9K - GASOLINE, DIESEL AND BLENDS**

**SECTION .0600 - ENFORCEMENT AND ADMINISTRATION**

**.0602 RECORD-KEEPING REQUIREMENTS OF BULK-END USERS, RETAILERS, AND USERS**

To enable the Secretary or a person designated by the Secretary to prepare audits, bulk-end users, retailers ~~retailers~~, and users of motor fuels must maintain the following records for a period of three years, records as follows: years:

(1) Users:

- (a) All fuel receipts, highway and non-tax-paid;
- (b) Quarterly odometer readings, regardless of weight classification;
- (c) Purchase and disposition dates of fleet vehicles;
- (d) List of current vehicles by registered gross weight.



- (2) Bulk-End Users:
- (a) All fuel receipts, highway and non-tax-paid;
  - (b) Withdrawal statements of highway fuel from non-tax-paid bulk storage facilities;
  - (c) Quarterly odometer readings, regardless of weight classification;
  - (d) Purchase and disposition dates of fleet vehicles;
  - (e) List of current vehicles by registered gross weight.
- (3) Retailers:
- (a) All fuel receipts and bills of lading;
  - (b) Meter readings;
  - (c) Fuel availability schedules;
  - (d) Intrastate mileage records.

changes.

**17 NCAC 10 .0504** - The changes to the rule update references to courses and course requirements.

**17 NCAC 10 .0505** - The changes to the rule update references to courses and correct an error on the course total addition.

**Comment Procedures:** Submit written comments to Mr. John C. Bailey at the North Carolina Department of Revenue, PO Box 871, Raleigh, NC 27602.

**Fiscal Note:**

State	Local	Sub	None
			✓

**CHAPTER 10 - PROPERTY TAX**

**SECTION .0100 - ORGANIZATION OF DIVISION**

**.0101 LOCATION**

The ad valorem tax division is located in the North Carolina Department of Revenue Building at 501 North Wilmington Street in Raleigh, North Carolina. The mailing address is P.O. Box 25000, Raleigh, North Carolina 27640.

*Authority G.S. 105-271 to 105-395; 143B-10; 143B-221.*

**SECTION .0400 - EXCLUSION FOR PERSONAL PROPERTY USED FOR COTTON DUST PREVENTION OR REDUCTION**

**.0405 PROCEDURE FOR CLAIMING EXCLUSION**

(a) In order to receive the benefit of G.S. 105-275(8)c, the owner must annually file an application for exemption with the county assessor of the county in which the property is situated as provided in G.S. 105-282.1. The application is to be filed during the regular listing period as provided in G.S. 105-307.

(b) The application must contain a complete description of the property and shall reflect investment figures and pertinent information relative to its value.

(c) The application shall also be accompanied by any other information or documents required by the county assessor to determine the eligibility of the property for the exclusion, such as the following:

- (1) general layout of the equipment or system;
- (2) specifications of the equipment or system;
- (3) function(s) of the equipment or system;
- (4) construction schedule, if not completed, including the anticipated date of final completion;
- (5) the names, addresses and telephone numbers of the individuals responsible for management, operation and maintenance of the equipment or system.

*Authority G.S. 105-275(8)c; 105-282.1; 105-307.*

**SECTION .0500 - TRAINING/CERTIFICATION:  
COUNTY ASSESSORS: AD VALOREM  
TAX APPRAISALS**

*Authority G.S. 105-262; 105-449.121.*

**SUBCHAPTER 9L - ALTERNATIVE FUEL**

**SECTION .0400 - PAYMENT AND REPORTING**

**.0403 REPORTING SALES AND DELIVERIES:  
PROPANE GAS SUPPLIERS**

Non-highway sales of propane gas to users and bulk-end users shall be listed separately by customer on the monthly Alternative Fuel Provider's Report if the users and bulk-end users have a motor vehicle propelled by propane gas.

*Authority G.S. 105-262; 105-449.137.*

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**Notice** is hereby given that the North Carolina Department of Revenue intends to amend the rules cited as 17 NCAC 10 .0405, .0504-.0505, and repeal the rule cited as 17 NCAC 10 .0101.

**Editor's Note:** G.S. 150B-1(d)(4) exempts the Department of Revenue from Part 2 Article 2A of Chapter 150B with respect to the notice and hearing requirements. The Department will however publish the text of proposed rules in the North Carolina Register prior to the scheduled time of review by the Rules Review Commission.

**Proposed Effective Date:** July 1, 2000

**Instructions on How to Demand a Public Hearing** (must be requested in writing within 15 days of notice): Contact Mr. John C. Bailey at (919) 733-7711 to discuss the proposed changes. If a hearing is desired, submit a written request for a hearing to Mr. John C. Bailey at the North Carolina Department of Revenue, PO Box 25000, Raleigh, NC 27602.

**Reason for Proposed Action:**

**17 NCAC 10 .0101** - This Rule is not needed

**17 NCAC 10 .0405** - This Rule incorrectly states that an annual application for exclusion is required. This is not the case. The change to the rule corrects this error and makes technical

**.0504 CERTIFICATION REQUIREMENTS FOR COUNTY ASSESSORS**

(a) Except for persons deemed to be qualified as county assessors under G.S. 105-294, every person serving as county assessor after July 1, 1983, must, within two years after appointment, achieve a passing grade in the four courses listed in this Rule and then achieve a passing grade on a comprehensive examination administered by the Department of Revenue. Persons who do not meet these requirements are not eligible for reappointment.

(b) The courses required for county assessors are as follows:

- (1) The Fundamentals of Property Tax Listing and Assessing - Institute of Government;
- (2) International Association of Assessing Officers (IAAO) Course † 101 - The Fundamentals of Real Property Appraisal;
- (3) Business Personal Property Appraisal and Assessment - Department of Revenue or IAAO; Revenue;
- (4) ~~IAAO Course 4 - Assessment Administration~~; Administration - Institute of Government.

(c) The comprehensive examination for county assessors will consist of 50 multiple choice or true/false questions. It is designed to test the assessor's knowledge of the listing, appraisal and assessment requirements of the Machinery Act (G.S. 105-271 et seq.) and the theories and procedures involved in the appraisal of real and personal property. A passing grade is 70 percent correct or above.

*Authority G.S. 105-289(d); 105-294(b)(c).*

**.0505 CONTINUING EDUCATION REQUIREMENTS FOR COUNTY ASSESSORS**

(a) Every person who serves as county assessor must attend at least 30 hours of instruction in the appraisal or assessment of property during each two-year period to be eligible for reappointment. The following credit-hours will be allowed in fulfilling this requirement:

- (1) Courses offered by the International Association of Assessing Officers (IAAO) 24 hours
- (2) ~~Business~~ Personal Property Appraisal and Assessment Course offered by the Department of Revenue 24 hours
- (3) The Fundamentals of Property Tax Listing and Assessing Course offered by the Institute of Government 24 hours
- (4) Other Appraisal Courses approved by the Department of Revenue 24 hours
- (5) IAAO, Institute of Government or Department of Revenue Workshops 14-21 hours
- (6) IAAO, Institute of Government or Department of Revenue Seminars 4-12 hours
- (7) Fall Conference of North Carolina Association of Assessing Officers
 

Opening Session	4 hours
2nd day - Morning Session	3 hours
2nd day - Afternoon Session	4 hours
3rd day - Morning Session	<u>3 hours</u>
<b>Total</b>	<b>4 <u>14</u> hours</b>

- (8) Summer Conference of North Carolina Association of Assessing Officers and North Carolina Collectors Association
 

Opening Session	3 hours
Afternoon Session	3 hours
2nd day - Morning Session	3 hours
2nd day - Afternoon Session	<u>3 hours</u>
<b>Total</b>	<b>12 hours</b>

- (9) Regional County Assessors Meetings 2 hours

(b) Credit for workshops and seminars will depend on actual length of program, i.e., one-half day seminars would be 4 hours; one day, 8 hours; and one and one-half days, 12 hours.

*Authority G.S. 105-289(d); 105-294(d).*

**TITLE 19A - DEPARTMENT OF TRANSPORTATION**

**N**otice is hereby given in accordance with G.S. 150B-21.2 that the N.C. Department of Transportation - Division of Motor Vehicles intends to amend the rule cited as 19A NCAC 03D .0801. Notice of Rule-making Proceedings was published in the Register on December 1, 1999.

**Proposed Effective Date:** August 1, 2000

**Instructions on How to Demand a Public Hearing** (*must be requested in writing within 15 days of notice*): A demand for a public hearing must be made in writing and mailed to Emily Lee, N.C. Department of Transportation, PO Box 25201, Raleigh, NC 27611. The demand must be received within 15 days of this Notice.

**Reason for Proposed Action:** Federal regulation 49 C.F.R.. 350.9(m) requires North Carolina to "seek to implement into law and practice the recommended fine schedule published by the Commercial Vehicle Safety Alliance." In accordance with the federal regulation, the General Assembly passed S.L. 99-330 which added G.S. 20-17.7 to allow the Commissioner of Motor Vehicles to adopt rules implementing fines for violation of out-of-service criteria. The effective date of Section 20-17.7 was December 1, 1999. The temporary rule became effective December 1, 1999.

**Comment Procedures:** Any interested person may submit written comments on the proposed rule by mailing the comments to Emily Lee, N.C. DOT, PO Box 25201, Raleigh, NC 27611 by March 16, 2000.

**Fiscal Impact**

State	Local	Sub.	None
			✓

**CHAPTER 3 - DIVISION OF MOTOR VEHICLES**

**SUBCHAPTER 3D - ENFORCEMENT SECTION**



SECTION .0800 - SAFETY RULES AND REGULATIONS

**.0801 SAFETY OF OPERATION AND EQUIPMENT**

(a) The rules and regulations adopted by the U.S. Department of Transportation relating to safety of operation and equipment (49 CFR Parts 390-398 390-397 and amendments thereto) shall apply to all for-hire motor carrier vehicles, ~~whether common carriers, contract carriers or exempt carriers~~ and all private motor carriers, while engaged in interstate commerce over the highways of the State of North Carolina.

(b) The rules and regulations adopted by the U.S. Department of Transportation relating to safety of operation and equipment (49 CFR Parts 390-398 390-397 and amendments thereto) shall apply to all for-hire motor carrier vehicles, ~~whether common carriers, contract carriers or exempt carriers~~ and all private motor carrier vehicles engaged in intrastate commerce over the highways of the State of North Carolina if such vehicles have a GVWR of greater than 26,000 pounds; are designed to transport 16 or more passengers, including the driver; or transport hazardous materials required to be placarded pursuant to 49 CFR ~~170-190; 170-185~~. Provided, the following exceptions shall also apply to all intrastate motor carriers:

- (1) An intrastate motor carrier driver may not drive more than 12 hours following eight consecutive hours off duty; or for any period after having been on duty 16 hours following eight consecutive hours off duty; or after having been on duty 70 hours in seven consecutive days; or more than 80 hours in eight consecutive days. An intrastate driver will be determined by his previous seven days of operation.
- (2) Persons who otherwise qualify medically to operate a commercial motor vehicle within the State of North Carolina will be exempt from the provisions of Part 391.11(b)(1) and may be exempt from provisions of Part 391.41(b)(1) through (11) where applicable and therefore will be authorized for intrastate operation if approved by an Exemption Review Officer appointed by the Commissioner of Motor Vehicles. These drivers shall continue to be exempt upon completion of a biennial medical examination indicating the condition has not worsened or no new disqualifying conditions have been diagnosed and upon continued approval of an Exemption Review Officer.

(c) The rules and regulations adopted by the U. S. Department of Transportation relating to inspection, repair and maintenance of motor vehicles (49 CFR Part 396.17 through 396.23 and including Appendix G, and amendments thereto) shall apply to all for-hire motor carrier vehicles, ~~whether common carriers, contract carriers or exempt carriers~~ and all private motor carrier vehicles engaged in intrastate commerce over the highways of the State of North Carolina if such vehicles have a GVWR of greater than 10,000 pounds. Provided, any farm vehicle shall be exempt from the requirements of this Paragraph if:

- (1) It is being operated by a farmer (or a person under the direct control of the farmer) as a private motor carrier of property;
- (2) It is being used to transport either:

- (A) agricultural products, or
- (B) farm machinery, farm supplies, or both, to and from a farm;

- (3) It is being operated solely within this State and within 150 air-miles of the farmer's farm;
- (4) It is not being used in the operation of a for-hire motor carrier; and
- (5) It is not carrying hazardous materials of a type or quantity that requires the vehicle to be placarded in accordance with 49 CFR 177.823.

(d) Every motor vehicle registered or required to be registered in North Carolina and subject to the inspection requirements of the Federal Motor Carrier Safety Regulations (49 CFR Part 396) which does not display a current approved State inspection certificate as provided in N.C. Gen. Stat. 20-183.2 must display a current approved federal inspection certificate when operated on the streets and highways of this State. On self-propelled vehicles the federal inspection certificate shall be displayed on the outside of the vehicle in a readily visible location on, or in the immediate vicinity of, the driver's door exclusive of the window or rear view mirror. On trailers and semitrailers, the federal inspection certificate shall be located on the left side as near as possible to the outside lower front of the vehicle. The inspection certificate shall contain at least the following legible information:

- (1) The date of inspection;
- (2) Name and address of the motor carrier or other entity where the inspection report required by 49 CFR 396.21(a) is maintained;
- (3) Information uniquely identifying the vehicle-inspected if ~~not clearly marked on the vehicle~~; and
- (4) A certification that the vehicle has passed an inspection in accordance with 49 CFR 396.17.

(e) All Code of Federal Regulations (CFR) Parts cited in this Section are incorporated herein by reference including any subsequent amendments. A copy of the CFR is available from the Office of Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402, at a cost set by that office.

(f) The Commissioner may adopt fines for out-of-service criteria. Such fines, as allowed by G.S. 20-17.7, may not exceed the fines adopted by the Commercial Motor Vehicle Safety Alliance that are in effect on the date of the violations. The commercial motor vehicle out-of-service maximum civil fine schedule shall be maintained in the Office of the Commissioner of the Division of Motor Vehicles, be available for public inspection, and be updated annually on the first day of April. The out-of-service maximum civil fine schedule shall not apply to educational contacts or North American Standard Level-V inspections approved by the Director of the DMV Enforcement Section and the Commissioner of Motor Vehicles. An educational contact for the purpose of this code shall mean a pre-planned, public safety inspection activity, focusing on commercial motor vehicle safety awareness and compliance.

(g) Any fines assessed for violation of an out-of-service criteria shall be assessed against the motor carrier of the commercial motor vehicle.

(h) Any vehicle being operated under the authority of a motor

carrier which has been assessed a fine or fines for violation of an out-of-service criteria shall not be released for operation until the violation is corrected or the out-of-service condition is satisfied and all fines assessed for violation of the out-of-service criteria are paid. Where a motor carrier is assessed fines for a driver out-of-service condition, the commercial motor vehicle shall not be released for operation until such fines assessed to the motor carrier for violation of the out-of-service criteria by the driver are paid.

(i) Whenever a motor carrier of a commercial motor vehicle shall have a valid defense to the enforcement of the collection of fines for violation of out-of-service criteria, such motor carrier shall pay such fine to the proper officer, and notify such officer in writing that he pays the same under protest. Such payment shall be without prejudice to any defense or rights he may have, and he may, at any time within 30 days after such payment, demand the same in writing from the Commissioner of Motor Vehicles. If the fines shall not be refunded within 90 days thereafter, he may sue such official in the courts of the State for the amount so demanded. Such suit must be brought in the Superior Court of Wake County, or in the county in which the motor carrier has a principal place of business in North Carolina.

Authority G.S. 20-17.7; 20-21; 20-37.22; 20-183.2(a); 20-381.

## SECTION .0100 - CONTINUING MEDICAL EDUCATION (CME) REQUIRED

### .0101 CONTINUING MEDICAL EDUCATION (CME) REQUIRED

(a) CME is defined as knowledge and skills generally recognized and accepted by the profession as within the basic medical sciences, the discipline of clinical medicine, and the provision of healthcare to the public. CME should maintain, develop, or improve the physician's knowledge, skills, professional performance and relationships which physicians use to provide services for their patients, their practice, the public, or the profession.

(b) Each person licensed to practice medicine in the State of North Carolina shall complete no less than 150 ~~fifty~~ (50) hours of practice relevant CME annually every three ~~years~~ in order to enhance current medical competence, performance or patient care outcome. At least 60 hours shall be in the educational provider-initiated category as defined in Rule .0102 of this Subchapter. The remaining hours, if any, shall be in the physician-initiated category as defined in Rule .0102 of this Subchapter. ~~Twenty (20) hours shall be in the physician-initiated category and thirty (30) hours shall be in the educational provider-initiated category.~~ General medical reading is not applicable to physician-initiated CME.

(c) The three year period described in paragraph (b) shall run from the physician's birthday beginning in the year 2001 or the first birthday following initial licensure.

Authority G.S. 90-14(a)(15).

### .0102 APPROVED CATEGORIES OF CME

The following are the approved categories of CME

- (1) Physician-Initiated CME:
  - (a) Practice based self study;
  - (b) Colleague Consultations;
  - (c) Office based outcomes research;
  - (d) Study initiated by patient inquiries;
  - (e) Study of community health problems;
  - (f) Successful Specialty Board Exam for certification or recertification;
  - (g) Teaching (professional, patient/public health);
  - (h) Mentoring;
  - (i) Morbidity and Mortality (M&M) conference;
  - (j) Journal clubs;
  - (k) Creation of generic patient care pathways and guidelines;
  - (l) Competency Assessment.
- (2) Educational Provider-Initiated CME: All education offered by institutions or organizations accredited by the Accreditation Council on Continuing Medical Education (ACCME) and reciprocating organizations or American Osteopathic Association (AOA))
  - (a) ~~Formal Courses~~ courses;
  - (b) Scientific/clinical presentations, or publications;
  - (c) Enduring Material (Audio-Video);
  - (d) Skill development.

## TITLE 21 - OCCUPATIONAL LICENSING BOARDS

### CHAPTER 32 - BOARD OF MEDICAL EXAMINERS

**N**otice is hereby given in accordance with G.S. 150B-21.2 that the NC Medical Board intends to amend rule(s) cited as 21 NCAC 32R .0101-.0104. Notice of Rule-making Proceedings was published in the Register on August 2, 1999.

**Proposed Effective Date:** January 1, 2001

**A Public Hearing** will be conducted at 3:00 p.m. on March 3, 2000 at the NC Medical Board, 1201 Front St., Suite 100, Raleigh, NC 27609.

**Reason for Proposed Action:** Comments were submitted to the Board after the rule was submitted to the Legislature. The Board has responded to these comments with revised rules.

**Comment Procedures:** Written comments will be accepted until close of business March 16, 2000. Any interested person may submit written comments on the proposed rules by mailing the comments to Helen Diane Meelheim, PO Box 20007, Raleigh, NC 27619.

Fiscal Impact		
State	Local	Sub. None
		✓

### SUBCHAPTER 32R - CONTINUING MEDICAL EDUCATION (CME) REQUIREMENTS



Authority G.S. 90-14(a)(15).

### .0103 EXCEPTIONS

(a) A licensee currently enrolled in an AOA or Graduate Medical Education (ACGME) accredited graduate medical education program is exempt from the requirements of Rule .0101 of this Section.

(b) ~~A licensee shall have one year of exception from the requirements of .0001 after having received initial licensure.~~

Authority G.S. 90-14(a)(15);

### .0104 REPORTING

At the time of annual registration immediately following the CME reporting period, each Licensee shall report on the Board's annual registration form the number of hours of practice-relevant CME obtained in compliance with Section .0101 of this Subchapter. Records documenting CME hours must be documented by categories for three six consecutive years and may be inspected by the Board or its agents.

Authority G.S. 90-14(a)(15).

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## CHAPTER 33 - MIDWIFERY JOINT COMMITTEE

**N**otice is hereby given in accordance with G.S. 150B-21.2 that the Midwifery Joint Committee intends to amend rules cited as 21 NCAC 33 .0101 - .0102, .0104, and .0106. Notice of Rule-making Proceedings was published in the Register on December 1, 1999.

**Proposed Effective Date:** July 1, 2000

**A Public Hearing** will be conducted at 1:00 p.m. on March 15, 2000 at the North Carolina Board of Nursing Office, 3724 National Drive, Suite 201, Raleigh, NC.

**Reason for Proposed Action:** To add definitions for clarity and to bring the fee structure in compliance with the fees adopted by the Committee. New General Statutes by the 1999 Legislative Session for the Nurse Licensure Compact of the North Carolina Board of Nursing.

**Comment Procedures:** Comments regarding this action should be directed to Jean H. Stanley, APA Coordinator, Midwifery Joint Committee, PO Box 2129, Raleigh, NC 27602-2129. Comments must be received by the Midwifery Joint Committee by 4:30 p.m. on March 16, 2000.

#### Fiscal Note:

State	Local	Sub	None
			✓

### SECTION .0100 - ADMINISTRATIVE BODY AND DEFINITIONS

### .0101 ADMINISTRATIVE BODY AND DEFINITIONS

(a) The responsibility for administering the provisions of Article 10A of Chapter 90 of the North Carolina General Statutes shall be assumed by an administrative body, the Midwifery Joint Committee, hereinafter referred to as the "Committee." The certified nurse midwife shall hereinafter be referred to as "midwife."

#### (b) Definitions:

(1) "Primary Supervising Physician" means the licensed physician, who by signing the certified nurse-midwife application, is held accountable for the on-going supervision, consultation, collaboration and evaluation of the medical acts performed by the certified nurse-midwife as defined in the site specific written clinical practice guidelines.

(A) A physician in a graduate medical education program, whether fully licensed or holding only a resident's training license, shall not be named as a primary supervising physician.

(B) A physician in a graduate medical education program who is also practicing in a non-training situation may supervise a certified nurse-midwife in the non-training situation if fully licensed.

(2) "Back-up Primary Supervising Physician" means the licensed physician who, by signing an agreement with the certified nurse-midwife and the primary supervising physician(s) shall be held accountable for the supervision, consultation, collaboration and evaluation of medical acts by the certified-nurse midwife in accordance with the site specific written clinical practice guidelines when the Primary Supervising Physician is not available.

(A) The signed and dated agreements for each back-up primary supervising physician(s) shall be maintained at each practice site.

(B) A physician in a graduate medical education program, whether fully licensed or holding only a resident's training license, shall not be named as a back-up primary supervising physician.

(C) A physician in a graduate medical education program who is also practicing in a non-training situation may be a back-up primary supervising physician to a certified nurse-midwife in the non-training situation if fully licensed and has signed an agreement with the certified nurse-midwife and the primary supervising physician.

(3) "Obstetrics" means a branch of medical science that deals with birth and with its antecedents and sequels including but not limited to prenatal, intrapartum, postpartum, newborn, gynecology and otherwise unspecified primary health services for women.

Authority G.S. 90-178.4(a).

# **.0102 FEES**

(a) The fee for a new application and initial approval shall be ~~fifty dollars (\$50.00); one hundred dollars (\$100.00).~~

(b) The fee for annual renewal shall be ~~twenty-five dollars (\$25.00); fifty dollars (\$50.00).~~

(c) The fee for reinstatement for a lapsed approval shall be five dollars (\$5.00).

Authority G.S. 90-178.4(b).

# **.0104 PHYSICIAN SUPERVISION**

(a) The applicant shall furnish the committee evidence, satisfactory to the committee, that the applicant will perform the acts authorized by the Midwifery Practice Act under the supervision of a physician who is actively engaged in the practice of obstetrics in North Carolina. Such evidence required by the committee shall include a description of the nature and extent of such supervision and a delineation of the procedures to be adopted and followed by each applicant and the supervising physician responsible for the acts of said applicant for the rendering of health care services at the sites at which such services will be provided. Evidence to be provided to the committee shall include:

- (1) mutually agreed upon written ~~medical guidelines/protocols~~ for clinical practice guidelines which define the individual and shared responsibilities of the midwife and the supervising physician(s) in the delivery of health care services;
- (2) mutually agreed upon written clinical practice guidelines ~~guidelines/protocols~~ for ongoing communication which provide for and define appropriate consultation between the supervising physician(s) and the midwife;
- (3) periodic and joint evaluation of services rendered, e.g. chart review, case review, patient evaluation, and review of outcome statistics; and
- (4) periodic and joint review and updating of the written ~~medical—guidelines/protocols;~~ clinical practice guidelines.

~~(b) There will be documentation on the outpatient record that any secondary supervising physician has, in fact, agreed to provide supervision and consultation to the midwife and has been approved by the primary supervising physician(s). The secondary physician shall have an unrestricted license to practice medicine in North Carolina which has been confirmed with the Board of Medical Examiners by the primary physician(s). The secondary physician shall be actively engaged in the practice of obstetrics. A secondary supervising physician is necessary when distance of delivery or birthing from the site of practice of the primary physician(s) is too great to permit actual supervision by the primary physician(s). Satisfaction of the requirement of documentation may be achieved by a letter of agreement signed by both primary and secondary physicians appended to the patient's antepartum record prior to the thirty-fifth week of gestation.~~

Authority G.S. 90-178.4(b).

# **.0106 NURSE MIDWIFE APPLICANT STATUS**

(a) Graduate Nurse Midwife Applicant status may be granted by the Midwifery Joint Committee under the following circumstances:

- (1) a nurse licensed to practice as a registered nurse in North Carolina who meets all of the following criteria:

- (A)(a) has graduated from a nurse midwifery education program which meets the criteria of the American College of Nurse Midwives for graduates to seek certification;
- (B)(b) has applied to take or is waiting for results of the certification exam; and
- (C)(c) whose application for approval as a certified nurse midwife has been received by the Midwifery Joint Committee.

- (2) nurse midwife applicant status may not exceed a period of six months beyond date of completion of nurse midwifery education program or until notice of certification is received, whichever occurs first.

- (3) a nurse midwife applicant, described in Item (1) and (2) Paragraph (a) of this Rule, may function in accordance with 21 NCAC 33-0004 .0104 and 21 NCAC 33-0005 .0105 with the following limitations:

- (A)(a) wear identification as a "Graduate Nurse Midwife";
- (B)(b) have no prescribing privileges;
- (C)(c) practice only in situations where the supervising physician or a Certified Nurse Midwife approved to practice in the state of North Carolina is physically present in the practice site in which the applicant is working; and
- (D)(d) have supervising physician or a Certified Nurse Midwife approved to practice in the state of North Carolina countersign all medical notations in patient records on a daily basis.

- (4) In the event the individual leaves the job in which he/she has worked as a nurse midwife applicant before approval as a certified nurse midwife is granted, the individual must submit a written explanation to the Midwifery Joint Committee before he/she may apply to work in the nurse midwife applicant status in another job.

~~(b) Certified Nurse Midwife Applicant status may be granted by the Midwifery Joint Committee under the following circumstances:~~

- ~~(1) a registered nurse previously approved as a Certified Nurse Midwife by the Midwifery Joint Committee and whose application for approval in a new job has been received by the Midwifery Joint Committee. Prior to approval, the Certified Nurse Midwife applicant may function in accordance with Rules .0004 and .0005 of this Chapter with the following limitations:~~

- ~~(A) wear identification as a "Certified Nurse Midwife";~~
- ~~(B) have no prescribing privileges; and~~



(C) —have supervising physician or Certified Nurse Midwife approved to practice in the state of North Carolina countersign all medical notations in patient records on a daily basis.

- (4) membership in a North Carolina or national organization;  
or  
(5) a job title.

Authority G.S. 90-270.4(e); 90-270.9.

Authority G.S. 90-178.2; 90-178.5; 90-171.83.

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## CHAPTER 54 - NORTH CAROLINA PSYCHOLOGY BOARD

**Notice** is hereby given in accordance with G.S. 150B-21.2 that the North Carolina Psychology Board intends to adopt rules cited as 21 NCAC 54 .1611, 2104, 2801 - .2804 with changes from the proposed text noticed in Register, Volume 13, Issue 13, pages 1050 - 1056, January 4, 1999. Notice of Rule-making Proceedings was published in the Register on September 2, 1997.

**Proposed Effective Date:** August 1, 2001

**Reason for Proposed Action:** To clarify exemption from the NC Psychology Practice Act for qualified members of other professional groups; to set continuing education requirements; to define ancillary services.

**Comment Procedures:** Any interested person may submit written comments addressed to Martha Storie, Executive Director, North Carolina Psychology Board, 895 State Farm Road, Suite 101, Boone, NC 28607, no later than April 4, 2000.

**Editor's Note:** An agency may not adopt a rule that differs substantially from the text of a proposed rule published in the Register, unless the agency publishes the text of the proposed different rule and accepts comments on the new text.

### Fiscal Note:

State      Local      Sub      None  
   ✓

## SECTION .1600 - GENERAL PROVISIONS

### .1611 PRACTICE BY OTHER PROFESSIONALS

(a) Qualified members of other professional groups are individuals certified or licensed in North Carolina by another legislatively created occupational licensing board in the State of North Carolina, or who are recognized by such a board as qualified members of that professional group, to provide services as defined in G.S. 90-270.2(8) as the practice of psychology.

(b) Credentials or claims to credentials which do not demonstrate that individuals are qualified members of other professional groups meeting the exemption of G.S. 90-270.4(e) include the following:

- (1) exemption from another profession's licensure or certification law;
- (2) a certificate or license issued in another jurisdiction;
- (3) a certificate or license issued by a national association;

## SECTION .2100 - RENEWALS

### .2104 CONTINUING EDUCATION

(a) The purpose of continuing education is to provide for the continuing professional education of all psychologists licensed by the North Carolina Psychology Board consistent with the purpose of the Board which is to protect the public from the practice of psychology by unqualified persons and from unprofessional conduct by persons licensed to practice psychology.

(b) Compliance with this Rule shall be a condition for license renewal. This Rule shall apply to all individuals licensed by the North Carolina Psychology Board who choose to renew their licenses in North Carolina. Licensees who would otherwise be exempt from licensure, e.g., not practicing psychology in North Carolina, must relinquish their license if they do not wish to comply with the requirements specified in this Rule.

(c) A continuing education credit is defined as one hour of instructional time as defined in Paragraphs (d) and (e) of the Rule.

(d) Category A requirements shall be met through attendance at formally organized courses, seminars, workshops, symposiums, and postdoctoral institutes. Programs shall be offered by the American Psychological Association, American Psychological Association approved sponsors, North Carolina Psychological Association, North Carolina Psychology Board, or North Carolina Area Health Education Centers. Instructional time shall be specified by the sponsor.

(e) Category B requirements shall be met through attendance at colloquia, presentations of invited speakers, grand rounds, and in-house seminars; attendance at programs offered at meetings of professional or scientific organizations which are not approved for Category A credit; and participation in formally organized study groups or journal clubs. One continuing education unit shall be credited for each hour of participation in Category B activities.

(f) Licensed Psychologists, holding either a provisional or permanent license, and Licensed Psychological Associates shall complete a minimum of 18 continuing education credits in each biennial renewal period. Continuing education credits shall not carry over from one renewal period to the next. At least nine continuing education credits shall be in Category A activities which shall include a minimum of three continuing education credits in the area of ethical and legal issues in the professional practice of psychology.

(g) Topics for Category A and Category B requirements shall fall within the following areas:

- (1) ethical and legal issues in the professional practice of psychology, and
- (2) the maintenance and upgrading of professional skills and competencies within the psychologist's scope of practice (includes training in empirically supported

treatments, the application of research to practice and training in best practice standards and guidelines).

(h) Continuing education credits shall not be allowed for the following activities:

- (1) business meetings or presentations, professional committee meetings, and meetings or presentations concerned with the management of a professional practice;
- (2) membership, office in, or participation on boards and committees of professional organizations;
- (3) presentations and publications intended primarily for a lay audience; and
- (4) personal psychotherapy or personal growth experience.

(i) An individual licensed on or before October 1, 2000, shall attest on the license renewal application for the 2002-2004 biennial renewal period, and on each subsequent biennial renewal application, to having met the mandatory continuing education requirements specified in this Rule. An individual licensed after October 1, 2000, shall attest on the second license renewal application following licensure, and on each subsequent biennial renewal application, to having met the mandatory continuing education requirements specified in this Rule.

(j) An applicant for reinstatement of licensure shall document that he or she has completed a minimum of 18 continuing education units as specified in this Rule within the two years preceding the date of application for reinstatement of licensure and shall attest on each subsequent biennial renewal application to having met the mandatory continuing education requirements specified in this Rule.

(k) A licensee shall maintain certificates from Category A programs and written documentation, including instructional time, dates, and summary of content, for Category B activities consistent with this Rule for a minimum of seven years and shall provide the documentation within 30 days after receiving written notification from the Board that the documentation is required. The Board shall randomly verify the documentation of required continuing education credits for a percentage of licensees and shall routinely do so during the investigation of any complaints. A licensee shall not submit documentation of continuing education credits obtained unless directed to do so by the Board.

Authority G.S. 90-270.9; 90-270.14(a)(2).

## SECTION .2800 - ANCILLARY SERVICES

### .2801 SCOPE

Pursuant to G.S. 90-270.21, licensed psychologists (provisional and permanent), licensed psychological associates, or temporary licensees, all of whom shall be identified as "psychologists" under G.S. 90-270.2(9), may employ or supervise unlicensed individuals to provide ancillary services. Ancillary services shall be considered to be only those activities which an individual shall engage in for the purpose of providing assistance to a psychologist in providing psychological services to patients, clients, and their families. Not included as ancillary services are those clerical and administrative services which are not directly related to assisting a psychologist in the provision of

psychological services. The psychologist shall retain full professional responsibility for the quality of the services rendered and for the effects of the services upon the client, patient, or other individuals. This responsibility for the quality of services delivered by supervisees and for the welfare of the client or patient shall be no different than if the psychologist had provided the services in person. The psychologist shall be the provider of psychological services and shall have had face-to-face contact during the course of services with all patients, clients, or other recipients of services who are provided ancillary services by unlicensed persons as part of the psychologist's services. Any psychologist who employs individuals to provide ancillary services shall be subject to disciplinary action under G.S. 90-270.15(a) for violations of the provisions of the North Carolina Psychology Practice Act. Failure of any psychologist to provide training and supervision to the psychologist's employees and supervisees may subject that psychologist to disciplinary action pursuant to G.S. 90-270.15(a).

Authority G.S. 90-270.9; 90-270.21.

### .2802 TITLES

Titles of individuals providing ancillary services shall not indicate either that these individuals are licensed or trained in psychology or that the individuals are providing services defined as the practice of psychology in G.S. 90-270.2(8). Unlicensed individuals providing ancillary services shall not use any title incorporating the words "assessment," "associate," "clinical," "counseling," "diagnostic," "evaluation," "examiner," "psychologic," "psychological," "psychologist," "psychology," or derivatives of such. Examples of titles that unlicensed individuals may use include "aide," "assistant," "behavioral," "testing," "technician," "psychometrist," or derivatives of these titles.

Authority G.S. 90-270.9; 90-270.21.

### .2803 EMPLOYMENT AND SUPERVISION OF UNLICENSED INDIVIDUALS

(a) Any psychologist who employs or supervises unlicensed individuals who provide ancillary services as specified in Rule .2801 of this Section shall maintain documentation of the relationship between the psychologist and the unlicensed individual beginning with the date upon which the relationship is initiated. Documentation shall be in the form of a written agreement that includes the responsibilities of both parties. Said agreement shall be signed and dated by both parties. Except when prevented from doing so by circumstances beyond the psychologist's control, the psychologist shall maintain documentation of the relationship with the unlicensed individual for a minimum of seven years after the termination of the relationship and shall present the documentation to the Board upon written request. If the unlicensed individual is supervised by more than one psychologist, there shall be an appointed psychologist of record who shall have primary responsibility for the coordination of and provision of services by the unlicensed individual. The psychologist of record shall have responsibility



for record keeping with regard to the services of the unlicensed individual.

(b) The psychologist shall be competent to render all ancillary services specified in Rule .2801 of this Section that the employee or supervisee shall render, except that clearly defined areas of an employee's or supervisee's supervision may be delegated to other psychologists affiliated with the employment setting whose competence in the delegated areas has been demonstrated by previous education, training, and experience.

(c) Any qualified psychologist who employs or supervises individuals to provide ancillary services shall be accessible at all times, either on-site or through electronic communication, and shall be available to render assistance when needed to the unlicensed individual and patient or client, or shall have arranged for another qualified psychologist to be readily accessible in the absence of the supervising psychologist. Psychologists shall meet with all unlicensed individuals whom they supervise to the extent necessary to provide appropriate supervision for the activities in which the unlicensed individual is engaged. The psychologist shall maintain documentation of supervisory sessions, including dates, appointment times, and length of time of each supervision session, for a period of at least seven years following the termination of ancillary services by ancillary services personnel.

(d) A psychologist whose license has been revoked or suspended or who has otherwise been subject to disciplinary or remedial action by the Board pursuant to G.S. 90-270.15 shall not continue to employ or supervise unlicensed individuals and shall not initiate subsequent employee or supervisory relationships without the prior approval of the Board. The Board shall have the authority to restrict or revoke a psychologist's privilege to utilize unlicensed individuals to provide ancillary services if the Board finds that an unlicensed person in the psychologist's employment or under the psychologist's supervision has violated any provision of G.S. 90-270.15(a) which would otherwise apply to licensed individuals.

Authority G.S. 90-270.9; 90-270.21.

#### **.2804 QUALIFICATIONS AND TRAINING**

(a) Prior to the provision of ancillary services by an unlicensed individual, the psychologist supervising or employing the individual shall provide training in and establish that the individual has sufficient knowledge and understanding of confidentiality, exceptions to confidentiality including mandated reporting of suspected abuse or neglect, and professional ethics. Training in professional ethics shall include the Code of Conduct contained in the North Carolina Psychology Practice Act at G.S. 90-270.15(a).

(b) Any psychologist supervising or employing an unlicensed individual to provide ancillary services shall provide instruction in and establish that the individual shall have received training sufficient to perform the activities delegated to the unlicensed individual. The psychologist shall maintain documentation of the employee's or supervisee's training for at least seven years following the termination of ancillary services by ancillary services personnel.

(c) Unless provided prior approval by the Board, a psychologist may not employ or supervise individuals to provide ancillary services who have previously been licensed or certified to practice psychology who have relinquished their licenses or certification or who have had their licenses or certification restricted, suspended, or revoked by the Board in North Carolina or any other jurisdiction.

Authority G.S. 90-270.9; 90-270.21.

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### **CHAPTER 68 - NC SUBSTANCE ABUSE PROFESSIONAL CERTIFICATION BOARD**

**N**otice is hereby given in accordance with G.S. 150B-21.2 that the NC Substance Abuse Professional Certification Board intends to amend rules cited as 21 NCAC 68 .0203, .0205 - .0206, .0208 - .0209, .0211 - .0213, .0503, and .0701. Notice of Rule-making Proceedings was published in the Register on November 15, 1999.

**Proposed Effective Date:** August 1, 2000

**A Public Hearing** will be conducted at 10:00 a.m. on March 17, 2000 at the Holiday Inn, 2 Maple Avenue, Burlington, NC 27216. See the Maitre d' at the hotel.

**Reason for Proposed Action:** To add definitions and clarify procedures.

**Comment Procedures:** The public is invited to attend the public hearing and submit comments. Written comments may be submitted through March 17, 2000 to Ms. Ann Christian, Rule-making Coordinator, NC Substance Abuse Professional Certification Board, PO Box 2455, Raleigh, NC 27602.

**Fiscal Note:**

State	Local	Sub	None
			✓

#### **SECTION .0200 - CERTIFICATION**

##### **.0203 CERTIFICATION AS SUBSTANCE ABUSE COUNSELOR INTERN**

(a) An applicant may choose to by-pass early registration at the entry level and seek designation as a Counselor Intern.

(b) To be designated as a Substance Abuse Counselor Intern, a counselor shall submit and successfully complete the following:

- (1) A registration form provided by the Board.
- (2) Documentation of high school graduation or completion of the GED, as well as any baccalaureate or advanced degree the applicant may have completed. A transcript shall serve as the necessary documentation where appropriate.
- (3) A signed form attesting to the applicant's commitment to abide by the ethical standards of the Board.

- (4) A signed supervision contract provided by the Board documenting the continuing supervision process by a Board approved supervisor.
- (5) Documentation provided by the Board verifying the successful completion of 300 hours of Supervised Practical Training.
- (6) Successful completion of the written examination: examination developed by the IC&RC/AODA, Inc. or its successor organization.
- (7) Payment of a non-refundable, one hundred dollar (\$100.00) written exam fee plus a one hundred dollar (\$100.00) registration fee if not already registered with the Board.

(c) Upon the failure of an applicant to achieve a passing score, the applicant may request a retest and pay a non-refundable retest fee of one hundred dollars (\$100.00) after the period of three months from the date of the test.

(d) Once an individual has been designated as a Substance Abuse Counselor Intern, he or she may function as a counselor under an approved supervisor at a ratio of one hour of supervision for every 40 hours of practice.

*Authority G.S. 90-113.30; 90-113.33; 90-113.34; 90-113.38; 90-113.39; 90-113.40; 90-113.41.*

## **.0205 CERTIFIED SUBSTANCE ABUSE COUNSELOR CERTIFICATION**

Requirements for certification as a Certified Substance Abuse Counselor shall be as follows:

- (1) Successful completion of At least 6000 hours of paid or volunteer supervised experience earned in not less than three years, 300 hours of which shall be supervised practice. If the work setting is not exclusively substance abuse focused, the applicant may accumulate experience proportional to the substance abuse services performed;
- (2) Board approved education and training of at least 270 clock hours as follows:
  - (a) Substance Abuse Specific (SAS) education and training in the amount of at least 190 hours;
  - (b) Up to 80 hours can be directed toward general professional skill building (GSB) to enhance counselor development;
  - (c) No more than 25% of the 270 hours (67.5) hours may be inservice education received within the applicant's organization by staff of the same organization;
  - (d) All 270 clock hours needed for initial certification must be in the core competencies. Core competencies are listed as follows:
    - (i) Basic alcoholism, drug addiction and cross addiction knowledge;
    - (ii) Screening, intake, orientation and assessment;
    - (iii) Individual, group and family counseling and intervention techniques;
    - (iv) Case management, treatment planning, reporting and record keeping;

- (v) crisis intervention skills;
- (vi) Prevention and education;
- (vii) Consultation, referral and networking that utilizes community resources;
- (viii) Ethics, legal issues, and confidentiality;
- (ix) Special populations which include but are not limited to individuals or groups with specific ethnic, cultural, sexual orientation, and gender characteristics as well as persons dealing with HIV, co-occurring disabilities and perinatal issues;
- (x) Physiology and pharmacology of alcohol and other drugs that include the licit and illicit drugs, inhalants and nicotine;
- (xi) Psychological, emotional, personality and developmental issues; and
- (xii) Traditions and philosophies of 12-step and other recovery support groups;

(e) Of the 270 clock hours, applicants for certification as a Substance Abuse Professional must document twelve hours of HIV or AIDS training and education and six hours professional ethics training and education.

- (3) A one hundred dollar (\$100.00) oral examination and case preparation fee plus a one hundred dollar (\$100.00) written exam fee and a one hundred dollar (\$100.00), non-refundable registration fee, unless previously paid. The applicant may request a retest and pay a non-refundable retest fee of one hundred dollars (\$100.00) if a passing score is not achieved and at least three months have passed from the date of test;
- (4) Successful completion of the IC&RC/AODA, Inc. or its successor organization written exam;
- (5) Successful completion of an IC&RC/AODA, Inc. or its successor organization oral examination and case presentation administered by the Board following review and approval by the Board of the requirements in this Rule;
- (6) Completed evaluation forms and contracts for supervision, these forms must be mailed directly to the Board by three references: a supervisor, co-worker, and colleague;
- (7) A signed form attesting to the applicant's adherence to the Ethical Standards of the Board;
- (8) Documentation of high school graduation, completion of GED, baccalaureate or advanced degree;
- (9) Completed registration forms;
- (10) ~~Resume and job description which verifies job function for a supervised experience of 6000 hours.~~ Resume;
- (11) Job description which verifies job function.

*Authority G.S. 90-113.30; 90-113.31; 90-113.33; 90-113.36; 90-113.39; 90-113.40.*



**.0206 PROCESS FOR PREVENTION CONSULTANT CERTIFICATION**

(a) This certification shall be offered to those persons whose primary responsibilities are to provide substance abuse prevention and education, alternative activities, community organization, networking, and referral. Prevention consultants may be either based in human service agencies or other appropriate settings.

(b) Requirements for certification shall be as follows:

- (1) ~~6000 hours~~ 10,000 hours (five years) without a baccalaureate degree or 4,000 hours (two years) with a baccalaureate degree in a human services field from a regionally accredited college or university; which is the equivalent of three years full-time experience in the field;
- (2) 270 hours of board approved academic and didactic training divided in the following manner:
  - (A) 170 hours in the area of primary and secondary prevention and life skills training; and
  - (B) 100 hours in substance abuse specific studies;
- (3) A minimum of 300 supervised practice hours documented by a Board approved alcohol, drug or substance abuse professional;
- (4) Evaluations from a supervisor on this practice as well as two evaluations from colleagues or co-workers;
- (5) Successful completion of an IC&RC/AODA IC&RC/AODA, Inc. or its successor organization written examination;
- (6) A signed form attesting to the applicant's adherence to the Ethical Standards of the Board;
- (7) A registration and testing fee of two hundred twenty-five dollars (\$225.00), twenty-five dollars (\$25.00) of which is due when the request is made for the application packet and the remainder at the time of filing.

Authority G.S. 90-113.30; 90-113.31; 90-113.33; 90-113.34; 90-113.40; 90-113.41.

**.0208 CONTINUING EDUCATION REQUIRED FOR COUNSELOR AND PREVENTION CONSULTANT RECERTIFICATION**

(a) Each certified Counselor and Prevention Consultant shall receive 60 hours of Board approved education during the current certification period which shall be documented. A minimum of 30 hours shall be substance abuse specific (SAS) and no more than 25 percent or 15 hours can be inservice education. This education may include a combination of hours including attending workshops, receiving clinical supervision and providing workshops.

(b) Recertification educational guidelines as a Substance Abuse Professional require:

- (1) No more than 25 percent or 15 hours may be inservice education, received within your organization by staff of the same employment.
- (2) ~~No more than 25 percent or 15 hours receiving supervision with two hours of supervision translating to one hour of education.~~

(2) ~~(3)~~ No more than 25 percent or 15 hours of workshop presentation with two hours one hour of presentation translating to one hour of education. Workshop presentation shall be a part of an event pre-approved by the Board.

(3) ~~(4)~~ No more than 25 percent or 15 hours of Alcohol/Drug Education Traffic School (ADETS) and Drug Education School (DES) events.

(4) ~~(5)~~ An applicant shall include documentation of each event submitted.

(5) ~~(6)~~ All applicants shall include six hours of HIV/AIDS training and education and three hours of professional ethics training and education for each recertification.

(6) No more than 25 percent self study, pre-approved by the Board.

(c) To be recertified, a certified professional must submit the following:

- (1) A completed application form with continuing education documented; and
- (2) A non-refundable one hundred dollar (\$100.00) recertification fee.

Authority G.S. 90-113.30; 90-113.33; 90-113.37; 90-113.38.

**.0209 RECIPROCITY**

(a) If a counselor, prevention consultant, clinical supervisor, or clinical addictions specialist holds a certification in an IC&RC/AODA member state issued by an IC&RC/AODA, Inc. member board or a successor organization as a certified substance abuse counselor (to include alcohol and other drugs), certified prevention consultant, or certified clinical supervisor, or certified clinical addictions specialist, the person may transfer this certification to North Carolina by applying a transfer fee as assessed by the IC&RC/AODA IC&RC/AODA, Inc. or its successor organization.

(b) The reciprocal certification effective date shall remain the same as in the previous state.

(c) At the time when recertification is required, it will be the individual's responsibility to submit an application for recertification. For the period of the first recertification in North Carolina, the Board shall accept the member's former State recertification requirements for the purpose of reciprocal recertification. At the end of this recertification period, it shall be the individual's responsibility to conform to the recertification requirements of North Carolina in effect at the time of recertification.

Authority G.S. 90-113.30; 90-113.33; 90-113.37; 90-113.38.

**.0211 PROCESS FOR CLINICAL SUPERVISOR CERTIFICATION**

(a) ~~Clinical Supervisor Certification shall be a voluntary certification. It is an aspect of staff development dealing with the clinical skills and competencies for persons providing counseling.~~

(b) Requirements for certification shall be:

- (1) Applicant shall obtain and maintain substance abuse counselor certification as a substance abuse counselor

or a clinical addictions specialist in order to be eligible for Clinical Supervisor Certification; Certification with the exception of those supervisors holding a masters degree and certified pursuant to a written exam prior to July 1, 1994;

- (2) ~~After June 30, 1998, all~~ All applicants shall be required to hold a master's degree or higher education in a human services field with a clinical application from a regionally accredited college or university.
- (3) ~~12,000 hours or six years 8,000 hours or four years~~ experience in the field of alcohol and other drug abuse counseling ~~or 8,000 hours or four years experience if the applicant has a master's degree or higher education. (After June 30, 1998, all applicants shall be required to hold a master's degree or higher level of education); (10,000 hours to insure reciprocity pursuant to IC&RC/AODA, Inc. or its successor organization's requirements);~~
- (4) Thirty hours of substance abuse clinical supervision specific education or training for initial certification and 15 hours of substance abuse clinical or training supervision specific education for recertification re-certification (which will occur every two years). These hours shall be reflective of clinical supervision or clinical supervision of the twelve core functions in their clinical application and practice and may also be used as recertification re-certification hours for counselor certification; certification. For the purpose of re-certification as a Clinical Supervisor, 25 percent of the required total hours may be obtained by providing supervision of a substance abuse counselor or clinical addictions specialist.
- (5) Three letters of reference: one from a substance abuse professional who can attest to supervisory competence and two from either substance abuse counselors who have been supervised by the candidate or substance abuse professionals who can attest to the applicant's competence;
- (6) Successful completion of an ~~ICRC/AODA~~ IC&RC/AODA, Inc. or its successor organization's written examination;
- (7) Payment of all fees. A fee of twenty-five dollars (\$25.00) shall be submitted to the Board with a letter of intent in order to receive the application packet. A fee of two hundred dollars (\$200.00) shall be submitted to the Board when the application packet is completed and mailed ~~for one~~ (one hundred dollars (\$100.00) shall be the registration and processing fee and one hundred dollars (\$100.00) (\$100.00) is the written test fee); and
- (8) A fee of one hundred dollars (\$100.00) shall be required as a recertification re-certification fee.

Authority G.S. 90-113.30; 90-113.33; 90-113.34; 90-113.38; 90-113.40; 90-113.41.

#### **.0212 PROCESS FOR RESIDENTIAL FACILITY DIRECTOR CERTIFICATION**

(a) Residential facility director certification is a voluntary certification. It can be obtained and continued by any person certified as a Substance Abuse Counselor, Counselor or Clinical Addictions Specialist.

(b) Requirements for certification are as follows:

- (1) 50 hours of Board approved academic and didactic management specific training;
- (2) Recommendation of applicant's current supervisor;
- (3) Positive recommendation of a colleague and co-worker of the applicant; and
- (4) Registration and application fee of two hundred twenty-five dollars (\$225.00), twenty-five dollars (\$25.00) of which is due when requesting application and the remainder is due upon filing.

(c) In addition to meeting the continuing education requirements provided to practice as a Certified Counselor, Counselor or Clinical Addictions Specialist, in order to maintain uninterrupted certification as a Residential Facility Director, the applicant shall take 40 hours of continuing education every two years and maintain proper documentation of such training. Anyone allowing certification to lapse beyond three months of the recertification re-certification due date shall be required to reapply as a new applicant.

Authority G.S. 90-113.30; 90-113.33; 90-113.35; 90-113.38; 90-113.39; 90-113.40.

#### **.0213 CONTINUING EDUCATION APPROVAL POLICY**

(a) The Board shall approve educational events for professional certification. One certified hour is defined as a as one contact hour of participation in an organized continuing education experience under responsible sponsorship, capable direction and qualified instruction. Continuing education used to meet the certification requirements shall be reviewed and approved by the Board. If the sponsor does not obtain credit from the Board, the individual participants shall be responsible for supplying all of the required information for each session at the time of request for certification or recertification re-certification or conversion. The Standards and Credentials Committee shall review requests once monthly. Submission of approval requests should be postmarked 45 days prior to opening day of the event.

(b) Any applicant for training approval shall submit:

- (1) Title of course, date, location, individual or organization sponsor, whether it will be held only once or recurring.
- (2) Presenter(s) who shall attach a resume outlining expertise in the subject area and content of the session.
- (3) Brief but thorough description of contents of track, course, seminar, etc. and the type of credit hours being requested, to include substance abuse specific or general skill building.
- (4) Agenda, to include the breakdown of time including a 15 minute break for every two hours of education and amount of time allowed for meals.
- (5) Application for training approval shall include a copy



of the objective evaluation tool to be used.

- (6) A summary of evaluation that shall be submitted to the Board within 45 days following the program date(s).

(c) The Board reserves the right to review programs by sending a Board member or designee to monitor the event or a portion of the event. When fulfilling this quality assurance role, the designated Board member person shall present a letter of introduction to the presenter. The Board member shall not receive certification or re-certification hours for attendance at these events.

(d) Certification hours may be awarded only for actual hours completed.

(e) Certificates are not to be released until the event ends or they shall be modified to reflect the actual hours completed.

(f) Providers of Board approved events are required to document attendance at individual events for schools, courses, curricula and conferences.

(g) Event sponsors shall maintain attendance and evaluation records for no less than three years.

(h) Training approved by ~~IC&RC~~ IC&RC/AODA, Inc. member boards and organizations granted deemed status shall be accepted with appropriate documentation of completion.

(i) Employer Inservice events shall meet the same requirements as above. Inservice includes any event provided in the applicant's organization by a person under the same employment as the applicant (military employment is considered within the same department). However, if 20% of the participants are non-employees of the sponsoring and presenting agency, the standard fee schedule shall be in effect. Education received within the organization by outside trainers is not considered inservice.

(j) Credit shall not be given for the following:

- (1) Banquet speakers unless the content meets the requirements in this Rule;
- (2) ~~Case presentation;~~ Making one's own case presentation; or
- (3) Registration time.

(k) Presenters shall be given one hour of credit for every ~~two~~ one hour presented. However, if the original presentation is repeated, hours can only be credited for the original presentation.

(l) The Board may revise or rescind credit hours if information is received documenting that a previously approved event was not presented as it was approved.

Authority G.S. 90-113.30; 90-113.33; 90-113.38; 90-113.39; 90-113.40.

## SECTION .0500 - ETHICAL PRINCIPLES OF CONDUCT

### .0503 COMPETENCE

(a) The substance abuse professional shall recognize that the profession is founded on national standards of competency which promote the best interests of society, of the client and of the profession as a whole. The ~~counselor~~ substance abuse professional shall obtain continuing education as a component of professional competency.

(1) The substance abuse professional shall ~~prevent the practice of substance abuse counseling assist in the prevention of practices~~ by unqualified or unauthorized persons; persons in the field.

(2) The substance abuse professional who is aware of unethical conduct or of unprofessional modes of practice shall report such violations to the appropriate certifying authority.

(3) The substance abuse professional shall recognize boundaries and limitations of counselor's his or her competencies and not offer services or use techniques outside of these professional competencies.

(4) The substance abuse professional shall recognize the effect of professional impairment on professional performance and shall be willing to seek appropriate treatment for oneself or for a colleague. The ~~counselor~~ substance abuse professional shall support peer assistance programs in this respect.

(b) No person shall be certified as a substance abuse professional who is sentenced to an active or probationary term by the courts of this land and any part of the sentence is unserved.

Authority G.S. 90-113.30; 90-113.34; 90-113.36; 90-113.37; 90-113.39; 90-113.40; 90-113.41; 90-113.43; 90-113.44.

## SECTION .0700 - APPEALS PROCESS

### .0701 HEARING BEFORE BOARD; TIME REQUIREMENT

(a) Upon denial, suspension or revocation of certification, the applicant may request a hearing before the Board which will serve as the appeals hearing body.

(b) Requests for an appeals hearing shall be made in writing to the President of the Board within 60 30 days upon receipt of the notification that certification had been denied or revoked.

Authority G.S. 90-113.30; 90-113.39; 90-113.40.

*This Section includes temporary rules reviewed by the Codifier of Rules and entered in the North Carolina Administrative Code and includes, from time to time, a listing of temporary rules that have expired. See G.S. 150B-21.1 and 26 NCAC 2C .0500 for adoption and filing requirements. Pursuant to G.S. 150B-21.1(c), publication of a temporary rule in the North Carolina Register serves as a notice of rule-making proceedings unless this notice has been previously published by the agency.*

**TITLE 10 - DEPARTMENT OF HEALTH & HUMAN SERVICES**

**Rule-making Agency:** *Commission for MH/DD/SAS*

**Rule Citation:** *10 NCAC 14V .3602, .3604*

**Effective Date:** *February 7, 2000*

**Findings Reviewed and Approved by:** *Beecher R. Gray*

**Authority for the rule-making:** *G.S. 122C-26; 143B-147; 21 CFR Part S. 291.505; 21 CFR Part 1300*

**Notice of Rule-making Proceedings** was published in the Register on October 1, 1999.

**Instructions on How to Demand a Public Hearing** A demand for public hearing must be requested in writing within 15 days of this notice and addressed to Charlotte F. Hall, Division of MHDDSAS, 325 N. Salisbury St., Albemarle Building, Suite 1156, Raleigh, NC 27603-5906.

**Reason for Proposed Action:** *This amendment will require all licensed Outpatient Narcotic Addiction Treatment facilities, which dispense Methadone, LAAM, or any other pharmacological agent approved by the Food and Drug Administration for the treatment of narcotic addiction subsequent to November 1, 1998 to participate in a computerized Central Registry and a computerized Capacity Management and Waiting List Management System established by the NC State Authority for Narcotic Addiction Treatment.*

**Comment Procedures:** *Comments should be submitted to Charlotte F. Hall, Division of Mental Health, Developmental Disabilities and Substance Abuse Services, 325 N. Salisbury Street, Albemarle Building, Suite 1156, Raleigh, NC 27603-5906. Comments must be received no later than March 16, 2000.*

**Fiscal Impact**

State	Local	Sub. None
		✓

**CHAPTER 14 - MENTAL HEALTH: GENERAL**

**SUBCHAPTER 14V - RULES FOR MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE FACILITIES AND SERVICES**

**SECTION .3600 - OUTPATIENT NARCOTIC**

**ADDICTION TREATMENT**

**.3602 DEFINITIONS**

In addition to terms defined in G.S. 122C-3 and Rule .0103 of this Subchapter, the following definitions shall also apply:

- (1) "Capacity management system" is a computerized database, maintained at the Office of the North Carolina state authority for governing treatment of narcotic addiction with a narcotic drug, which ensures timely notification of the State whenever a program reaches 90 percent of its capacity to treat intravenous drug users, and to make any excess treatment capacity available. The requirement to have a capacity management system is referenced in 45 CFR Part 96.126(a), the Substance Abuse Prevention and Treatment Block Grant. The referenced material shall include subsequent amendments and editions and may be obtained from the Substance Abuse Services Section of DMH/DD/SAS, 325 N. Salisbury Street, Albemarle Building, 11<sup>th</sup> Floor, Raleigh, NC 27603-5906. The computerized system shall ensure that a continuous updated record of all such reports is maintained and that excess capacity information shall be available to all other programs.
- (2) "Central registry" is a computerized patient database, maintained at the Office of the North Carolina state authority for governing treatment of narcotic addiction with a narcotic drug. The purpose of the database is to prevent multiple methadone treatment program enrollments; thereby lessening the possibility of methadone diversion for illicit use.
- (3) "Waiting list management system" is a component of the capacity management system whereby systematic reporting of treatment demand is maintained. The data required for the waiting list management component of the capacity shall include a unique patient identifier for each intravenous drug user seeking treatment, the date initial treatment was requested, and the date the drug user was removed from the waiting list. The waiting list management system requirement is referenced in 45 CFR 96.126(c) and includes subsequent amendments and editions of the referenced material. It may be obtained from the Substance Abuse Services Section of DMH/DD/SAS, 325 N. Salisbury Street, Albemarle Building, 11<sup>th</sup> Floor, Raleigh, NC 27603-5906.
- (4) "Methadone" hydrochloride is a synthetic narcotic analgesic with multiple actions quantitatively similar to those of morphine, most prominent of which involves the central nervous system and organs composed of smooth muscle. The principal actions of therapeutic value or analgesia and sedation are



detoxification or temporary maintenance in narcotic addiction. The methadone abstinence syndrome, although quantitatively similar to that of morphine differs in that the onset is slower, the course more prolonged, and the symptoms are less severe.

- (2) (5) "Other medications approved for use in narcotic addiction treatment" means those medications approved by the Food and Drug Administration for use in narcotic addiction treatment and also approved for accepted medical uses under the North Carolina Controlled Substances Act.

*History Note:* Authority G.S. 122C-26; 143B-147; 21 C.F.R. Part 2 § 291.505; 21 C.F.R. Part 1300;

*Eff. May 1, 1996;*

*Temporary Amendment Eff. February 7, 2000.*

### 3604 OPERATIONS

(a) Hours. Each facility shall operate seven days per week, 12 months per year. Daily, weekend and holiday medication dispensing hours shall be scheduled to meet the needs of the client.

(b) Compliance With FDA/NIDA Regulations. Each facility shall be approved by the Food and Drug Administration of the United States Department of Health and Human Services and shall be in compliance with all Food and Drug Administration/National Institute on Drug Abuse Narcotic Addiction Treatment regulations in 21 C.F.R. 291.505, incorporated by reference to include subsequent amendments and editions. These regulations are available from the Food and Drug Administration, 5600 Fishers Lane, Rockville, Maryland 20857 at no cost.

(c) Compliance With DEA Regulations. Each facility shall be currently registered with the Federal Drug Enforcement Administration and shall be in compliance with all Drug Enforcement Administration regulations pertaining to narcotic addiction treatment programs codified in 21 C.F.R., Food and Drugs, Part 1300 to end, incorporated by reference to include subsequent amendments and editions. These regulations are available from the United States Government Printing Office, Washington, D.C. 20402 at a cost of four dollars and fifty cents (\$4.50) per copy.

(d) Compliance With State Authority Regulations. Each facility shall be approved by the North Carolina State Authority for Narcotic Addiction Treatment, DMH/DD/SAS, 325 N. Salisbury Street, Raleigh, N.C. 27603, 27603-5906, which is the "state authority" as defined in the Food and Drug Administration/National Institute on Drug Abuse Narcotic Addiction Treatment Regulations in 21 C.F.R. 291.505, incorporated by reference to include subsequent amendments and editions, and is the agency designated by the Governor or other appropriate official person designated by the Secretary of Health and Human Services to exercise the responsibility and authority within the state or territory for governing the treatment of narcotic addiction with a narcotic drug: drug, including program approval, for monitoring compliance with the regulations related to scope, staff, and operations, and for monitoring compliance with Section 1923 of P.L. 102-321. The

referenced material may be obtained from the Food and Drug Administration, Division of Scientific Investigations, Regulatory Management Branch, 7520 Standish Place, Room H15, Rockville, Maryland 20855 at no cost. Substance Abuse Services Section of DMH/DD/SAS, 325 N. Salisbury Street, Albemarle Building, 11<sup>th</sup> Floor, Raleigh, NC 27603-5906.

(e) The State Authority shall base program approval on the following criteria:

- (1) compliance with all state and federal law and regulations;
- (2) compliance with all applicable standards of practice;
- (3) program structure for successful service delivery; and
- (4) impact on the delivery of narcotic addiction treatment services in the applicable population.

(e)(f) Take-Home Supplies For Holidays. Take-home dosages of methadone for holidays shall be authorized by the facility physician on an individual client basis according to the following:

- (1) An additional one-day supply of methadone may be dispensed to each eligible client (regardless of time in treatment) for Independence Day, Thanksgiving, Christmas, New Year's and other official state holidays.
- (2) No more than a three-day supply of methadone may be dispensed to any eligible client because of holidays. This restriction shall not apply to a client who is receiving a six-day take-home supply of methadone.

(f)(g) Withdrawal From Medications For Use In Narcotic Addiction Treatment. The risks and benefits of withdrawal from methadone or other medications approved for use in narcotic addiction treatment shall be discussed with each client at the initiation of treatment and annually thereafter.

(g)(h) Random Testing. Random testing for alcohol and other drugs shall be conducted on active narcotic addiction treatment clients.

(h)(i) Client Discharge Restrictions. No client shall be discharged from the facility while physically dependent upon methadone or other medications approved for use in narcotic addiction treatment unless the client is provided the opportunity to detoxify from the drug.

(j) All licensed outpatient narcotic addiction facilities which dispense Methadone, LAAM, or any other pharmacological agent approved by the Food and Drug Administration for the treatment of narcotic addiction subsequent to November 1, 1998, are required to participate in a computerized Central Registry and a computerized Capacity Management and Waiting List Management System as established by the North Carolina State Authority for Narcotic Addiction Treatment.

*History Note:* Authority G.S. 122C-26; 143B-147; 21 C.F.R. Part 2 § 291.505;

*Eff. May 1, 1996;*

*Temporary Amendment Eff. February 7, 2000.*

## TITLE 20 - DEPARTMENT OF STATE TREASURER

**Rule-making Agency:** *State Treasurer*

**Rule Citation:** *20 NCAC 8 .0102, .0110 - .0112*

**Effective Date:** *February 22, 2000*

**Findings Reviewed by Julian Mann:** *Approved*

**Authority for the rule-making:** *G.S. 116B-80*

**Reason for Proposed Action:** *SL 1999-460 became effective on January 1, 2000 and makes extensive changes to the law covering escheats and abandoned property. Several of the changes result in sufficient ambiguities to warrant the use of temporary rules to make it possible for those both inside and outside the Department to fulfill the requirements under the law with the greatest fairness and efficiency. In preparing the rules we have followed any commentary available on the intent of the statute as written.*

**Comment Procedures:** *Send all comments to APA Coordinator, Department of State Treasurer, 325 North Salisbury Street, Raleigh, NC 27606-1385.*

## CHAPTER 8 - ESCHEATS AND ABANDONED PROPERTY

### SECTION .0100 - GENERAL AND ADMINISTRATION

#### .0102 DEFINITIONS

(a) The words defined in G.S. 116B-1052 shall have the same meaning when used in this Chapter.

(b)(b) The following words and phrases defined in this Rule will have the meanings indicated when used in this Chapter, unless the context clearly requires another meaning:

- (1) "Escheats" includes all property, real and personal, tangible and intangible which is subject to Chapter 116B of the General Statutes.
- (2) "Interest-bearing property" means property that accrues interest to the owner at a predetermined rate from the onset of the contract as explicitly provided in the contract.
- (3) "Dividend-paying property" means shares of ownership issued by a corporation or an investment company registered under the Investment Company Act of 1941 or a master limited partnership which is treated as stock by a major security market in which it is bought and sold.
- (4) "Checking account" means a non-interest-bearing account with a financial institution.
- (5) "Savings account" means an interest-bearing account with a financial institution.
- (6) "Date of claim" means the date on which a completed, signed, and notarized claim with all required documentation attached is received by the Department from the party claiming ownership.

*History Note: Authority G.S. 116B-80;  
Eff. February 1, 1982;  
Amended Eff. November 1, 1988;  
Temporary Amendment Eff. February 22, 2000.*

#### .0110 EARLY ESCHEATMENT

(a) If remitted to the State Treasurer, property subject to the provisions of G.S. Chapter 116B but which has not been presumed abandoned under said statute will be returned to the holder unless the holder the holder has received in writing permission from the State Treasurer to remit the property prior to the date of presumed abandonment.

(b) To request permission to remit property to the State Treasurer before its presumed abandonment date, the holder must send a letter to the Escheat Officer requesting permission to remit the property prior to the date of presumed abandonment. The letter must clearly identify the nature and extent of the property to be remitted and the reasons for requesting permission to remit the property before its required payment date.

(c) The State Treasurer does not expect to grant permission unless its is clearly demonstrated that the early transfer of the property is for the benefit of the owner or of the State.

*History Note: Authority G.S. 116B-80; 116B-69(b);  
Temporary Adoption Eff. February 22, 2000.*

#### .0111 REGISTRATION UNDER G.S. 116B+78(F)

(a) Registration under G.S. 116B-78(f) shall be for a period of a calendar year. Unless the request states that the request is for a specified calendar year, the registration will be presumed to be for the current calendar year.

(b) All requests to register must be submitted on the form supplied by the Department for that purpose.

(c) Forms not accompanied by the required one hundred dollar (\$100) fee will not be processed.

*History Note: Authority G.S. 116B-80; 116B-78(f);  
Temporary Adoption Eff. February 22, 2000.*

#### .0112 INTEREST RATE DETERMINATION

The interest rate charged under G.S.-116B-77(a) shall be at the rate established by the Secretary of Revenue pursuant to G.S. 105-241.1(i).

*History Note: Authority G.S. 116B-80; 116B-77(a);  
Temporary Adoption Eff. February 22, 2000.*

## TITLE 25 - OFFICE OF STATE PERSONNEL

**Rule-making Agency:** *State Personnel Commission*

**Rule Citation:** *25 NCAC 1C .0801 - .0813*

**Effective Date:** *January 19, 2000*

**Findings Reviewed by Beecher R. Gray:** *Approved*



**Authority for the rule-making:** *G.S. 126-4; S.L. 199-328;*

**Reason for Proposed Action:** *Pursuant to Executive Order No. 155 and S.L. 1999-328 the above referenced rules are proposed to be adopted as temporary rules. These rules would demonstrate the State's leadership in reducing ground-ozone and motor vehicles emissions through policies and guidelines. This program would allow employees to work from their homes instead of driving to the traditional office, and could be an essential part of a plan to control the growth in vehicle miles traveled, reduce gasoline consumed and air pollution emitted.*

**Comment Procedures:** *Written comments may be submitted to Delores A. Joyner, Office of State Personnel, 1331 Mail Service Center, Raleigh, North Carolina 27699-1331.*

## CHAPTER 1 - OFFICE OF STATE PERSONNEL

### SUBCHAPTER 1C - PERSONNEL ADMINISTRATION

#### SECTION .0800 -- REQUIREMENTS FOR TELEWORKING PROGRAMS

##### .0801 PURPOSE

Pursuant to the mandate contained in S.L. 1999-328 to apply the best methods of personnel administration as evolved in business and industry, the Office of State Personnel has established the following rules to provide guidance to agencies in developing teleworking programs. Given the widespread use of teleworking programs in the private sector, and the increasing frequency of teleworking programs in the public sector, it is necessary that guidelines be established by the Office of State Personnel so that teleworking may be offered by state agencies as a work options to ensure competitive advantages with other employers and to meet the environmental and budgetary challenges of the future as directed by the legislature and governor.

*History Note: Authority G.S. 126-4; S.L. 1999-328; Temporary Adoption Eff. January 19, 2000.*

##### .0802 COVERED EMPLOYEES

Teleworking is available as a work option in every agency and for every type of appointment, including permanent, temporary, contract, or time limited and whether full time or part time. However, the decision whether to allow a position or an employee to telework is wholly within management discretion and is not appealable to the State Personnel Commission.

*History Note: Authority G.S. 126-4; S.L. 1999-328; Temporary Adoption Eff. January 19, 2000.*

##### .0803 DEFINITIONS OF TERMS

For purposes of this rule, the terms below mean the following:

- (1) Teleworking: a flexible work arrangement that allows an employee to work at home, on the road, or from another satellite location for all or part of their work week. If job responsibilities require it, the teleworker

may be connected to the regular work location via computer or may simply maintain contact via phone or fax.

- (2) Teleworker: an employee who performs all or part of his job responsibilities away from the primary workstation pursuant to a teleworking arrangement.
- (3) Telecommutable Jobs: jobs, which have one or more responsibilities, which are location independent and measurable and could be performed from the primary workstation, home, or another work location.
- (4) Telework: those responsibilities which are performed from home or some other work location away from the primary workstation.

*History Note: Authority G.S. 126-4; S.L. 1999-328; Temporary Adoption Eff. January 19, 2000.*

#### .0804 OFFICE OF STATE PERSONNEL RESPONSIBILITIES

The Office of State Personnel will administer an office to provide guidance to State agencies developing teleworking programs and to monitor the savings provided by such programs. The Office shall:

- (1) Provide coordination for the programs;
- (2) Provide staff to the Teleworking Advisory Committee;
- (3) Conduct orientation for agency coordinators;
- (4) Train agency coordinators;
- (5) Review and approve any reports on the teleworking programs; and
- (6) Compile, analyze, and report the impact of teleworking programs in the State report.

*History Note: Authority G.S. 126-4; S.L. 1999-328; Temporary Adoption Eff. January 19, 2000.*

#### .0805 DESIGNATION OF TELEWORK JOBS AND TASKS

Each agency shall establish general agency policies and procedures which provide for the definition of telecommutable jobs/tasks.

- (1) Each agency must identify jobs that are designated as telecommutable and be responsible for providing documentation, evaluation, and analysis to support the selection of these jobs. A job should not be considered for teleworking if other positions are negatively impacted. However, a job may be considered if the incumbent employee is able to:
  - (a) Meet internal agency and client needs while teleworking;
  - (b) Set clear work objectives, with timelines and clear expectations;
  - (c) Control and schedule work flow;
  - (d) Set clearly defined tasks for teleworking days;
  - (e) Benefit from quiet or uninterrupted time; and
  - (f) Schedule face-to-face meetings on specified days, to leave the other days free for teleworking.

- (2) Possible teleworking tasks may include but are not limited to the following: Analysis, auditing reports, batch work, calculating, computer programming, conducting business by phone, data entry, design work, dictating, drafting, editing, evaluations, field visits, graphics, maintaining data bases, preparing budgets, preparing/monitoring contracts, project management, reading, record keeping, research, sending/receiving E-mail, spreadsheet analysis, typing, word processing, writing, etc.

*History Note: Authority G.S. 126-4; S.L. 1999-328;  
Temporary Adoption Eff. January 19, 2000.*

**.0806 DESIGNATION OF EXPECTED RESULTS OF TELEWORKING ARRANGEMENTS**

(a) Each agency shall establish agency policies and procedures that provide for the definition of expected results under a teleworking arrangement.

(b) The agency shall follow the following guidelines when defining expected results of a teleworking arrangement:

- (1) Each agency shall establish measurable performance standards which are results-oriented and which describe quantity and quality of work.
- (2) Each employee selected for participation in the teleworking program will be expected to meet the established responsibilities of the position. Teleworking does not affect the established responsibilities of the position.
- (3) The manager, in approving the teleworking arrangement, is responsible for determining the expected results for the agreed upon work arrangement. These results should be discussed and agreed to by the teleworker, supervisor, and manager prior to the dates for the teleworking and should be put in writing for the teleworker and the manager. The teleworker's direct supervisor should be involved in the decision process since any work done by the teleworker must be within the framework of the current assignment.

*History Note: Authority G.S. 126-4; S.L. 1999-328;  
Temporary Adoption Eff. January 19, 2000.*

**.0807 DESIGNATION OF AN AGENCY TELEWORKING COORDINATOR**

Each participating agency will select an Agency Teleworking Coordinator to be responsible for overall program organization and analysis. The Agency Coordinator shall:

- (1) Provide oversight for the agency teleworking program.
- (2) Arrange briefing to educate management about the teleworking program. The Office of State Personnel will provide a briefing about teleworking in general, if desired.
- (3) Work with agency management to determine the parameters of the agency teleworking programs.
- (4) Distribute survey before telecommuting is

- implemented to participating supervisors and teleworkers to be completed and returned to the Agency Teleworking Coordinator prior to the training.
- (5) Provide training of teleworker/supervisor teams. During the training, teleworkers and their supervisors will develop the terms of the teleworking arrangement which will be in writing and signed by both the employee and the supervisors.
- (6) Meet with teleworkings participants in periodic focus groups to learn of their experiences and to address problems and suggest resolutions if necessary.
- (7) After a position has been designated teleworking for six months, issue a survey to supervisors, teleworkers and related non-teleworkers.
- (8) Meet with upper management to discuss survey results, recommend program revision, and identify program expansion opportunities within the agency.

*History Note: Authority G.S. 126-4; S.L. 1999-328;  
Temporary Adoption Eff. January 19, 2000.*

**.0808 DESIGNATION OF EMPLOYEES FOR TELEWORK ARRANGEMENT**

Each participating agency will identify selection criteria for employees. Each agency has the authority to determine which employees under its supervision meet the agency standard for selection. These standards, which are necessary for a successful teleworking arrangement, shall include that the employee:

- (1) Is able to work independently; requires minimal supervision;
- (2) Requires minimal face-to-face interaction while teleworking;
- (3) Has a high level of job knowledge and skill;
- (4) Is results oriented; comfortable setting priorities and deadlines;
- (5) Has demonstrated a high level of productivity;
- (6) Has a history of reliability;
- (7) Has a full understanding of the operations of the office and the specific requirements of the telecommutable job;
- (8) Keeps supervisor informed of progress and/or problems;
- (9) Knows who can make what decisions;
- (10) Trusts the supervisor;
- (11) Functions at good or above level;
- (12) Has a safe and adequate work site free from interruptions and secure;
- (13) Prefers the home environment at least some of the time; and
- (14) Understands that teleworking is a work option granted by management; and is willing to sign a written summary of the terms of teleworking arrangement.

*History Note: Authority G.S. 126-4; S.L. 1999-328;  
Temporary Adoption Eff. January 19, 2000.*

**.0809 DESIGNATION OF EMPLOYEES FOR TELEWORK ARRANGEMENT**



Each participating agency will identify selection criteria for supervisors. Each agency has the authority to determine which employees under its supervision meet the agency standard for selection. These standards, which are necessary for a successful teleworking arrangement, shall include that the supervisor:

- (1) Trusts employees to do their jobs without constant face-to-face supervision;
- (2) Has a results-oriented management style and establishes clear, measurable objectives and desired results;
- (3) Is flexible, allowing new approaches and solutions, and is open to ideas from employees;
- (4) Keeps an open, positive attitude toward teleworking;
- (5) Provides timely and constructive feedback; and
- (6) Facilitates open communication among the members of the team, including the supervisor, teleworker, co-workers and support staff.

*History Note:* Authority G.S. 126-4; S.L. 1999-328;  
Temporary Adoption Eff. January 19, 2000.

#### **.0810 DESIGNATION OF EMPLOYEES FOR TELEWORK ARRANGEMENT**

Each participating agency will provide for the orientation and training of all teleworkers and supervisors. All participants in a teleworking arrangement will attend orientation and training sessions provided by the State and the agency. The orientation sessions will introduce them to teleworking and instruct them on factors that will assure the success of this effort. Training will be provided to enhance the teleworking experience by preparing teleworkers and supervisors to discern and resolve the key issues which may be involved in their new working relationship.

*History Note:* Authority G.S. 126-4; S.L. 1999-328;  
Temporary Adoption Eff. January 19, 2000.

#### **.0811 TERMS OF AGENCY TELEWORKING POLICY OR GUIDELINES**

Each agency shall develop a policy or set of guidelines, which are reflective of agency-specific policies and include them, in addition to the State policies. An agency's teleworking policy will address these areas, in addition to any areas which are of specific concern to the agency:

- (1) Management Option - Offering the opportunity to work at home is a management option; teleworking is not a universal employee benefit. Any teleworking situation is voluntary for the employee and at the discretion of management and/or the employee's supervisor.
- (2) Conditions of Employment - The teleworker's conditions of employment with the State remain the same as for non-teleworking employees.
- (3) Salaries - Benefits, leaves and state sponsored insurance will not change as a result of teleworking.
- (4) Safety and Liability - Since the employee's home work space is an extension of the agency work space, the State's liability for job-related accidents will continue to exist during the employee's approved

work hours and the employee's designated work location. It is the employee's responsibility to maintain a safe, ergonomically correct home workplace. The agency should be satisfied that the employee's home work site conforms to its safety standards. This may include inspections by the agency of the employee's home work site as necessary. The agency's teleworking policy should also consider issues such as insurance coverage of equipment located away from the office.

- (5) Office Supplies - Office supplies will be provided by the State and should be obtained during the teleworker's in-office work period. Out-of-pocket expenses for supplies normally available in the office will not be reimbursed. The State will not provide office furniture.
- (6) Security - To insure hardware and software security, all software used for teleworking must be approved by the supervisor and manager before installation. Restricted-access or confidential information shall not be taken out of the office or accessed through the computer unless approved in the teleworking agreement.
- (7) Work Hours - The teleworking agreement shall establish working hours. Any existing policies covering flexible hours can be extended to teleworkers. Any changes to the employee's approved work hours shall be reviewed and approved by the supervisor and manager in advance. While teleworking, the employee should stay reasonably available via telephone during agreed-upon work hours.
- (8) Equipment and Software - The agency's teleworking policy or the individual teleworking arrangement shall define what equipment/software, if any, will be provided by the State, and how this will be determined. The agency policy or the individual teleworking arrangement shall define liability, technical support availability and the procedure for servicing equipment. It should also specify any requirements for number of phone lines, voice mail, business lines and address long distance calls. If the teleworker supplies the equipment/software, the State does not assume liability for loss, damage or wear unless otherwise agreed to in writing. Any State equipment/software used in the home office may not be used for personal purposes, and must be returned immediately upon termination of the teleworking agreement.
- (9) Dependent Care - Teleworking is not a substitute for dependent care. The teleworking arrangement shall define expectations regarding care of dependents on teleworking days. It should be noted that having a dependent in the home while teleworking on any given occasion may or may not affect an employee's ability to work, but the expectations regarding the presence of dependents shall be clearly addressed in the agency policy or the individual teleworking

arrangement.

- (10) Measures - All teleworkers and their supervisors shall participate in studies and surveys when necessary to evaluate the effectiveness and efficiency of the teleworking program.
- (11) Training - All potential teleworkers and their supervisors shall attend a training session covering the State's and agency's teleworking policies, as well as the benefits and drawbacks of teleworking. This training shall take place prior to the implementation of a teleworking agreement.

*History Note: Authority G.S. 126-4; S.L. 1999-328;  
Temporary Adoption Eff. January 19, 2000.*

**.0812 DESIGNATION OF TERMS OF  
TELEWORKING ARRANGEMENTS**

All teleworking arrangements shall memorialize in writing the mutual teleworking responsibilities of the participants in the arrangement. Each participant in a teleworking arrangement, employees, supervisors and managers, must sign the document which contains the terms of the teleworking arrangement. At a minimum, the document shall define the parameters of the teleworking arrangement and shall include and address all policy areas listed in 25 NCAC 1H .0811

- (1) Employees participating in a teleworking arrangement shall agree to:
  - (a) Be evaluated according to clear and measurable performance standards;
  - (b) Attend training;
  - (c) Abide by written summary of the teleworking

arrangement; and

- (d) Participate in surveys and focus groups.
- (2) Supervisors participating in a teleworking arrangement shall:
  - (a) Attend orientation sessions for managers and supervisors;
  - (b) Establish clear and measurable performance standards;
  - (c) Attend training sessions;
  - (d) Abide by a Teleworking Agreement; and
  - (e) Participate in surveys, focus groups, and evaluation.

*History Note: Authority G.S. 126-4; S.L. 1999-328;  
Temporary Adoption Eff. January 19, 2000.*

**.0813 CANCELLATION OF TELEWORKING  
ARRANGEMENT**

(a) Due to the voluntary nature of the program, teleworkers and/or management have the right to terminate the teleworking arrangement at any time. Although teleworking is not an employee entitlement or right, termination of employees from a teleworking program must be done in writing and with appropriate notice except in emergency situations.

(b) Termination of a teleworking arrangement by management is not a grievable issue under personnel policies. An employee who terminates a teleworking arrangement cannot be subjected to disciplinary action.

*History Note: Authority G.S. 126-4; S.L. 1999-328;  
Temporary Adoption Eff. January 19, 2000.*



This Section contains the agenda for the next meeting of the Rules Review Commission on Thursday, February 17, 2000, 10:00 a.m., at 1307 Glenwood Ave., Assembly Room, Raleigh, NC. Anyone wishing to submit written comment on any rule before the Commission should submit those comments to the RRC staff, the agency, and the individual Commissioners by Friday, February 11, 2000, at 5:00 p.m. Specific instructions and addresses may be obtained from the Rules Review Commission at 919-733-2721. Anyone wishing to address the Commission should notify the RRC staff and the agency at least 24 hours prior to the meeting.

**RULES REVIEW COMMISSION MEMBERS**

**Appointed by Senate**

Teresa L. Smallwood, Vice Chairman  
 John Arrowood  
 Laura Devan  
 Jim Funderburke  
 David Twiddy

**Appointed by House**

Paul Powell, Chairman  
 Walter Futch  
 Jennie J. Hayman  
 George Robinson  
 R. Palmer Sugg

**RULES REVIEW COMMISSION MEETING DATES**

February 17, 2000  
 March 16, 2000  
 April 13, 2000

**LOG OF FILINGS**

**RULES SUBMITTED: DECEMBER 20, 1999 THROUGH JANUARY 20, 1999**

AGENCY/DIVISION	RULE NAME	RULE CITATION	ACTION
<b>DEPARTMENT OF COMMERCE/COMMERCE FINANCE CENTER</b>			
	Background and Objectives	4 NCAC 11 .0101	Amend
	Definitions	4 NCAC 11 .0102	Amend
	Date of Receipt of Applications	4 NCAC 11 .0201	Amend
	Application Categories and Requirements	4 NCAC 11 .0202	Amend
	Review of Applications and Funding	4 NCAC 11 .0301	Amend
	Eligibility Requirements	4 NCAC 11 .0302	Amend
	Review: APP Funding	4 NCAC 11 .0303	Repeal
	Eligibility Requirements	4 NCAC 11 .0304	Repeal
	General	4 NCAC 11 .0401	Repeal
	Required Findings	4 NCAC 11 .0402	Amend
	Formal Applications Procedures: Denial	4 NCAC 11 .0403	Amend
	Formal Application Procedures: Approval	4 NCAC 11 .0404	Amend
	Findings Requirements	4 NCAC 11 .0405	Repeal
	General	4 NCAC 11 .0501	Amend
	Limitations	4 NCAC 11 .0502	Amend
	Reversion of Funds	4 NCAC 11 .0503	Amend
	Reporting Requirements	4 NCAC 11 .0601	Repeal
	Annual Designation	4 NCAC 11 .0701	Amend
	Compliance with NC Environmental Rules	4 NCAC 11 .0801	Adopt
<b>DEPARTMENT OF INSURANCE/MANUFACTURED HOUSING BOARD</b>			
	Purpose and Scope	11 NCAC 8 .1103	Amend
	Structural Components	11 NCAC 8 .1106	Amend
	Exterior	11 NCAC 8 .1107	Amend
	Code of Ethics	11 NCAC 8 .1116	Amend
<b>DENR/ENVIRONMENTAL MANAGEMENT COMMISSION</b>			
	Consideration for Federally-Listed		
	Threatened Spec	15 NCAC 2B .0110	Adopt

Fresh Water Quality Standards	15 NCAC 2B .0211	Amend
Tidal Salt Water Quality Standards	15 NCAC 2B .0220	Amend
Nutrient Sensitive Waters	15 NCAC 2B .0223	Amend
Outstanding Resource Waters	15 NCAC 2B .0225	Amend
<b>DENR/SEDIMENTATION CONTROL COMMISSION</b>		
Plan Approval Fees	15 NCAC 4B .0126	Amend
<b>DENR/COMMISSION FOR HEALTH SERVICES</b>		
Grades of Certification	15 NCAC 18D .0201	Amend
Determination of Various Classes of Certification	15 NCAC 18D .0203	Amend
Classification of Water Treatment Facilities	15 NCAC 18D .0205	Amend
Certified Operator Required	15 NCAC 18D .0206	Amend
Fee Schedules	15 NCAC 18D .0304	Amend
Waiting Period	15 NCAC 18D .0305	Repeal
Revocation of Certificate	15 NCAC 18D .0307	Amend
Professional Growth Hours	15 NCAC 18D .0308	Amend
Certification Reinstatement	15 NCAC 18D .0309	Amend
Issuance of Grade Certificate	15 NCAC 18D .0403	Amend
Operator in Responsible Charge	15 NCAC 18D .0701	Amend
<b>REVENUE, DEPARTMENT OF</b>		
Transfer Fee	17 NCAC 4B .0102	Repeal
Refunds	17 NCAC 4B .0104	Repeal
Churches or Charitable Organizations	17 NCAC 4B .0105	Repeal
Ceded Areas	17 NCAC 4B .0106	Repeal
Blind Persons	17 NCAC 4B .0107	Repeal
Not Prorated	17 NCAC 4B .0301	Repeal
Computation and Payment of Amusement		
Gross Receipt	17 NCAC 4B .0302	Amend
Civic Organization Amusements	17 NCAC 4B .0306	Amend
Drag Strips and Go-Cart Races	17 NCAC 4B .0308	Amend
Go-Cart Races	17 NCAC 4B .0309	Repeal
Fishing Piers	17 NCAC 4B .0310	Amend
Horse and Dog Shows	17 NCAC 4B .0311	Amend
Rattlesnake Milkings	17 NCAC 4B .0312	Amend
Report of Gross Receipts Tax	17 NCAC 4B .0403	Repeal
Expected Contribution	17 NCAC 4B .0405	Repeal
Liability for Direct Loans	17 NCAC 4B.2902	Amend
Quarterly Return	17 NCAC 4B.2903	Amend
Application for Privilege License	17 NCAC 4B.4301	Repeal
Privilege License	17 NCAC 4B.4302	Repeal
Application for License	17 NCAC 4E .0102	Repeal
Penalty	17 NCAC 4E .0103	Repeal
Filing of Monthly Reports	17 NCAC 4E .0201	Amend
Examiner's Report	17 NCAC 4E .0202	Repeal
Separate Reports for Wines	17 NCAC 4E .0203	Repeal
Spoilage of Taxpaid Beer or Wine	17 NCAC 4E .0302	Amend
Questionnaires	17 NCAC 4E .0703	Amend
Issuance of Stamps	17 NCAC 4F .0001	Repeal
Denomination of Stamps	17 NCAC 4F .0002	Repeal
Cost of Stamps	17 NCAC 4F .0003	Repeal
Postage Paid	17 NCAC 4F .0004	Repeal
Conveyance Tax Report	17 NCAC 4F .0005	Repeal
Reproduced Copies	17 NCAC 6B .0105	Repeal
Erroneous Information	17 NCAC 7B .0124	Repeal
Flea Markets	17 NCAC 7B .0125	Repeal
Electricity, Piped Natural Gas, and Other Fuel	17 NCAC 17B.2101	Amend



<b>TRANSPORTATION, DEPARTMENT OF/DIVISION OF HIGHWAYS</b>	Records of Exempt Sales	17 NCAC 9K .0601	Repeal
	Definitions for Outdoor Advertising		
	Control	19 NCAC 2E .0201	Amend
	Agreement	19 NCAC 2E .0202	Amend
	Applications	19 NCAC 2E .0206	Amend
	Fees and Renewals	19 NCAC 2E .0207	Amend
	Permit and Permit Emblem	19 NCAC 2E .0208	Amend
	Transfer of Permit/Change of Address	19 NCAC 2E .0209	Amend
	Revocation of Permit	19 NCAC 2E .0210	Amend
	Notice Given for Refusing to Issue Permit	19 NCAC 2E .0211	Amend
	Notice Given for Revoking Permit	19 NCAC 2E .0212	Amend
	Appeal of Decision of District Engineer	19 NCAC 2E .0213	Amend
	Standards for Directional Signs	19 NCAC 2E .0214	Amend
	Permits for Directional Signs	19 NCAC 2E .0215	Amend
	Scenic Byways	19 NCAC 2E .0224	Adopt
	Repair/Maintenance/Alteration of Signs	19 NCAC 2E .0225	Adopt
	Order to Stop Work	19 NCAC 2E .0226	Adopt
	Issuance or Denial of Permit	19 NCAC 2E .0603	Amend
	Conditions of Permit	19 NCAC 2E .0604	Amend
<b>STATE BOARDS/NC LICENSING BOARD FOR GENERAL CONTRACTORS</b>			
	Classification	21 NCAC 12 .0202	Amend
	Eligibility	21 NCAC 12 .0204	Amend
	Filing Deadline/App Seeking Qual	21 NCAC 12 .0205	Amend
	Application	21 NCAC 12 .0209	Adopt
	Notice of Approval	21 NCAC 12 .0307	Repeal
	Subject Matter	21 NCAC 12 .0402	Amend
	Examination Schedule	21 NCAC 12 .0405	Amend
	Failing Examination	21 NCAC 12 .0410	Amend
	Definitions	21 NCAC 12 .0901	Amend
	Homeowners Recovery Fund Hearing	21 NCAC 12 .0907	Amend
<b>STATE BOARDS/REAL ESTATE COMMISSION, BOARD OF</b>			
	Proof of Licensure	21 NCAC 58A .0101	Amend
	Agency Agreements and Disclosures	21 NCAC 58A .0104	Amend
	Advertising	21 NCAC 58A .0105	Amend
	Delivery of Instruments	21 NCAC 58A .0106	Amend
	Handling and Accounting of Funds	21 NCAC 58A .0107	Amend
	Brokerage Fees and Compensation	21 NCAC 58A .0109	Amend
	Broker-in-Charge	21 NCAC 58A .0110	Amend
	Drafting Legal Instruments	21 NCAC 58A .0111	Amend
	Offers and Sales Contracts	21 NCAC 58A .0112	Amend
	Reporting Criminal Convictions	21 NCAC 58A .0113	Amend
	Res.Properety Disclosure Statement	21 NCAC 58A .0114	Amend
	Form	21 NCAC 58A .0301	Amend
	Filing and Fees	21 NCAC 58A .0302	Amend
	Payment of Application Fees	21 NCAC 58A .0303	Amend
	Experience Qualifications for Applicants	21 NCAC 58A .0304	Amend
	Time and Place for Examinations	21 NCAC 58A .0401	Amend
	Subject Matter and Passing Scores	21 NCAC 58A .0402	Amend
	Re-Applying for Examination	21 NCAC 58A .0403	Amend
	Cheating and Related Misconduct	21 NCAC 58A .0404	Amend
	Examination Review	21 NCAC 58A .0406	Amend
	Character	21 NCAC 58A .0501	Amend
	Business Entities	21 NCAC 58A .0502	Amend
	License Renewal	21 NCAC 58A .0503	Amend
	Active and Inactive License Status	21 NCAC 58A .0504	Amend
	Reinstatement of Expired License	21 NCAC 58A .0505	Amend
	Salesperson to be Supervised by Broker	21 NCAC 58A .0506	Amend

Cancellation of Salesperson License	21 NCAC 58A .0510	Amend
Complaints/Inquiries/Motions	21 NCAC 58A .0601	Amend
Subpoenas	21 NCAC 58A .0610	Amend
Presiding Officer	21 NCAC 58A .0612	Amend
Settlements	21 NCAC 58A .0615	Amend
Requests for Rulings	21 NCAC 58A .0902	Amend
Multiple Claims	21 NCAC 58A .1402	Amend
Purpose and Applicability	21 NCAC 58A .1701	Amend
Continuing Education Requirement	21 NCAC 58A .1702	Amend
Continuing Education for License Activation	21 NCAC 58A .1703	Amend
Equivalent Credit	21 NCAC 58A .1708	Amend
Extension of Time	21 NCAC 58A .1709	Amend
Continuing Education Required	21 NCAC 58A .1711	Amend
Application for Registration	21 NCAC 58B .0101	Amend
Registration Fee	21 NCAC 58B .0102	Amend
Amendments to Time Share	21 NCAC 58B .0104	Amend
General Provisions	21 NCAC 58B .0201	Amend
Public Offering Statement	21 NCAC 58B .0202	Amend
Receipt for Public Offering Statement	21 NCAC 58B .0203	Amend
Proof of Cancellation	21 NCAC 58B .0301	Amend
Retention of Time Share Records	21 NCAC 58B .0401	Amend
Time Share Trust Funds	21 NCAC 58B .0501	Amend
Duties of the Project Broker	21 NCAC 58B .0602	Amend
Withdrawal or Denial of Approval	21 NCAC 58C .0105	Amend
Program Changes	21 NCAC 58C .0106	Amend
Use of Examination Performance Data	21 NCAC 58C .0107	Amend
Student Evaluations of Instructor Performance	21 NCAC 58C .0108	Amend
Facilities and Equipment	21 NCAC 58C .0207	Amend
Performance Bond	21 NCAC 58C .0213	Amend
Advertising and Recruitment Activities	21 NCAC 58C .0214	Amend
License Renewal and Fees	21 NCAC 58C .0217	Amend
License Exam Confidentiality	21 NCAC 58C .0218	Amend
Student Evaluations	21 NCAC 58C .0220	Amend
Program Structuring	21 NCAC 58C .0302	Amend
Course Completion Standards	21 NCAC 58C .0304	Amend
Course Scheduling	21 NCAC 58C .0305	Amend
Textbooks	21 NCAC 58C .0306	Amend
Real Estate Instructors	21 NCAC 58C .0307	Amend
Course Records	21 NCAC 58C .0310	Amend
Exception for Persons with Disabilities	21 NCAC 58C .0312	Amend
Purpose and Applicability	21 NCAC 58C .0601	Adopt
Nature and Scope of Instructor Approval	21 NCAC 58C .0602	Adopt
Application and Criteria	21 NCAC 58C .0603	Adopt
Instructor Performance	21 NCAC 58C .0604	Adopt
Requests for Examinations and Videotapes	21 NCAC 58C .0605	Adopt
Broker Course Reports	21 NCAC 58C .0606	Adopt
Expiration and Renewal	21 NCAC 58C .0607	Adopt
Denial or Withdrawal of Approval	21 NCAC 58C .0608	Adopt
Update Course Component	21 NCAC 58E .0102	Amend
Nature and Scope of Approval	21 NCAC 58E .0202	Amend
Renewal of Approval	21 NCAC 58E .0204	Amend
Denial or Withdrawal of Approval	21 NCAC 58E .0205	Amend
Elective Course Component	21 NCAC 58E .0302	Amend
Criteria for Elective Course Approval	21 NCAC 58E .0304	Amend
Distance Education Courses	21 NCAC 58E .0310	Amend



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**RULES REVIEW COMMISSION**

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Course Completion Reporting	21 NCAC 58E .0406	Amend
Denial or Withdrawal of Approval	21 NCAC 58E .0412	Amend
Student Participation Standards	21 NCAC 58E .0511	Amend
Accommodations for Persons with Disabilities	21 NCAC 58E .0515	Amend

**OFFICE OF ADMINISTRATIVE HEARINGS**

Location	26 NCAC 1 .0101	Amend
Cost for Copies	26 NCAC 1 .0103	Amend
Original and Duplicate Copy	26 NCAC 2C .0103	Amend
Electronic Version	26 NCAC 2C .0105	Amend
General Format Instructions	26 NCAC 2C .0108	Amend
Availability of the North Carolina Register	26 NCAC 2C .0303	Amend
Publication of Notice of Text	26 NCAC 2C .0306	Amend
Submission for Permanent Rule Form	26 NCAC 2C .0403	Amend
General	26 NCAC 3 .0101	Amend
Secure Leave Periods for Attorneys	26 NCAC 3 .0119	Adopt

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**RULES REVIEW COMMISSION****January 20, 2000  
MINUTES**

The Rules Review Commission met on January 20, 2000, in the Assembly Room of the Methodist Building, 1307 Glenwood Avenue, Raleigh, North Carolina. Commissioners in attendance were Chairman Teresa Smallwood, Jennie J. Hayman, Walter Futch, Palmer Sugg, John Arrowood, and George Robinson.

Staff members present were: Joseph J. DeLuca, Staff Director; Bobby Bryan, Rules Review Specialist; and Sandy Webster.

The following people attended:

Ben Massey	N C Board of Physical Therapy Examiners
Marge Howell	LABOR
Becky Brown	LABOR
Dedra Alston	DENR
Tom West	Poyner and Spruill
Leslie Bevacqua	N C Citizens for Business & Industry
Butch Gunnells	N C Soft Drink Association
Joy Mayo	Womble Carlyle
Mary Shuping	Legislative Research
Jessica Gill	DENR/Coastal Management
Bill Crowell	DENR/Coastal Management
Jerry Perkins	DENR/DWS
Thomas Allen	DENR/DAQ
Ryke Longest	Attorney General
Henry Jones	Attorney
Perri Morgan	National Federation Individual Business
Harry Payne	LABOR
Angela Waldorf	LABOR
Ronald Raxter	Sanford Holshouser
Phil Kirk	NCCBI
Julie Campbell	NCCBI
Patricia Smith	Freedom Newspapers
John Runkle	Conservation Council of NC
Meme Jo Alcoke	Attorney General
Jeff Manning	DENR/DWQ
Lin Xu	DENR/DWQ
Rich Gannon	DENR/DWQ

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James Rosich	DENR/DCM
Robert Willett	News and Observer
John Wagner	News and Observer

## **APPROVAL OF MINUTES**

The meeting was called to order at 10:30 a.m. with Chairman Smallwood presiding. She asked for any discussion, comments, or corrections concerning the minutes of the December 16, 1999 meeting. There being none, the minutes were approved.

## **FOLLOW-UP MATTERS**

2 NCAC 52B .0207 and .0302: AGRICULTURE/Board of Agriculture The rewritten rules submitted by the agency were approved by the Commission.

2 NCAC 52E .0209: AGRICULTURE/Board of Agriculture The rewritten rule submitted by the agency was approved by the Commission.

4 NCAC 15 .0120 and .0121: COMMERCE/Cape Fear River Navigation & Pilotage Commission Rule .0120 was returned to the agency at its request and the Commission objected to the rewritten rule for .0121 due to ambiguity. In (f), it is not clear what constitutes "just cause" to end an apprenticeship. This objection applies to existing language in the rule. Commissioner Arrowood voted not to object.

10 NCAC 3R .0212: DHHS/Division of Facility Services The rewritten rule submitted by the agency was approved by the Commission.

10 NCAC 3U .0102 and .2510: DHHS/Child Care Commission The Commission received no response from the agency on these rules.

13 NCAC 7F .0601, .0602, .0603, .0604, .0605, and .0606: DEPARTMENT OF LABOR Commissioner Payne was heard on the objections due to lack of statutory authority. Commissioner Hayman recused herself from these rules. No motion was made, and no action was taken on these rules.

15A NCAC 1J .0402, .0504, .0604, .0701, and .0903: DENR The rewritten rules submitted by the agency were approved by the Commission.

15A NCAC 1L .0503, .0604, .0701, and .1003: DENR - The rewritten rules submitted by the agency were approved by the Commission.

15A NCAC 3I .0106: DENR/Marine Fisheries Commission - The rewritten rule submitted by the agency was approved by the Commission.

15A NCAC 3O .0101 and .0104: DENR/Marine Fisheries Commission - The rewritten rules submitted by the agency were approved by the Commission.

15A NCAC 7H .0209: DENR/Coastal Resources Commission - The rewritten rule submitted by the agency was approved by the Commission.

15A NCAC 16A .1104 DHHS/Commission for Health Services The rewritten rule submitted by the agency was approved by the Commission.

21 NCAC 1 .0101: N C Acupuncture Licensing Board No response was received from the agency.

## **LOG OF FILINGS**

Chairman Smallwood presided over the review of the log and all rules were approved with the following exceptions:

7 NCAC 4S .0101, .0102, .0104, .0105, .0106, .0107, .0108, and .0110: CULTURAL RESOURCES/Historical Commission These rules were withdrawn by the agency as they were filed by the wrong agency.



7 NCAC 4S .0109: CULTURAL RESOURCES/Tryon Palace Commission This rule was withdrawn by the agency as it was filed by the wrong agency.

15A NCAC 2B .0225: DENR/Environmental Management Commission The Commission objected to this rule due to ambiguity. In (a)(1), it is not clear what constitutes "significant" impacts from pollution. In (c)(2), it is not clear what constitutes "significant" shellfish or submerged aquatic vegetation bed resources. In (e)(4)(C)(iv) and (e)(9)(B)(iv), it is not clear what effluent limitations will be considered "appropriate." This objection applies to existing language in the rule.

15A NCAC 2B .0233: DENR/Environmental Management Commission Commissioner Sugg recused himself from this rule.

15A NCAC 2B .0241: DENR/Environmental Management Commission - The Commission objected to this rule due to ambiguity. In (b)(1)(A), it is not clear what makes scale maps "appropriate." In (b)(1)(D), it is not clear what remedies and actions are "appropriate." In (b)(3), it is not clear what is meant by "adequately" enforce. In (g), it is not clear what is meant by "adequately" implemented and enforced. Commissioner Sugg recused himself from this rule. Commissioners Futch and Robinson voted against this motion.

15A NCAC 2B .0242: DENR/Environmental Management Commission - The Commission objected to this rule due to lack of statutory authority and ambiguity. The report that the agency attempts to incorporate by reference in (4) is not material which can be incorporated by reference. There is no authority to reference the zones not established by rule. In (8)(c)(ix), it is not clear what is meant by "cultural or historic resources." In (8)(c)(xii), it is not clear what is meant by the Division shall "consider" whether the property is adjacent to or includes the listed items. It is not clear if the presence of the items will cause the property to be rejected or work towards its acceptance. It is also not clear what these items have to do with nitrogen removal. The ambiguity in this item also causes (8)(d)(i) to be ambiguous. In (9)(f), it is not clear what terms of a perpetual conservation easement will be acceptable to the Division. Commissioner Sugg recused himself from this rule.

15A NCAC 2B .0259: DENR/Environmental Management Commission Commissioner Futch made a motion to object to this rule. The motion died for lack of a second.

15A NCAC 2B .0260: DENR/Environmental Management Commission - The Commission objected to this rule due to ambiguity. In (8)(c)(ix), it is not clear what is meant by "cultural or historic resources." In (9)(f), it is not clear what terms of a perpetual conservation easement will be acceptable to the Division. Commissioner Futch voted against the motion.

15A NCAC 2B .0261: Environmental Management Commission - The Commission objected to this rule due to ambiguity. In (1)(a)(i), it is not clear what makes scale maps appropriate. In (1)(a)(iv), it is not clear what "remedies and actions" are appropriate. In (1)(c), it is not clear what is meant by "adequately" enforce. In (6), it is not clear what is meant by "adequately" implemented and enforced.

15A NCAC 2D .1207: DENR/Environmental Management Commission - The Commission objected to this rule due to ambiguity. In (c), it is not clear what is meant by "reasonable precautions." It is not clear if it may mean more than the items listed in (1) - (3). In (d), it is not clear what standards the Commission considers "acceptable" for a method and schedule for reporting ambient particulate concentrations.

15A NCAC 2Q .0103: DENR/Environmental Management Commission The Commission objected to this rule due to ambiguity. In (20), it is not clear how much is a "substantial" penalty.

15A NCAC 2Q .0508: DENR/Environmental Management Commission - The Commission objected to this rule due to ambiguity. In (f)(2)(C), it is not clear what standards the director is to use in approving forms. In the last sentence in (f), it is not clear when it is appropriate for records to be maintained in computerized form. This objection applies to existing language in the rule.

15A NCAC 2Q .0702: DENR/Environmental Management Commission - The Commission objected to this rule due to ambiguity. In (a)(13), it is not clear what agronomic practices are acceptable to the Commission (EMC). In (a)(22)(A) and (B), it is not clear what is meant by "small" electric motor burn-out and bake-out ovens. This objection applies to existing language in the rule.

15A NCAC 7J .0406: DENR/Coastal Resources Commission - The Commission objected to this rule due to lack of statutory authority. Paragraph (c) represents a legal conclusion that may or may not be a correct statement of the law. However it seems that whether or not a permit may be transferred by levy or judicial sale is for a court to conclude, not the agency. No statutory or other authority is cited to indicate that the agency has the right to make such a determination.

15A NCAC 7M .0307: DENR/Coastal Resources Commission - The Commission objected to this rule due to ambiguity. It is unclear

how the criteria in (2) are to be applied. Criterion (2)(c) seems to favor an applicant who has not previously received funds. On the other hand criteria (2)(g) and (h) appear to favor previous successful fund applicants. It is not clear how the criteria are to be considered when taken together.

15A NCAC 7M .0403: DENR/Coastal Resources Commission - The Commission objected to this rule due to ambiguity. In (d): "...adequately protected...unreasonably restricted...all reasonable mitigating measures...to minimize impacts..." In (f)(3): "...reasonably likely to affect..." In (f)(4): "...high biological or recreational value...reasonably likely to affect..." In (f)(5): "...reasonably likely to affect..." In (f)(8): "...fragile or historic areas...of more than local significance..." In (f)(10)(B): "...major tracts...and...important natural areas..." In (f)(10)(G): "...large...or well-developed..." In (f)(10)(H): "heavily developed...heavily used..." In addition (f)(1) is unclear. In essence it seems to say: Adverse impact on resources and uses shall be avoided unless there will be no adverse impacts. And after (1) says to avoid adverse impacts (2) seems to say assess the risks of certain types of adverse impacts and minimize it and mitigate the damage. But if (1) controls, then (2) shouldn't be necessary.

Commissioner Futch recused himself from all the dental rules.

#### **COMMISSION PROCEDURES AND OTHER MATTERS**

Commissioner Sugg asked if any hurricane money had been returned to the Rules Review Commission. Mr. DeLuca reported that it had not. Commissioner Hayman requested information on any CLEs. She was told that the last one had been in November.

The next meeting will be on Thursday, February 17, 2000.

The meeting adjourned at 12:52 p.m.

Respectfully submitted,  
Sandy Webster



*This Section contains the full text of some of the more significant Administrative Law Judge decisions along with an index to all recent contested cases decisions which are filed under North Carolina's Administrative Procedure Act. Copies of the decisions listed in the index and not published are available upon request for a minimal charge by contacting the Office of Administrative Hearings, (919) 733-2698. Also, the Contested Case Decisions are available on the Internet at the following address: <http://www.state.nc.us/OAH/hearings/decision/caseindex.htm>.*

**OFFICE OF ADMINISTRATIVE HEARINGS**

*Chief Administrative Law Judge*  
JULIAN MANN, III

*Senior Administrative Law Judge*  
FRED G. MORRISON JR.

**ADMINISTRATIVE LAW JUDGES**

Sammie Chess Jr.  
Beecher R. Gray  
Melissa Owens Lassiter

Meg Scott Phipps  
Robert Roosevelt Reilly Jr.  
Beryl E. Wade

<u>AGENCY</u>	<u>CASE NUMBER</u>	<u>ALJ</u>	<u>DATE OF DECISION</u>	<u>PUBLISHED DECISION REGISTER CITATION</u>
<b>ADMINISTRATION</b>				
Britthaven, Inc. v. Department of Administration and Priva-Trends, Inc.	98 DOA 0811	Chess	06/10/99	
Laidlaw Transit Svcs, Inc. v. Katie G. Dorsett, Sec'y/Dept/Administration	99 DOA 0102	Morrison	06/11/99	14:02 NCR 115
<b>OFFICE OF ADMINISTRATIVE HEARINGS</b>				
Ted Murrell, Zarn, Inc. v. Office of Administrative Hearings	99 OAH 0665	Chess	07/14/99	
Samuel Lee Ferguson v. Office of Administrative Hearings	99 OAH 0718	Chess	07/16/99	
<b>AGRICULTURE</b>				
Archie McLean v. Department of Agriculture	98 DAG 1770	Reilly	07/12/99	14:04 NCR 349
<b>ALCOHOLIC BEVERAGE CONTROL COMMISSION</b>				
Alcoholic Beverage Control Commission v. Keyland, Inc., T/A Cloud 9	98 ABC 1099	Overby	01/17/99	
Alcoholic Beverage Control Commission v. Food Lion, Inc., Store #1351	98 ABC 1270	Gray	03/31/99	14:04 NCR 347
Alcoholic Beverage Control Commission v. Stop 1, Inc. T/A Stop 1 Grocery	98 ABC 1337	Phipps	09/29/99	
Alcoholic Beverage Control Commission v. George Steven Everett t/a Casino Snooks Place	98 ABC 1546	Reilly	10/19/99	
Alcoholic Beverage Control Commission v. Beech Mountain Resort, Inc.	99 ABC 0287	Reilly	08/11/99	
Alcoholic Bev. Control Comm.v. Partnership T/A Mermaid Rest. & Lge.	99 ABC 0367	Chess	09/17/99	
Alcoholic Beverage Control Commission v. Jaeson Nyung Kim	99 ABC 0407	Morrison	07/09/99	
Alcoholic Beverage Control Commission v. Lillian Sarah Clary	99 ABC 0615	Phipps	09/01/99	
Alcoholic Beverage Control Commission v. Circle K Stores, Inc., T/A Circle K #8357	99 ABC 0656	Gray	11/29/99	
Alcoholic Beverage Control Commission v. Vnus Enterprises, LLC, t/a Rendez Vous Club & City of Charlotte	99 ABC 0684	Morgan	10/15/99	
Alcoholic Beverage Control Commission v. Mohammad Salim Pirani	99 ABC 0780	Morrison	09/21/99	
Alcoholic Beverage Control Commission v. Creek Lounge, Inc. t/a Creek Lounge	99 ABC 0820	Morgan	10/13/99	
Delores Ann Holley v. Alcoholic Beverage Control Commission	99 ABC 0876	Gray	08/10/99	
Alcoholic Beverage Control Commission v. Partnership T/A Corrothers Community Center/Private Club	99 ABC 0986	Lassiter	11/03/99	
Verdict Ridge Country Club, by H. Edward Knox v. Alcoholic Beverage Control Commission	99 ABC 1637	Morrison	01/07/00	14:16 NCR 1489
<b>CRIME CONTROL AND PUBLIC SAFETY</b>				
Ray Anthony Breeding v. Crime Control & Public Safety	93 CPS 0695	Gray	09/13/99	
John Ray Webb v. Crime Victims Compensation Commission	95 CPS 1353	Gray	09/13/99	
Sarene Franklin Holloway v. Crime Victims Compensation Comm.	97 CPS 1172	Chess	10/12/99	
Paul Richard Mull v. Crime Victims Compensation Commission	98 CPS 0342	Chess	07/26/99	
Coradene Mayhand v. Crime Victims Compensation Commission	98 CPS 0398	Chess	10/09/99	

<u>AGENCY</u>	<u>CASE NUMBER</u>	<u>ALJ</u>	<u>DATE OF DECISION</u>	<u>PUBLISHED DECISION REGISTER CITATION</u>
Edna Carr v. Crime Victims Compensation Commission	98 CPS 0788	Chess	10/28/99	
Eric Charles Williams v. Crime Control & Public Safety, Div. of State Highway Patrol	98 CPS 1279	Chess	11/01/99	
Bobby Mills v. Crime Victims Compensation Commission	98 CPS 1412	Wade	08/06/99	
William Samuel McCraw v. Crime Victims Compensation Commission	98 CPS 1626	Morrison	06/09/99	
Anson D. Looney v. Crime Victims Compensation Commission	99 CPS 0096	Morrison	05/25/99	
Elvin Williams, Jr. v. Crime Victims Compensation Commission	99 CPS 0118	Owens	08/03/99	
Michael Anthony Powell v. Crime Victims Compensation Commission	99 CPS 0426	Reilly	08/03/99	
Mary Elizabeth Peoples Hogan v. Crime Victims Compensation Comm.	99 CPS 0504	Reilly	07/29/99	
Louise Dowd v. Crime Victims Compensation Commission	99 CPS 0519	Morrison	12/07/99	
Lemuel Ray Jenkins v. Crime Victims Compensation Commission	99 CPS 0521	Gray	09/08/99	
Annabell B. McCormick v. Crime Victims Compensation Commission	99 CPS 0564	Phipps	08/04/99	
Christopher Beasley v. Crime Victims Compensation Commission	99 CPS 0843	Chess	11/23/99	
Johnola E. McAllister v. NC Victim and Justice Services	99 CPA 1060	Gray	12/29/99	
<b>ENVIRONMENT AND NATURAL RESOURCES</b>				
The Appletree Companies, Inc., Successor to Stewart Products, Inc. and Uts Services, Ltd. v. Dept. of Environment & Natural Resources	97 EHR 0795	Lassiter	11/19/99	
R.J. Reynolds Tobacco Co. v. Dept. of Environment & Natural Resources	98 EHR 1315	Wade	06/04/99	14:02 NCR 110
T. Farnell Shingleton v. Environment and Natural Resources	98 EHR 1600	Reilly	10/08/99	14:11 NCR 926
T. Farnell Shingleton v. Environment and Natural Resources	98 EHR 1601	Reilly	10/08/99	
Town of Maysville v. Environment and Natural Resources	99 EHR 0069	Owens	09/27/99	
Willie Setzer v. Department of Environment & Natural Resources	99 EHR 0166	Chess	06/28/99	
Charles H. Jordan v. Brunswick County Health Department	99 EHR 0201	Morrison	06/28/99	
Jerry Franks and John Schifano, et. al. v. Environment & Natural Resources and Wake County Board of Commissioners	99 EHR 0344 <sup>9</sup>	Phipps	09/28/99	
Jerry Franks and John Schifano, et. al. v. Environment & Natural Resources and Wake County Board of Commissioners	99 EHR 0380 <sup>9</sup>	Phipps	09/28/99	
James P. and Irene P. Wilson v. Cleveland Co. Health & Sanitary Deep River Citizens' Coalition, American Canoe Assoc., Inc., and Deep River Coalition, Inc. v. Department of Env. & Natural Resources	99 EHR 0506	Lassiter	10/07/99	
Deep River Citizens' Coalition, American Canoe Assoc., Inc., and Deep River Coalition, Inc. v. City of Greensboro, Piedmont Triad Regional Water Authority	99 EHR 0560 <sup>11</sup>	Reilly	11/01/99	
Deep River Citizens' Coalition, American Canoe Assoc., Inc., and Deep River Coalition, Inc. v. City of Greensboro, Piedmont Triad Regional Water Authority	99 EHR 0613 <sup>11</sup>	Reilly	11/01/99	
Mazzella's Restaurant, Peter D. Mazzella v. Carteret County Env. Health	99 EHR 0692	Reilly	08/19/99	
Roadway Express v. Department of Environment and Natural Resources	99 EHR 0745	Morrison	07/27/99	
John W. Venable v. Department of Environment and Natural Resources	99 EHR 0773	Wade	10/13/99	
Shell Island Homeowners' Association v. DENR, Div. of Env. Health	99 EHR 0814	Owens	08/18/99	
Gail S. Barfield v. Department of Environment and Natural Resources	99 EHR 0840	Morrison	11/19/99	
Richard E. Day v. Division of Coastal Management	99 EHR 0921	Wade	11/02/99	
Ronald L. Walker, Sr., v. Environmental Health Ala County	99 EHR 1076	Morrison	10/18/99	
Clifford Myers v. Montgomery County Health Department	99 EHR 1106	Mann	11/03/99	
Deloris B. Wooten v. Pitt County Dept. of Environmental Health	99 EHR 1131	Wade	11/19/99	
Marissa D. McCain v. Department of Environment and Natural Resources	99 EHR 1245	Lassiter	01/04/00	
Town of Wallace v. Department of Environment and Natural Resources	99 EHR 1194	Chess	12/06/99	
<b>Division of Air Quality</b>				
Neighbors Against The Cullasaja Asphalt Plant & Blue Ridge Env. Defense League, Inc. v. Dept of Env & Natural Resources and Rhodes Brothers Paving, Inc. and Carolina Asphalt Pavement Association	98 EHR 1735	Gray	09/30/99	14:10 NCR 900
Neighbors Against The Cullasaja Asphalt Plant & Blue Ridge Env. Defense League, Inc. v. Dept of Env & Natural Resources and Rhodes Brothers Paving, Inc. and Carolina Asphalt Pavement Association	98 EHR 1735 <sup>12</sup>	Gray	12/06/99	
Terrance W. Bache, Pres., Terhane Group, Inc. v. DENR, Div/Air Quality	98 EHR 1790	Mann	06/23/99	
Foothills Action Comm. For The Environment and The Blue Ridge Environmental Defense League, Inc. v. DENR, Div. of Air Quality & D&S Asphalt Materials and Carolina Asphalt Pavement Assoc.	99 EHR 0157 <sup>12</sup>	Gray	12/06/99	
XVIII Airborne Corps & Fort Bragg, Dept. of the Army, USA v. Environment and Natural Resources, Div. of Air Quality	99 EHR 0283	Wade	08/11/99	
J.D. Owen v. Environment and Natural Resources, Div. of Air Quality	99 EHR 0642	Mann	08/10/99	
<b>Environmental Management</b>				
Allen Raynor v. Environmental Management Commission	99 EHR 0127	Gray	07/27/99	
<b>Division of Land Resources</b>				
Buel B. Barker, Jr. and Hubbard Realty of Winston-Salem, a NC Corp., jointly and severally v. DENR, Div. of Land Resources	98 EHR 1457	Morrison	06/09/99	
T.B. Powell, Inc. v. DENR, Division of Land Resources	99 EHR 0632	Wade	10/04/99	
Ronald G. Smith v. DENR, Division of Land Resources	99 EHR 0799	Morrison	10/29/99	
<b>Division of Marine Fisheries</b>				
Alton Chadwick v. Division of Marine Fisheries	99 EHR 0553	Reilly	08/19/99	
<b>Division of Water Quality</b>				



<u>AGENCY</u>	<u>CASE NUMBER</u>	<u>ALJ</u>	<u>DATE OF DECISION</u>	<u>PUBLISHED DECISION REGISTER CITATION</u>
York Oil Company v. DENR, Division of Water Quality	97 EHR 1026	Phipps	07/26/99	14:04 NCR 343
J. Todd Yates and Teresa B. Yates v. DENR, Div. of Water Quality	98 EHR 1456	Wade	06/22/99	
N.G. Purvis Farms, Inc. v. DENR, Division of Water Quality	99 EHR 0696	Chess	08/27/99	
<b>Soil and Water Conservation Commission</b>				
Neuse River Foundation, Neuse Riverkeeper, and Alliance For A Responsible Swine Industry, Inc. v. NC Soil & Water Conservation Commission	99 EHR 1660	Morrison	12/10/99	14:14 NCR 1334
<b>BOARD OF GEOLOGISTS</b>				
Andrew M. Raring, Ph.D v. Board for the Licensing of Geologists	99 BOG 0150	Mann	06/16/99	
<b>HEALTH AND HUMAN SERVICES</b>				
Eardley "JR" Stephens v. St. Bd. of Nurse's Aides and Practitioners	98 DHR 0155	Phipps	08/25/99	
Ernest Clyde Absher and Dianna B. Absher v. Health & Human Resources	98 DHR 1622	Reilly	06/17/99	
Andrew Gainey v. Office of the Chief Medical Examiner	98 DHR 1761	Owens	05/12/99	14:01 NCR 69
J.P. Lynch v. Department of Health & Human Services	99 DHR 0111	Reilly	05/25/99	
Paul Walker, Thomas Walker & Mary Walker v. Mecklenburg Area Mental Health	99 DHR 0155	Morrison	08/19/99	
New Hope Living Centers, Eric D. Lewis v. Health & Human Services	99 DHR 0170	Owens	05/25/99	
Frank McKoy v. Department of Health & Human Services	99 DHR 0226	Wade	07/06/99	
Joan Marie McDaniel v. Department of Health & Human Services	99 DHR 0305	Reilly	08/05/99	
Lonnie Herring v. Department of Health & Human Services	99 DHR 0350	Reilly	06/03/99	
Robert H. Riley v. Office of the Governor, Office of Citizen Services	99 DHR 0356	Wade	07/21/99	
Betty C. Patterson v. Department of Health & Human Services	99 DHR 0954	Reilly	11/05/99	
Rayner Super Mkt., J.K. Rayner, Jr. v. Department of Health and Human Services	99 DHR 0961	Morrison	11/15/99	
Monica Denise Dayson v. Department of Health & Human Services	99 DHR 1041	Reilly	09/29/99	
<b>Division of Child Development</b>				
Shaw Speaks Child Dev. Ctr. v. Health & Human Svcs., Child Dev.	99 DHR 0042	Gray	07/22/99	
Lachelle L. Parsons v. Health & Human Svcs., Div. of Child Dev.	99 DHR 0445	Reilly	07/19/99	
In The Beginning, Inc. v. Health & Human Svcs., Div. of Child Dev.	99 DHR 0575	Mann	07/19/99	
Barringer Center for Child Development, Elon Home for Children, Inc., Rev. Dr. Frederick G. Grosse v. Health & Human Services, Div. of Child Development	99 DHR 0621	Gray	12/15/99	
Dulatown Outreach Center, Inc. v. Health & Human Svcs., Child Dev.	99 DHR 0688	Owens	07/21/99	
Michele Denoff v. Health & Human Services, Div. of Child Dev.	99 DHR 0695	Owens	08/05/99	
MLCM, Inc., Mary C. McGovern v. DHHS, Div. of Child Dev.	99 DHR 1032	Wade	11/19/99	
Small World Daycare II, Trena S. McDaniel v. Health & Human Svcs., Div. of Child Dev.	99 DHR 1038	Lassiter	10/06/99	
<b>Division of Facility Services</b>				
Kelly M. Poole v. Health & Human Services, Div. of Facility Services	97 DHR 0629	Chess	06/14/99	
Norma Faye Lewis v. Health & Human Svcs., Div. of Facility Services	98 DHR 1274 *1	Phipps	07/02/99	
Della C. Jones v. Health & Human Services, Div. of Facility Services	98 DHR 1680	Gray	06/09/99	
Heather Alane Scott v. Health & Human Svcs. Div. of Facility Services	98 DHR 1671	Gray	10/08/99	
Effie Ruth Smith v. Health & Human Svcs., Div. of Facility Services	98 DHR 1774	Chess	07/14/99	
Vivienne Geloria Marshall v. DHHS, Div. of Facility Services	98 DHR 1786	Phipps	09/02/99	
Sarah L. Mathis v. DHHS, Div. of Facility Services	99 DHR 0032	Morrison	09/24/99	
Doris Laviner Moser v. Health & Human Services, Div. of Facility Svcs.	99 DHR 0074	Wade	08/06/99	
Norma Faye Lewis v. Health & Human Svcs., Div. of Facility Services	99 DHR 0144 *1	Phipps	07/02/99	
Carolyn Grant v. Health & Human Services, Div. of Facility Services	99 DHR 0145	Mann	06/11/99	
Marion Moser Thompson v. Health & Human Svcs., Facility Services	99 DHR 0216	Gray	08/13/99	
Rose Marie Hadley v. Health & Human Svcs., Div. of Facility Services	99 DHR 0218	Wade	08/06/99	
Sarah Frances Alford v. Health & Human Svcs., Div. of Facility Svcs.	99 DHR 0220	Phipps	06/08/99	
Alvin L. Phynon Jr. v. Health & Human Svcs., Dept. of Facility	99 DHR 0230	Mann	07/07/99	
Cabarrus Memorial Hospital d/b/a Northeast Medical Center v. DHHS, Div. of Facility Services, Certificate of Need Section & Cabarrus Diagnostic Imaging, Inc.	99 DHR 0392	Gray	11/18/99	
Cabarrus Diagnostic Imaging, Inc. v. DHHS, Div. of Facility Services, Certificate of Need Section & Cabarrus Memorial Hospital, d/b/a Northeast Medical Center	99 DHR 0396	Gray	12/20/99	
Barbara Rhue v. D.F.S.	99 DHR 0401 *3	Wade	07/30/99	
Barbara Rhue v. D.F.S.	99 DHR 0414 *3	Wade	07/30/99	
Michelle Johnson v. DHHS, Division of Facility Services	99 DHR 0546	Gray	10/12/99	
Esther Nieves v. Health & Human Services, Div. of Facility Services	99 DHR 0766	Phipps	07/21/99	
Shirley Ann Beck v. Division of Facility Services	99 DHR 0942	Mann	09/24/99	
<b>Division of Medical Assistance</b>				

\* Consolidated Cases.

<u>AGENCY</u>	<u>CASE NUMBER</u>	<u>ALJ</u>	<u>DATE OF DECISION</u>	<u>PUBLISHED DECISION REGISTER CITATION</u>
Interim HealthCare - Morris Group, Inc., Lisa B. Morris, RN, BSN v. DHHS, Division of Medical Assistance	99 DHR 0552	Mann	09/01/99	
Companion Health Care, Inc. v. Div. of Medical Assistance, DHR	99 DHR 0762	Owens	07/29/99	
<b><i>Division of Mental Health, Developmental Disabilities and Substance Abuse Services</i></b>				
S.S. by her parents and next friends, D.S. & A.S. v. DMH/DD/SAS	99 DHR 0538	Gray	08/02/99	
Theresa Mabry in behalf of Aaron Mabry, a minor child v. DHHS, Div. of MH/DD/SAS, Willie M. Section	99 DHR 1132	Gray	12/20/99	
<b><i>Division of Vocational Rehabilitation</i></b>				
Dr. H. Michael Poole v. DHHS, Div of Vocational Rehabilitation	99 DHR 1495	Gray	01/04/00	
<b><i>Division of Social Services</i></b>				
Robert H. Riley v. Iredell County DSS	99 DHR 0354	Wade	07/21/99	
Robert H. Riley v. Health & Human Svcs., Div. of Social Services	99 DHR 0355	Wade	07/21/99	
Joanna Price v. Caldwell County Social Services	99 DHR 0520	Morrison	06/10/99	
April De'Shelle Turner v. DHHS, Div. of Social Service, Program Integrity Branch	99 DHR 0927	Gray	10/21/99	
Betty S. Lewis v. DHHS, Div. of Social Services, Program Integrity Branch	99 DHR 0950	Gray	12/20/99	
Veronica Owens v. Dept. of Social Services Union County	99 MIS 0677	Mann	08/17/99	
<b><i>Child Support Enforcement Section</i></b>				
Grady J. Griffith v. Department of Human Resources	97 CRA 1570	Mann	10/26/99	
Lindy Teachout v. Department of Health & Human Services	98 CRA 0727	Reilly	06/24/99	
Thomas Ashley Stewart II v. Department of Health & Human Services	99 CRA 0628	Reilly	06/14/99	
June V. Pettus v. Department of Human Resources	96 CSE 1721**	Mann	09/17/99	
Floyd W. Hubbard v. Department of Human Resources	96 CSE 1725	Reilly	09/02/99	
Richard Arnold Collins v. Jones County DSS	96 CSE 1810	Reilly	06/28/99	
David S. Blackwelder v. Department of Human Resources	97 CSE 0416	Morrison	08/24/99	
June V. Pettus v. Department of Human Resources	97 CSE 0867**	Mann	09/17/99	
Grady J. Griffith v. Department of Human Resources	97 CSE 1569	Mann	10/26/99	
John T. Raynor v. Department of Human Resources	98 CSE 0054	Gray	10/21/99	
Kenneth Wayne Adair v. Department of Human Resources	98 CSE 0229	Morrison	06/30/99	
Randy Snead v. Department of Human Resources	98 CSE 0544	Gray	10/21/99	
Shawn E. Williams v. Department of Human Resources	98 CSE 0845	Phipps	09/21/99	
Huri G. Stokes v. Department of Health & Human Services	98 CSE 0898	Gray	07/23/99	
Ronald E. Sanders v. Department of Human Resources	98 CSE 1182	Mann	10/26/99	
Willie D. Davis v. Department of Human Resources	98 CSE 1387	Mann	09/17/99	
G.S. Hall v. Department of Health & Human Services	98 CSE 1392	Reilly	06/24/99	
Charles Stewart v. Department of Human Resources	98 CSE 1419	Mann	09/17/99	
Sidney T. Dunn v. Department of Human Resources	98 CSE 1428	Reilly	01/11/00	
Kenneth A. McCrorie v. Department of Human Resources	98 CSE 1435	Gray	08/04/99	
Daniel R. Klock v. Department of Human Resources	98 CSE 1440	Morrison	10/20/99	
David M. VanDyke v. Department of Human Resources	98 CSE 1549	Mann	09/17/99	
Jerome Maddox v. Department of Health & Human Services	98 CSE 1562	Mann	09/17/99	
Samuel L. Gordon v. Department of Health & Human Services	98 CSE 1563	Chess	01/04/00	
Sam Anderson v. Department of Human Resources	98 CSE 1585	Mann	09/17/99	
Donald Edward Law II v. Department of Human Resources	98 CSE 1586	Morrison	06/25/99	
Sechia Lee Corbett v. Department of Human Resources	98 CSE 1588	Phipps	09/21/99	
Robert T. Ausband v. Department of Human Resources	98 CSE 1612	Mann	11/02/99	
Shawn E. Williams v. Department of Human Resources	98 CSE 1613	Phipps	09/21/99	
Derrick Dobbins v. Department of Health & Human Services	98 CSE 1616	Lassiter	01/21/00	
Antonio Melendez v. Department of Health & Human Services	98 CSE 1635	Chess	09/30/99	
William W. Heck v. Department of Human Resources	98 CSE 1638	Mann	09/17/99	
Matthew S. Conklin v. Department of Health & Human Services	98 CSE 1702 <sup>13</sup>	Lassiter	01/12/00	
Rickey Lightner v. Department of Human Resources	98 CSE 1717	Reilly	11/02/99	
Matthew S. Conklin v. Department of Health & Human Services	98 CSE 1785 <sup>13</sup>	Lassiter	01/12/00	
Robert M. Chandler Jr. v. Department of Health & Human Services	98 CSE 1789	Phipps	05/27/99	
Jermame L. Covington v. Department of Health & Human Services	99 CSE 0209	Lassiter	11/18/99	
Mitchell Moses, Jr. v. Department of Health & Human Services	99 CSE 0217	Wade	11/30/99	
Grady L. Chosewood v. Department of Health & Human Services	99 CSE 0301	Mann	07/01/99	
Fulton Allen Tillman v. Department of Health & Human Services	99 CSE 0311	Reilly	06/30/99	
Nathaniel Alston v. Department of Health & Human Services	99 CSE 0317	Mann	07/01/99	
Bret Burtrum v. Department of Health & Human Services	99 CSE 0318	Wade	07/14/99	
Cedric A. Hurst v. Department of Human Resources	99 CSE 0330	Chess	08/10/99	
Dane Wesley Ware v. Department of Health & Human Services	99 CSE 0359	Gray	06/28/99	
Paul H. Padrick v. Department of Health & Human Services	99 CSE 0370	Mann	11/02/99	
Oscar William Willoughby Sr. v. Dept. of Health & Human Services	99 CSE 0371	Morrison	06/28/99	
Kelvin E. Townsend v. Department of Health & Human Services	99 CSE 0373	Phipps	07/12/99	
Billy J. Young v. Department of Health & Human Services	99 CSE 0374	Reilly	06/14/99	
Rodney Eugene Caldwell v. Department of Health & Human Services	99 CSE 0427	Lassiter	10/20/99	
Adelheide J. Cooper v. Department of Health & Human Services	99 CSE 0428	Phipps	07/19/99	



# CONTESTED CASE DECISIONS

<u>AGENCY</u>	<u>CASE NUMBER</u>	<u>ALJ</u>	<u>DATE OF DECISION</u>	<u>PUBLISHED DECISION REGISTER CITATION</u>
Beverly K. Thompson v. Department of Health & Human Services	99 CSE 0435	Reilly	06/14/99	
Michael L. Timmer v. Department of Health & Human Services	99 CSE 0437	Wade	06/08/99	
Elizabeth F. West v. Department of Health & Human Services	99 CSE 0451	Morrison	05/25/99	
Troy Gibson v. Department of Health & Human Services	99 CSE 0462	Owens	07/19/99	
Roy D. Washington v. Department of Health & Human Services	99 CSE 0481	Reilly	06/25/99	
Everett A. Mitchell v. Department of Health & Human Services	99 CSE 0483	Chess	10/05/99	
Corey Antoine Johnson v. Department of Health & Human Services	99 CSE 0486	Gray	09/13/99	
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Charlie James White v. Department of Health & Human Services	99 CSE 0690	Morrison	07/20/99	
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Shirley Sellars v. Department of Correction	99 OSP 0386 <sup>10</sup>	Gray	09/30/99	
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# CONTESTED CASE DECISIONS

<u>AGENCY</u>	<u>CASE NUMBER</u>	<u>ALJ</u>	<u>DATE OF DECISION</u>	<u>PUBLISHED DECISION REGISTER CITATION</u>
<b>University of North Carolina</b>				
Wanda Troxler v. A & T State University and Dr. Ray J. Davis	97 OSP 0819	Phipps	08/02/99	
Vivian Smith Hammel, Ling-Chih C. Hsu and Joel A. Williams v. East Carolina University	97 OSP 1268 <sup>*2</sup>	Phipps	07/06/99	
Vivian Smith Hammel, Ling-Chih C. Hsu and Joel A. Williams v. East Carolina University	97 OSP 1269 <sup>*2</sup>	Phipps	07/06/99	
Vivian Smith Hammel, Ling-Chih C. Hsu and Joel A. Williams v. East Carolina University	97 OSP 1270 <sup>*2</sup>	Phipps	07/06/99	
Jackie S. Flowers v. East Carolina University	98 OSP 1618	Reilly	06/24/99	
James A. Benton v. University of North Carolina at Charlotte	99 OSP 0047	Wade	10/08/99	
Tracey L. Wilson v. North Carolina Central University	99 OSP 0388	Chess	12/06/99	
Rex A. Coughenour v. University of North Carolina at Chapel Hill	99 OSP 0517 <sup>*6</sup>	Reilly	08/27/99	
Anna Anita Huff v. Dr. Lonnie Sharpe/Dr. Reza Salami-Coll./Engineering	99 OSP 0599	Chess	07/16/99	
Rex A. Coughenour v. University of North Carolina at Chapel Hill	99 OSP 0623 <sup>*6</sup>	Reilly	08/27/99	
Thomas Michael Chamberlin v. UNC @ Chapel Hill, Dept. of University Housing, Division of Student Affairs	99 OSP 0674 <sup>*4</sup>	Gray	08/16/99	
Halycon Tudie Blake v. University of North Carolina at Chapel Hill	99 OSP 0686	Gray	07/08/99	
Bridgette R. Booker v. Winston-Salem State University	99 OSP 0731	Chess	09/03/99	
Rex A. Coughenour v. University of North Carolina at Chapel Hill	99 OSP 0830 <sup>*6</sup>	Reilly	08/27/99	
Temperance T. Tobe v. North Carolina Central University	99 OSP 0865	Chess	08/24/99	
Phyllis Martin v. NC A & T State University	99 OSP 1030	Lassiter	01/04/00	
James W. Murrell v. University of North Carolina at Chapel Hill	99 OSP 1102	Morrison	11/29/99	
Harold Richardson v. University of North Carolina at Charlotte	99 OSP 1208	Wade	11/15/99	
Albertina Thompson v. Chancellor James Renick of NC A & T Univ.	99 OSP 1578	Gray	12/17/99	
<b>DEPARTMENT OF LABOR</b>				
Bellacino's v. Department of Labor	99 DOL 1216	Reilly	12/14/99	
<b>DEPARTMENT OF TRANSPORTATION</b>				
Peter Kay., Stern v. Department of Transportation	99 DOT 0668	Owens	07/29/99	
<b>UNIVERSITY OF NORTH CAROLINA</b>				
Stephanie A. Payne v. UNC Hospitals	99 UNC 0375	Morrison	06/21/99	
Barbara A. Russell v. UNC Hospitals	99 UNC 0540	Gray	08/11/99	
Robin Perkins Stephens v. UNC Hospitals	99 UNC 0563	Owens	07/21/99	
Rita Jo Kincaid v. UNC Hospitals	99 UNC 0746 <sup>*5</sup>	Reilly	08/09/99	
Rita Jo Kincaid v. UNC Hospitals	99 UNC 0747 <sup>*5</sup>	Reilly	08/09/99	
Edna Heath v. UNC Hospitals	99 UNC 0943	Chess	10/15/99	
Clinton E. Taylor, Sr., v. UNC Hospitals	99 UNC 1117	Morrison	12/22/99	

STATE OF NORTH CAROLINA

IN THE OFFICE OF  
ADMINISTRATIVE HEARINGS  
99 ABC 1637

COUNTY OF LINCOLN

VERDICT RIDGE COUNTRY CLUB, INC. )

H. EDWARD KNOX, )

Petitioner, )

v. )

N.C. ALCOHOLIC BEVERAGE CONTROL COMMISSION, )

Respondent. )

**RECOMMENDED DECISION**

This matter was heard before Senior Administrative Law Judge Fred G. Morrison Jr. by telephone conference call on January 5, 2000, Raleigh, North Carolina. Petitioner was represented by attorney H. Edward Knox of Charlotte, North Carolina. Respondent was represented by its Chief Deputy Counsel, Fred A. Gregory.

**ISSUE**

Whether the Alcoholic Beverage Control Commission's decision to deny ABC permits to the Petitioner should be affirmed or reversed.

**STATUTES INVOLVED**

N.C. Gen. Stat. §§18B-600  
18B-901  
18B-1000(8)  
18B-1001  
18B-1006(k)

**STIPULATED FACTS**

The Petitioner and Respondent have stipulated to the following facts:

1. That Petitioner's establishment is a golf and country club with an eighteen hole golf course, three tennis courts and a swimming facility located in Denver, North Carolina, which is in Lincoln County. That Petitioner is a Sports Club within the meaning of N.C.G.S. § 18B-1000(8).
2. That Petitioner applied for on-premises malt beverage, on-premises unfortified wine, on-premises fortified wine, and mixed beverage sports club permits on August 16, 1999. Petitioner has met all of the requirements of N.C.G.S. §§ 18B-901 and 18B-1006(k), except that Lincoln County is exempt from that section.
3. That on December 1, 1999, Petitioner filed an action for a contested case hearing on the grounds that the ABC Commission denied the issuance of ABC permits to Petitioner. In its hearing request, Petitioner raised the issue of the constitutionality of the legislation in N.C.G.S. § 18B-1006(k), which grants alcoholic beverage permits to sports clubs located in some, but not all North Carolina counties.
4. That on February 12, 1949, a majority of voters of Lincoln County voted against the sale of malt beverages and unfortified wine.
5. That there has been no subsequent county-wide election in Lincoln County approving the sale of malt beverages, unfortified wine, fortified wine, or mixed beverages as required by N.C.G.S. § 18B-600. The city of Lincolnton, located within Lincoln County, has approved an ABC package store and off premises beer and wine sales.
6. That the Petitioner would qualify as a sports club pursuant to G.S. § 18B-1000(8) and ABC Commission Rule 4 NCAC 2S .0613.



7. The North Carolina General Assembly has enacted no legislation permitting the sale of any type of alcoholic beverages for sports clubs in Lincoln County.

8. That the legislation found at G.S. §§ 18B-1006(k) and 18B-603(h) allows permits to be obtained by sports clubs, such as the Petitioner, in some 30 or more of North Carolina's 100 counties, but not in Lincoln County. See Exhibit 1.

9. There are other sports clubs with which the Petitioner competes for members and patrons that are identically situated in all relevant respects with Petitioner, except that they are located in counties which are identified under N.C.G.S. § 18B-1006(k)(1) - (8), and therefore these competitors have been granted the same permits which were denied to the Petitioner. Some of these counties adjoin Lincoln County and this gives them an advantage over Petitioner.

10. That the Petitioner challenges the constitutionality of these statutes but acknowledges that neither the Office of Administrative Hearings nor the North Carolina ABC Commission is a forum of competent jurisdiction for such a challenge.

11. The Respondent, ABC Commission, has no authority under the existing law to grant the Petitioner its license and has therefore moved for summary judgment.

### **CONCLUSIONS OF LAW**

1. The Office of Administrative Hearings has personal and subject matter jurisdiction over this contested case pursuant to Chapters 18B and 150B of the North Carolina General Statutes.

2. The ABC Commission has been given exclusive authority by the North Carolina legislature to determine whether to issue permits to sell alcohol. The Commission may issue a permit when it is satisfied that the applicant is a suitable person to hold an ABC permit and that the location is a suitable place to hold the permit for which the applicant has applied. By the same token, the Commission can decide to deny an application for a permit when it decides a proposed permittee does not meet statutory qualifications.

3. Petitioner does not qualify for permits under G.S. § 18B-1006(k) because it is not located within a county that meets the requirements set forth in any of the subdivisions (1) - (8):

The Commission may issue the permits listed in G.S. 18B-1001, without approval at an election, to a residential private club or a sports club that is located in a county that meets the requirements set in any of the following subdivisions:

(1) Has a population of less than 45,000 by the last federal census, has at least three but not more than four cities that have approved the sale of malt beverages or unfortified wine, has only one city that has approved the on-premises sale of malt beverages, and has at least two cities that approved the operation of ABC stores before July 10, 1992.

(2) Borders a county that has called elections pursuant to G.S. 18B-600(f), and:

a. Has not approved the issuance of permits, other than malt beverages permits, in unincorporated areas of the county, and has no more than three cities that approved the operation of ABC stores before July 10, 1992; or

b. Both the county and the two cities within the county have approved the operation of ABC stores.

(3) Is bordered by four counties that have not approved the issuance of permits and have at least one city that has approved the operation of an ABC store.

(4) Has not approved the issuance of permits, has at least three cities that have approved the issuance of only either off-premises malt beverages or both off-premises malt beverages and off-premises unfortified wine permits, and has only one city that, as of July 1, 1993, had approved the operation of an ABC store.

(5) Has not approved the issuance of any permits, borders one of the two largest counties in the State with more than 940 square miles, has an interstate highway running through it, and has at least six cities that have approved the sale of some malt beverages and unfortified wine and four of which have approved ABC systems.

(6) Borders a county that has approved the issuance of all permits and the operation of an ABC store, meets the county description of special ABC area in G.S. 18B-101(13a)b, and, as of July 1, 1995, had at least five cities that had authorized the issuance

of permits.

(7) Borders two states and, as of July 1, 1995, had only one city that had approved the issuance of permits.

(8) Has an 18-hole golf course, is in the coastal area as defined in G.S. 113A-103, but only because it is adjacent to, adjoining, intersected by, or bounded by a coastal sound; which does not allow countywide sales of mixed beverages; which does not border another state; with a population of less than 15,000 according to the most recent decennial federal census; which does not have a city which has authorized the sale of mixed beverages; and which has least two cities with ABC systems.

4. Petitioner has raised legitimate questions about the constitutionality of G.S. § 18B-1006(k). While G.S. § 150B-33(b)(9) states that an administrative law judge may determine that a rule as applied in a particular case is void, there is no such provision regarding a statute enacted by the General Assembly. Also, the Respondent Commission has no such authority because the North Carolina Supreme Court restated on December 31, 1998, in *Meads v. N.C. Department of Agriculture* that it is a "well-settled rule that a statute's constitutionality shall be determined by the judiciary, not an administrative board." Thus, Petitioner must challenge the constitutionality of this statute by an action under the Declaratory Judgment Act and/or seeking judicial review of a final decision in this case pursuant to G.S. § 150B-51.

5. In denying Petitioner's applications, the Commission did not abuse its discretion, exceed its authority or jurisdiction, act erroneously, fail to use proper procedure, act arbitrarily or capriciously, or fail to act as required by law or rule.

#### **RECOMMENDED DECISION**

It is recommended that the Alcoholic Beverage Control Commission affirm the decision to deny Petitioner's applications for ABC permits with the understanding that the Constitutional issues raised herein will be considered upon judicial review in Superior Court.

#### **ORDER**

It is hereby ordered that the agency serve a copy of the final decision on the Office of Administrative Hearings, P.O. Drawer 27447, Raleigh, NC 27611-7747, in accordance with North Carolina General Statute § 150B-36(b).

#### **NOTICE**

The agency making the final decision in this contested case is required to give each party an opportunity to file exceptions to this recommended decision and to present written arguments to those in the agency who will make the final decision. G.S. § 150B-36(a).

The agency is required by G.S. § 150B-36(b) to serve a copy of the final decision on all parties and to furnish a copy to the parties' attorneys on record and to the Office of Administrative Hearings.

The agency that will make the final decision in this contested case is the N.C. Alcoholic Beverage Control Commission.

This the 7<sup>th</sup> day of January, 2000.

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Fred G. Morrison Jr.  
Senior Administrative Law Judge



# CUMULATIVE INDEX

(Updated through February 9, 2000)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				

This index provides information related to notices, rules and other documents published in the Register. It includes information about rules for which Notice of Rule-Making Proceedings or Notice of Text have been published, rules submitted to the Rules Review Commission and rules codified since the last session of the General Assembly. For assistance contact the Rules Division at 919/733-2678.

Fiscal Note: S = Rule affects the expenditure or distribution of state funds. L = Rule affects the expenditure or distribution of local government funds. SE = Rule has a substantial economic impact of at least \$5,000,000 in a 12-month period. \* = Rule-making agency has determined that the rule does not impact state or local funds and does not have a substantial economic impact. See G.S. 150B-21.4.

## ACUPUNCTURE, LICENSING BOARD

21 NCAC 01 .0101 13:22 NCR 1820

Object 11/17/99

\*

14:03 NCR 243

## ADMINISTRATION

### Council for Women, North Carolina

1 NCAC 17 13:19 NCR 1606

### Indian Affairs, Commission of

1 NCAC 15 .0201 13:02 NCR 175

1 NCAC 15 .0205 13:02 NCR 175

1 NCAC 15 .0206 13:02 NCR 175

1 NCAC 15 .0212 13:02 NCR 175

1 NCAC 15 .0213 13:02 NCR 175

### Non-Public Education

1 NCAC 40 .0101

Temp Expired 05/29/99

1 NCAC 40 .0102

Temp Expired 05/29/99

1 NCAC 40 .0103

Temp Expired 05/29/99

13:05 NCR 521

Temp Expired 05/29/99

14:04 NCR 311

Temp Expired 05/29/99

13:05 NCR 521

Temp Expired 05/29/99

13:13 NCR 1057

Temp Expired 05/29/99

14:04 NCR 311

Temp Expired 05/29/99

13:05 NCR 521

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1 NCAC 40 .0204		13:05 NCR 521 13:13 NCR 1057 14:04 NCR 311	Temp Expired 05/29/99 Temp Expired 05/29/99							
<b>Purchase and Contract Division</b>										
1 NCAC 05C	13:04 NCR 360									
1 NCAC 05D	13:04 NCR 360									
<b>State Employees Combined Campaign</b>										
1 NCAC 35 .0101	13:04 NCR 360		13:08 NCR 647	*						
1 NCAC 35 .0103	13:04 NCR 360		13:08 NCR 647	*						
1 NCAC 35 .0202	13:04 NCR 360		13:08 NCR 647	*						
1 NCAC 35 .0304	13:04 NCR 360		13:08 NCR 647	*						
1 NCAC 35 .0308	13:04 NCR 360		13:08 NCR 647	*						
<b>ADMINISTRATIVE HEARINGS, OFFICE OF</b>										
26 NCAC 01 .0101	14:08 NCR 579		14:12 NCR 1029	*						
26 NCAC 01 .0101	N/A		N/A	N/A	Approve	10/04/99			14:10 NCR 839	
26 NCAC 01 .0103	14:08 NCR 579		14:12 NCR 1029	S						
26 NCAC 01 .0104	N/A		N/A	N/A	Approve	10/04/99			14:10 NCR 839	
26 NCAC 02C .0103	14:08 NCR 579		14:12 NCR 1030	*						
26 NCAC 02C .0105	14:08 NCR 579		14:12 NCR 1030	*						
26 NCAC 02C .0108	14:08 NCR 579		14:12 NCR 1030	*						
26 NCAC 02C .0303	14:08 NCR 579		14:12 NCR 1030	S						
26 NCAC 02C .0303	N/A		N/A	N/A	Approve	10/04/99			14:10 NCR 839	
26 NCAC 02C .0306	14:08 NCR 579		14:12 NCR 1030	*						
26 NCAC 02C .0403	14:08 NCR 579		14:12 NCR 1030	*						
26 NCAC 03 .0101	14:08 NCR 579		14:12 NCR 1033	*						
26 NCAC 03 .0119	14:08 NCR 579		14:12 NCR 1033	*						
26 NCAC 04 .0102	N/A		N/A	N/A	Approve	10/04/99			14:10 NCR 839	
26 NCAC 04 .0103	N/A		N/A	N/A	Approve	10/04/99			14:10 NCR 839	



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26 NCAC 04 .0104	N/A		N/A	N/A	Approve	10/04/99			14:10 NCR 839	
26 NCAC 04 .0108	N/A		N/A	N/A	Approve	11/17/99			14:15 NCR 1354	
26 NCAC 04 .0202	N/A		N/A	N/A	Approve	10/04/99			14:10 NCR 839	
<b>AGRICULTURE</b>										
2 NCAC 20B .0104	13:13 NCR 1040		13:18 NCR 1503	*	Object	07/15/99	*		14:09 NCR 708	
2 NCAC 43L .0309	13:14 NCR 1109		13:20 NCR 1718	*	Approve	08/19/99			14:09 NCR 708	
<b>Consumer Services</b>										
2 NCAC 54 .0101	13:14 NCR 1119	13:14 NCR 1119	13:20 NCR 1718	*	Approve	07/15/99			14:06 NCR 490	
2 NCAC 54 .0102	13:14 NCR 1119	13:14 NCR 1119	13:20 NCR 1718	*	Approve	07/15/99			14:06 NCR 490	
2 NCAC 54 .0103	13:14 NCR 1119	13:14 NCR 1119 Temp Expired 10/12/99	13:20 NCR 1718	*	Agcy Withdrew	07/15/99				
2 NCAC 54 .0104	13:14 NCR 1119	13:14 NCR 1119	13:20 NCR 1718	*	Approve	07/15/99	*		14:06 NCR 490	
2 NCAC 54 .0105	13:14 NCR 1119	13:14 NCR 1119 Temp Expired 10/12/99	13:20 NCR 1718	*	Agcy Withdrew	07/15/99				
<b>Pesticide Board</b>										
2 NCAC 09K .0214	13:14 NCR 1109		13:20 NCR 1717	*	Approve	07/15/99	*		14:06 NCR 490	
2 NCAC 09L .0502	14:01 NCR 4		14:05 NCR 374	*						
2 NCAC 09L .1201	14:01 NCR 4		14:05 NCR 374	*						
<b>Structural Pest Control Committee</b>										
2 NCAC 34 .0102	14:09 NCR 655		14:13 NCR 1093	*						
2 NCAC 34 .0330	14:09 NCR 687	14:09 NCR 687	14:13 NCR 1093	*						
2 NCAC 34 .0509	14:09 NCR 687		14:13 NCR 1093	*						
<b>Veterinary Board</b>										
Notice of Public Hearing on Proposed Temporary Rules										
2 NCAC 52B .0201	14:14 NCR 1223			*						14:05 NCR 368
2 NCAC 52B .0206	14:08 NCR 582	14:08 NCR 582	14:13 NCR 1097	*	Object	11/17/99				
2 NCAC 52B .0207	13:23 NCR 1946	13:23 NCR 1946	14:03 NCR 128	*	Approve	01/20/00	*			
2 NCAC 52B .0302	13:23 NCR 1901		14:03 NCR 128	*	Object	11/17/99				

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2 NCAC 52B .0401	14:08 NCR 582	14:08 NCR 582	14:13 NCR 1097	*	Approve	01/20/00	*			
2 NCAC 52B .0402	14:08 NCR 582	14:08 NCR 582	14:13 NCR 1097	*						
2 NCAC 52B .0403	14:08 NCR 582	14:08 NCR 582	14:13 NCR 1097	*						
2 NCAC 52B .0404	14:08 NCR 582	14:08 NCR 582	14:13 NCR 1097	*						
2 NCAC 52B .0405	14:08 NCR 582	14:08 NCR 582	14:13 NCR 1097	*						
2 NCAC 52B .0406	14:08 NCR 582	14:08 NCR 582	14:13 NCR 1097	*						
2 NCAC 52B .0407	14:08 NCR 582	14:08 NCR 582	14:13 NCR 1097	*						
2 NCAC 52B .0408	14:08 NCR 582	14:08 NCR 582	14:13 NCR 1097	*						
2 NCAC 52B .0409	14:08 NCR 582	14:08 NCR 582	14:13 NCR 1097	*						
2 NCAC 52B .0410	14:08 NCR 582	14:08 NCR 582	14:13 NCR 1097	*						
2 NCAC 52B .0411	14:08 NCR 582	14:08 NCR 582	14:13 NCR 1097	*						
2 NCAC 52B .0412	14:08 NCR 582	14:08 NCR 582	14:13 NCR 1097	*						
2 NCAC 52E .0209	13:23 NCR 1901		14:03 NCR 128	*	Approve	01/20/00	*			
<b>APPRAISAL BOARD</b>										
21 NCAC 57A .0305	13:01 NCR 3		13:05 NCR 513	*	Object	11/19/98	*		14:01 NCR 48	
<b>ARCHITECTURE, BOARD OF</b>										
21 NCAC 02 .0206	14:08 NCR 578			*						
21 NCAC 02 .0302	14:08 NCR 578		14:13 NCR 1148	*						
21 NCAC 02 .0303	14:08 NCR 578		14:13 NCR 1148	*						
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21 NCAC 04B .0201		14:13 NCR 1192								
21 NCAC 04B .0202		14:13 NCR 1192								
21 NCAC 04B .0302		14:13 NCR 1192								
21 NCAC 04B .0404		14:13 NCR 1192								
21 NCAC 04B .0601		14:13 NCR 1192								
21 NCAC 04B .0801		14:13 NCR 1192								



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21 NCAC 04B .0802		14:13 NCR 1192								
21 NCAC 04B .0803		14:13 NCR 1192								
21 NCAC 04B .0804		14:13 NCR 1192								
21 NCAC 04B .0805		14:13 NCR 1192								
21 NCAC 04B .0806		14:13 NCR 1192								
21 NCAC 04B .0807		14:13 NCR 1192								
21 NCAC 04B .0808		14:13 NCR 1192								
21 NCAC 04B .0809		14:13 NCR 1192								
21 NCAC 04B .0810		14:13 NCR 1192								
21 NCAC 04B .0811		14:13 NCR 1192								
21 NCAC 04B .0812		14:13 NCR 1192								
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21 NCAC 04B .0817		14:13 NCR 1192								
21 NCAC 04B .0818		14:13 NCR 1192								
21 NCAC 04B .0819		14:13 NCR 1192								
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21 NCAC 10 .0203		12:23 NCR 2098	13:14 NCR 1117	*	Approve	04/15/99	*		14:02 NCR 84	
<b>COMMERCE</b>										
4 NCAC 01E .0104	11:09 NCR 569		13:08 NCR 652	*	Object	12/17/98				
4 NCAC 01I .0101	11:09 NCR 569	13:15 NCR 1224	13:08 NCR 652	*	Approve	01/21/99				
4 NCAC 01I .0101		Temp. Expired 10/29/99	13:20 NCR 1719	L/S	Agcy withdrew	12/17/98			13:22 NCR 1868	
		14:08 NCR 585	14:08 NCR 585	L/S/SE	Return to Agcy	08/19/99				
4 NCAC 01I .0102	11:09 NCR 569	13:15 NCR 1224	13:08 NCR 652	*	Agcy withdrew	12/17/98				
4 NCAC 01I .0102		Temp. Expired 10/29/99	13:20 NCR 1719	*	Return to Agcy	08/19/99				
		14:08 NCR 585	14:08 NCR 585	L/S/SE	Agcy withdrew	12/17/98				
4 NCAC 01I .0201	11:09 NCR 569	13:15 NCR 1224	13:08 NCR 652	*	Agcy withdrew	12/17/98				

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4 NCAC 011 .0201		Temp. Expired 10/29/99	13:20 NCR 1719	*	Return to Agency	08/19/99				
4 NCAC 011 .0202	11:09 NCR 569	14:08 NCR 585	14:08 NCR 585	L/S/SE	Agency withdrew	12/17/98				
4 NCAC 011 .0202		Temp. Expired 10/29/99	13:20 NCR 1719	L/S	Return to Agency	08/19/99				
4 NCAC 011 .0301	11:09 NCR 569	14:08 NCR 585	14:08 NCR 585	L/S/SE	Agency withdrew	12/17/98				
4 NCAC 011 .0301		Temp. Expired 10/29/99	13:20 NCR 1719	*	Return to Agency	08/19/99				
4 NCAC 011 .0302	11:09 NCR 569	14:08 NCR 585	14:08 NCR 585	L/S/SE	Agency withdrew	12/17/98				
4 NCAC 011 .0302		Temp. Expired 10/29/99	13:20 NCR 1719	*	Return to Agency	08/19/99				
4 NCAC 011 .0303	11:09 NCR 569	14:08 NCR 585	14:08 NCR 585	L/S/SE	Agency withdrew	12/17/98				
4 NCAC 011 .0303		Temp. Expired 10/29/99	13:20 NCR 1719	*	Return to Agency	08/19/99				
4 NCAC 011 .0304	11:09 NCR 569	14:08 NCR 585	14:08 NCR 585	L/S/SE	Agency withdrew	12/17/98				
4 NCAC 011 .0304		Temp. Expired 10/29/99	13:20 NCR 1719	*	Return to Agency	08/19/99				
4 NCAC 011 .0401	11:09 NCR 569	14:08 NCR 585	14:08 NCR 585	L/S/SE	Agency withdrew	12/17/98				
4 NCAC 011 .0401		Temp. Expired 10/29/99	13:20 NCR 1719	*	Return to Agency	08/19/99				
4 NCAC 011 .0402	11:09 NCR 569	14:08 NCR 585	14:08 NCR 585	L/S/SE	Agency withdrew	12/17/98				
4 NCAC 011 .0402		Temp. Expired 10/29/99	13:20 NCR 1719	*	Return to Agency	08/19/99				
4 NCAC 011 .0403	11:09 NCR 569	14:08 NCR 585	14:08 NCR 585	L/S/SE	Agency withdrew	12/17/98				
4 NCAC 011 .0403		Temp. Expired 10/29/99	13:20 NCR 1719	*	Return to Agency	08/19/99				
4 NCAC 011 .0404	11:09 NCR 569	14:08 NCR 585	14:08 NCR 585	L/S/SE	Agency withdrew	12/17/98				
4 NCAC 011 .0404		Temp. Expired 10/29/99	13:20 NCR 1719	*	Return to Agency	08/19/99				
4 NCAC 011 .0405	11:09 NCR 569	14:08 NCR 585	14:08 NCR 585	L/S/SE	Agency withdrew	12/17/98				
4 NCAC 011 .0405		Temp. Expired 10/29/99	13:20 NCR 1719	*	Return to Agency	08/19/99				
4 NCAC 011 .0501	11:09 NCR 569	14:08 NCR 585	14:08 NCR 585	L/S/SE	Agency withdrew	12/17/98				
4 NCAC 011 .0501		Temp. Expired 10/29/99	13:20 NCR 1719	*	Return to Agency	08/19/99				
4 NCAC 011 .0502	11:09 NCR 569	14:08 NCR 585	14:08 NCR 585	L/S/SE	Agency withdrew	12/17/98				
4 NCAC 011 .0502		Temp. Expired 10/29/99	13:20 NCR 1719	*	Return to Agency	08/19/99				
4 NCAC 011 .0503	11:09 NCR 569	14:08 NCR 585	14:08 NCR 585	L/S/SE	Agency withdrew	12/17/98				
4 NCAC 011 .0503		Temp. Expired 10/29/99	13:20 NCR 1719	L/S	Return to Agency	08/19/99				
		14:08 NCR 585	14:08 NCR 585	L/S/SE						



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4 NCAC 011 .0601	11:09 NCR 569	13:15 NCR 1224	13:08 NCR 652	*	Agcy withdrew	12/17/98				
4 NCAC 011 .0601		Temp. Expired 10/29/99	13:20 NCR 1719	*	Return to Agcy	08/19/99				
4 NCAC 011 .0701	11:09 NCR 569	14:08 NCR 585	14:08 NCR 585	L/S/SE						
4 NCAC 011 .0701		13:15 NCR 1224	13:08 NCR 652	*	Agcy withdrew	12/17/98				
		Temp. Expired 10/29/99	13:20 NCR 1719	*	Return to Agcy	08/19/99				
4 NCAC 011 .0801	11:09 NCR 569	14:08 NCR 585	14:08 NCR 585	L/S/SE						
		13:15 NCR 1224	13:20 NCR 1719	*	Return to Agcy	08/19/99				
		Temp. Expired 10/29/99	13:20 NCR 1719							
4 NCAC 01K .0102	11:09 NCR 569	14:08 NCR 585	14:08 NCR 585	L/S/SE						
			13:08 NCR 652	*	Object	12/17/98	*		13:22 NCR 1868	
4 NCAC 01K .0103	11:09 NCR 569		13:08 NCR 652	*	Approve	01/21/99				
4 NCAC 01K .0302	11:09 NCR 569		13:08 NCR 652	*	Object	12/17/98	*		13:22 NCR 1868	
					Approve	01/21/99				
4 NCAC 01K .0402	11:09 NCR 569		13:08 NCR 652	*	Object	12/17/98	*		13:22 NCR 1868	
					Approve	01/21/99	*		13:22 NCR 1868	
<b>Banking Commission</b>										
4 NCAC 03B .0101	N/A		N/A	N/A	Object	10/22/98			14:01 NCR 48	
					Approve	03/18/99				
4 NCAC 03B .0102	N/A		N/A	N/A	Object	10/22/98			14:01 NCR 48	
					Approve	03/18/99				
4 NCAC 03B .0103	N/A		N/A	N/A	Object	10/22/98			14:01 NCR 48	
					Approve	03/18/99				
4 NCAC 03H .0102	N/A		N/A	N/A	Object	10/22/98			14:01 NCR 48	
					Approve	03/18/99				
4 NCAC 03L .0101	13:24 NCR 1997		14:04 NCR 274	*	Approve	11/17/99	*		14:15 NCR 1354	
4 NCAC 03L .0102	13:24 NCR 1997		14:04 NCR 274	*	Approve	11/17/99			14:15 NCR 1354	
4 NCAC 03L .0201	13:24 NCR 1997		14:04 NCR 274	*	Approve	11/17/99			14:15 NCR 1354	
4 NCAC 03L .0202	13:24 NCR 1997		14:04 NCR 274	*	Approve	11/17/99			14:15 NCR 1354	
4 NCAC 03L .0301	13:24 NCR 1997		14:04 NCR 274	*	Approve	11/17/99			14:15 NCR 1354	
4 NCAC 03L .0302	13:24 NCR 1997		14:04 NCR 274	*	Approve	11/17/99			14:15 NCR 1354	
4 NCAC 03L .0303	13:24 NCR 1997		14:04 NCR 274	*	Approve	11/17/99	*		14:15 NCR 1354	
4 NCAC 03L .0401	13:24 NCR 1997		14:04 NCR 274	*	Approve	11/17/99			14:15 NCR 1354	
4 NCAC 03L .0402	13:24 NCR 1997		14:04 NCR 274	*	Approve	11/17/99			14:15 NCR 1354	
4 NCAC 03L .0403	13:24 NCR 1997		14:04 NCR 274	*	Approve	11/17/99			14:15 NCR 1354	

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					Action	Date				
4 NCAC 03L .0404	13:24 NCR 1997		14:04 NCR 274	*	Approve	11/17/99	*		14:15 NCR 1354	
4 NCAC 03L .0405	13:24 NCR 1997		14:04 NCR 274	*	Approve	11/17/99			14:15 NCR 1354	
4 NCAC 03L .0501	13:24 NCR 1997		14:04 NCR 274	*	Approve	11/17/99	*		14:15 NCR 1354	
4 NCAC 03L .0502	13:24 NCR 1997		14:04 NCR 274	*	Approve	11/17/99			14:15 NCR 1354	
4 NCAC 03L .0601	13:24 NCR 1997		14:04 NCR 274	*	Approve	11/17/99			14:15 NCR 1354	
4 NCAC 03L .0602	13:24 NCR 1997		14:04 NCR 274	*	Approve	11/17/99			14:15 NCR 1354	
4 NCAC 03L .0603	13:24 NCR 1997		14:04 NCR 274	*	Approve	11/17/99			14:15 NCR 1354	
4 NCAC 03L .0604	13:24 NCR 1997		14:04 NCR 274	*	Approve	11/17/99			14:15 NCR 1354	
<b>Cape Fear River Navigation and Pilotage Commission</b>										
4 NCAC 15 .0119	14:03 NCR 125		14:07 NCR 522	*	Approve	12/16/99	*			
4 NCAC 15 .0120	14:03 NCR 125		14:07 NCR 522	*	Object	12/16/99				
4 NCAC 15 .0121	14:03 NCR 125		14:07 NCR 522	*	Return to agency	01/20/00				
					Object	12/16/99				
					Object	01/20/00				
<b>Industrial Commission</b>										
Public Notice - Hospital Fees for Workers' Compensation Cases										
Public Notice - Hospital Fees for Workers' Compensation Cases										
<b>Secretary of Commerce/TTS</b>										
4 NCAC 21A .0101	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						14:01 NCR 2
4 NCAC 21A .0102	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						14:11 NCR 903
4 NCAC 21A .0103	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .0101	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .0102	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .0103	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .0201	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .0202	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .0203	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .0204	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .0205	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						



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4 NCAC 21B .0206	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .0207	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .0301	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .0302	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .0303	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .0304	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .0305	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .0306	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .0307	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .0308	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .0309	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .0310	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .0311	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .0312	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .0313	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .0314	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .0315	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .0401	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .0402	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .0403	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .0501	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .0502	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .0503	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .0504	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .0505	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .0601	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .0602	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						

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4 NCAC 21B .0603	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .0701	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .0702	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .0703	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .0801	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .0901	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .0902	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .1001	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .1002	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .1003	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .1004	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .1005	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .1006	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .1008	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .1009	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .1010	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .1011	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .1012	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .1013	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .1014	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .1015	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .1016	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .1017	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .1018	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .1019	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .1020	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .1021	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						



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4 NCAC 21B .1022	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .1023	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .1024	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .1025	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .1026	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .1027	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .1028	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .1029	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .1030	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .1031	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .1101	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .1102	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .1103	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .1104	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .1105	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .1201	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
4 NCAC 21B .1202	14:08 NCR 577	14:14 NCR 1264	14:14 NCR 1264	S						
<b>COMMUNITY COLLEGES</b>										
23 NCAC 02B .0104	13:10 NCR 804		13:22 NCR 1849	*	Approve	01/20/00				
23 NCAC 02C .0307	13:05 NCR 524		Temp Expired 05/29/99							
23 NCAC 02C .0503	13:10 NCR 815 Expired 08/13/99		13:22 NCR 1849	*	Approve	01/20/00	*			
23 NCAC 02C .0504	13:10 NCR 815 Expired 08/13/99		13:22 NCR 1849	*	Approve	01/20/00	*			
23 NCAC 02C .0505	13:10 NCR 815 Expired 08/13/99		13:22 NCR 1849	*	Approve	01/20/00	*			
23 NCAC 02D .0323	13:19 NCR 1609		14:04 NCR 304	*						
23 NCAC 02D .0324	13:19 NCR 1609		14:04 NCR 304	*						
23 NCAC 02E .0205	14:13 NCR 1201									

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COSMETIC ART EXAMINERS										
21 NCAC 14A .0101	13:14 NCR 1114	13:14 NCR 1157	13:19 NCR 1652	*	Approve	06/17/99	*		14:05 NCR 402	
21 NCAC 14A .0101	14:16 NCR 1401									
21 NCAC 14A .0103	13:14 NCR 1114		13:19 NCR 1652	*	Approve	06/17/99	*		14:05 NCR 402	
21 NCAC 14A .0104	13:14 NCR 1114									
21 NCAC 14A .0105		13:14 NCR 1157	13:19 NCR 1652	*	Approve	06/17/99			14:05 NCR 402	
21 NCAC 14C .0202	13:14 NCR 1114		13:19 NCR 1652	*	Approve	06/17/99	*		14:05 NCR 402	
21 NCAC 14E .0101	13:14 NCR 1114		13:19 NCR 1652	*	Approve	06/17/99	*		14:05 NCR 402	
21 NCAC 14F .0105	13:14 NCR 1114		13:19 NCR 1652	*	Approve	06/17/99	*		14:05 NCR 402	
21 NCAC 14G .0103		13:14 NCR 1157	13:19 NCR 1652	*	Approve	06/17/99	*		14:05 NCR 402	
21 NCAC 14G .0113	N/A		N/A	N/A	Approve	03/18/99			14:01 NCR 48	
21 NCAC 14H .0112		13:16 NCR 1263	13:21 NCR 1794	*	Approve	07/15/99	*		14:06 NCR 490	
21 NCAC 14H .0118		13:16 NCR 1263	13:21 NCR 1794	*	Approve	07/15/99			14:06 NCR 490	
21 NCAC 14I .0104	13:14 NCR 1114		13:19 NCR 1652	*	Object	06/17/99	*		14:09 NCR 708	
21 NCAC 14I .0107	13:14 NCR 1114		13:19 NCR 1652	*	Approve	08/19/99				
21 NCAC 14I .0109	13:14 NCR 1114		13:19 NCR 1652	*	Object	06/17/99	*		14:09 NCR 708	
21 NCAC 14J .0103			13:19 NCR 1652	*	Approve	08/19/99	*		14:05 NCR 402	
21 NCAC 14J .0208	13:14 NCR 1114	13:14 NCR 1157	13:19 NCR 1652	*	Approve	06/17/99			14:05 NCR 402	
21 NCAC 14J .0501	13:14 NCR 1114		13:19 NCR 1652	*	Approve	06/17/99				
21 NCAC 14K .0102		13:14 NCR 1157	13:19 NCR 1652	*	Object	06/17/99	*		14:09 NCR 708	
21 NCAC 14K .0107		13:14 NCR 1157	13:19 NCR 1652	*	Approve	08/19/99	*		14:09 NCR 708	
21 NCAC 14L .0101	13:14 NCR 1114		13:19 NCR 1652	*	Object	06/17/99	*		14:05 NCR 402	
21 NCAC 14L .0105	13:14 NCR 1114	13:14 NCR 1157	13:19 NCR 1652	*	Approve	06/17/99	*		14:05 NCR 402	
21 NCAC 14L .0109		13:14 NCR 1157	13:19 NCR 1652	*	Object	06/17/99	*		14:09 NCR 708	
21 NCAC 14L .0210	N/A	Expired 10/12/99	N/A	N/A	Approve	06/17/99			14:05 NCR 402	



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21 NCAC 14L .0214	N/A		N/A	N/A	Approve	03/18/99			14:01 NCR 48	
21 NCAC 14L .0216		13:14 NCR 1157	13:19 NCR 1652	*	Approve	06/17/99	*		14:05 NCR 402	
21 NCAC 14L .0303	13:14 NCR 1114		13:19 NCR 1652	*	Agcy Withdraw	06/17/99				
21 NCAC 14N .0101	13:14 NCR 1114		13:19 NCR 1652	*	Approve	06/17/99	*		14:05 NCR 402	
21 NCAC 14N .0102	13:14 NCR 1114		13:19 NCR 1652	*	Approve	06/17/99	*		14:05 NCR 402	
21 NCAC 14N .0103	13:14 NCR 1114	13:14 NCR 1157	13:19 NCR 1652	*	Approve	06/17/99	*		14:05 NCR 402	
21 NCAC 14N .0104		13:14 NCR 1157	13:19 NCR 1652	*	Approve	06/17/99	*		14:05 NCR 402	
21 NCAC 14N .0105	13:14 NCR 1114		13:19 NCR 1652	*	Approve	06/17/99	*		14:05 NCR 402	
21 NCAC 14N .0108	13:14 NCR 1114		13:19 NCR 1652	*	Approve	06/17/99	*		14:05 NCR 402	
21 NCAC 14N .0110		13:14 NCR 1157	13:19 NCR 1652	*	Approve	06/17/99	*		14:05 NCR 402	
21 NCAC 14N .0112	13:14 NCR 1114		13:19 NCR 1652	*	Approve	06/17/99	*		14:05 NCR 402	
21 NCAC 14N .0113	13:14 NCR 1114	13:14 NCR 1157	13:19 NCR 1652	*	Object	06/17/99	*		14:09 NCR 708	
21 NCAC 14N .0601		13:14 NCR 1157	13:19 NCR 1652	*	Approve	08/19/99	*		14:05 NCR 402	
21 NCAC 14N .0602		13:14 NCR 1157	13:19 NCR 1652	*	Approve	06/17/99	*		14:05 NCR 402	
21 NCAC 14N .0701		13:14 NCR 1157	13:19 NCR 1652	*	Approve	06/17/99	*		14:05 NCR 402	
21 NCAC 14N .0702		13:14 NCR 1157	13:19 NCR 1652	*	Approve	06/17/99	*		14:05 NCR 402	
21 NCAC 14O .0101		13:14 NCR 1157	13:19 NCR 1652	*	Object	06/17/99	*		14:09 NCR 708	
21 NCAC 14O .0102		13:14 NCR 1157	13:19 NCR 1652	*	Approve	08/19/99	*		14:05 NCR 402	
21 NCAC 14O .0103		13:14 NCR 1157	13:19 NCR 1652	*	Approve	06/17/99	*		14:05 NCR 402	
21 NCAC 14O .0104		13:14 NCR 1157	13:19 NCR 1652	*	Object	06/17/99	*		14:09 NCR 708	
21 NCAC 14O .0105		13:14 NCR 1157	13:19 NCR 1652	*	Approve	08/19/99	*		14:05 NCR 402	
21 NCAC 14O .0106		Temp Expired 10/12/99	13:19 NCR 1652	*	Agcy Withdraw	06/17/99	*		14:05 NCR 402	
21 NCAC 14O .0107		13:14 NCR 1157	13:19 NCR 1652	*	Approve	06/17/99	*		14:05 NCR 402	
21 NCAC 14P .0101		13:14 NCR 1157	13:19 NCR 1652	*	Approve	06/17/99	*		14:05 NCR 402	
21 NCAC 14P .0102		13:14 NCR 1157	13:19 NCR 1652	L	Approve	06/17/99	*		14:05 NCR 402	
21 NCAC 14P .0103	14:16 NCR 1401									

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21 NCAC 14P .0103		13:14 NCR 1157	13:19 NCR 1652	L	Approve	06/17/99	*		14:05 NCR 402	
21 NCAC 14P .0104		13:14 NCR 1157	13:19 NCR 1652	L	Approve	06/17/99	*		14:05 NCR 402	
21 NCAC 14P .0105	14:16 NCR 1401									
21 NCAC 14P .0105		13:14 NCR 1157	13:19 NCR 1652	L	Object	06/17/99				
21 NCAC 14P .0106					Approve	08/19/99	*		14:09 NCR 708	
21 NCAC 14P .0106		13:14 NCR 1157	13:19 NCR 1652	L	Approve	06/17/99			14:05 NCR 402	
21 NCAC 14P .0107	14:16 NCR 1401									
21 NCAC 14P .0107		13:14 NCR 1157	13:19 NCR 1652	L	Approve	06/17/99			14:05 NCR 402	
21 NCAC 14P .0108		13:14 NCR 1157	13:19 NCR 1652	L	Approve	06/17/99			14:05 NCR 402	
21 NCAC 14P .0108	14:16 NCR 1401									
21 NCAC 14P .0109		13:14 NCR 1157	13:19 NCR 1652	L	Approve	06/17/99			14:05 NCR 402	
21 NCAC 14P .0110		13:14 NCR 1157	13:19 NCR 1652	L	Approve	06/17/99	*		14:05 NCR 402	
21 NCAC 14P .0111		13:14 NCR 1157	13:19 NCR 1652	L	Object	06/17/99				
21 NCAC 14P .0112		13:14 NCR 1157	13:19 NCR 1652	L	Approve	08/19/99	*		14:09 NCR 708	
21 NCAC 14P .0113		13:14 NCR 1157	13:19 NCR 1652	L	Object	06/17/99	*		14:09 NCR 708	
21 NCAC 14P .0114		13:14 NCR 1157	13:19 NCR 1652	L	Approve	08/19/99	*		14:09 NCR 708	
21 NCAC 14P .0115	14:16 NCR 1401									
21 NCAC 14P .0115		13:14 NCR 1157	13:19 NCR 1652	L	Approve	06/17/99	*		14:05 NCR 402	
21 NCAC 14P .0116		13:14 NCR 1157	13:19 NCR 1652	L	Object	06/17/99	*		14:09 NCR 708	
<b>CULTURAL RESOURCES</b>										
7 NCAC 04S .0101	14:05 NCR 370		14:09 NCR 657	*	Agcy Withdraw	01/20/00				
7 NCAC 04S .0102	14:05 NCR 370		14:09 NCR 657	*	Agcy Withdraw	01/20/00				
7 NCAC 04S .0103	14:05 NCR 370		14:09 NCR 657	*	Approve	01/20/00				
7 NCAC 04S .0104	14:05 NCR 370		14:09 NCR 657	*	Agcy Withdraw	01/20/00				
7 NCAC 04S .0105	14:05 NCR 370		14:09 NCR 657	*	Agcy Withdraw	01/20/00				
7 NCAC 04S .0106	14:05 NCR 370		14:09 NCR 657	*	Agcy Withdraw	01/20/00				
7 NCAC 04S .0107	14:05 NCR 370		14:09 NCR 657	*	Agcy Withdraw	01/20/00				



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7 NCAC 04S .0108	14:05 NCR 370		14:09 NCR 657	*	Agcy Withdrew	01/20/00				
7 NCAC 04S .0109	14:05 NCR 370		14:09 NCR 657	*	Agcy Withdrew	01/20/00				
7 NCAC 04S .0110	14:05 NCR 370		14:09 NCR 657	*	Agcy Withdrew	01/20/00				
<b>DENTAL EXAMINERS</b>										
21 NCAC 16G .0101	13:10 NCR 804		13:15 NCR 1218	*	Approve	01/20/00	*			
21 NCAC 16G .0102	13:10 NCR 804		13:15 NCR 1218	*	Approve	01/20/00				
21 NCAC 16G .0103	13:10 NCR 804		13:15 NCR 1218	*	Approve	01/20/00	*			
21 NCAC 16H .0103	12:24 NCR 2203		13:15 NCR 1218	*	Approve	01/20/00	*			
21 NCAC 16H .0104	12:24 NCR 2203		13:15 NCR 1218	*	Approve	01/20/00	*			
21 NCAC 16H .0201	12:24 NCR 2203		13:15 NCR 1218	*	Approve	01/20/00	*			
21 NCAC 16H .0202	12:24 NCR 2203		13:15 NCR 1218	*	Approve	01/20/00	*			
21 NCAC 16H .0203	12:24 NCR 2203		13:15 NCR 1218	*	Approve	01/20/00	*			
21 NCAC 16H .0204	12:24 NCR 2203		13:15 NCR 1218	*	Approve	01/20/00	*			
21 NCAC 16H .0205	12:24 NCR 2203		13:15 NCR 1218	*	Approve	01/20/00	*			
21 NCAC 16I .0103	14:15 NCR 1346									
21 NCAC 16I .0104	14:15 NCR 1346									
21 NCAC 16M .0101		13:11 NCR 910	13:15 NCR 1218	*	Object Approve	06/17/99 07/15/99	*		14:06 NCR 490	
21 NCAC 16M .0102	14:06 NCR 487	14:06 NCR 487								
21 NCAC 16Q .0201	12:24 NCR 2203		13:15 NCR 1218	*	Approve	01/20/00	*			
21 NCAC 16Q .0202	12:24 NCR 2203		13:15 NCR 1218	*	Approve	01/20/00	*			
21 NCAC 16Q .0301	12:24 NCR 2203		13:15 NCR 1218	*	Approve	01/20/00	*			
21 NCAC 16Q .0302	12:24 NCR 2203		13:15 NCR 1218	*	Approve	01/20/00	*			
21 NCAC 16R .0102	14:15 NCR 1346									
21 NCAC 16R .0103	14:15 NCR 1346									
21 NCAC 16S .0101	14:06 NCR 487	14:06 NCR 487								
21 NCAC 16S .0102	14:06 NCR 487	14:06 NCR 487								
21 NCAC 16S .0201	14:06 NCR 487	14:06 NCR 487								

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21 NCAC 16S .0203	14:06 NCR 487	14:06 NCR 487								
21 NCAC 16S .0205	13:10 NCR 804		13:15 NCR 1218	*						
21 NCAC 16S .0205	14:06 NCR 487	14:06 NCR 487								
21 NCAC 16V .0101	13:10 NCR 804		13:15 NCR 1218	*	Approve	01/20/00	*			
21 NCAC 16V .0102	13:10 NCR 804		13:15 NCR 1218	*	Approve	01/20/00	*			
21 NCAC 16W .0101	14:08 NCR 647	14:08 NCR 647								
21 NCAC 16W .0102	14:08 NCR 647	14:08 NCR 647								
21 NCAC 16W .0103	14:15 NCR 1353									
<b>ELECTRICAL CONTRACTORS, BOARD OF EXAMINERS</b>										
21 NCAC 18B .0208	N/A		N/A	N/A	Object Approve	06/17/99 07/15/99			14:06 NCR 490	
<b>EMPLOYEE ASSISTANCE PROFESSIONALS, BOARD OF</b>										
21 NCAC 11 .0101	12:19 NCR 1764	12:21 NCR 1884	13:03 NCR 313	S/L	Approve	01/21/99	*		13:22 NCR 1868	
21 NCAC 11 .0102	12:19 NCR 1764	12:21 NCR 1884 Expired 04/30/99	13:03 NCR 313	S/L	Agcy. withdrew					
21 NCAC 11 .0103	12:19 NCR 1764	12:21 NCR 1884 Expired 04/30/99	13:03 NCR 313	S/L	Agcy. withdrew					
21 NCAC 11 .0104	12:19 NCR 1764	12:21 NCR 1884	13:03 NCR 313	S/L	Approve	01/21/99	*		13:22 NCR 1868	
21 NCAC 11 .0105	12:19 NCR 1764	12:21 NCR 1884	13:03 NCR 313	S/L	Approve	01/21/99	*		13:22 NCR 1868	
21 NCAC 11 .0106	12:19 NCR 1764	12:21 NCR 1884	13:03 NCR 313	S/L	Approve	01/21/99	*		13:22 NCR 1868	
21 NCAC 11 .0107	12:19 NCR 1764	12:21 NCR 1884	13:03 NCR 313	S/L	Approve	01/21/99	*		13:22 NCR 1868	
21 NCAC 11 .0108	12:19 NCR 1764	12:21 NCR 1884	13:03 NCR 313	S/L	Approve	01/21/99	*		13:22 NCR 1868	
21 NCAC 11 .0109	12:19 NCR 1764	12:21 NCR 1884	13:03 NCR 313	S/L	Approve	01/21/99	*		13:22 NCR 1868	
21 NCAC 11 .0110	12:19 NCR 1764	12:21 NCR 1884	13:03 NCR 313	S/L	Object Approve	01/21/99 02/18/99	*		13:24 NCR 2037	
21 NCAC 11 .0111	12:19 NCR 1764	12:21 NCR 1884	13:03 NCR 313	S/L	Approve	01/21/99	*		13:22 NCR 1868	
21 NCAC 11 .0112	12:19 NCR 1764	12:21 NCR 1884	13:03 NCR 313	S/L	Approve	01/21/99	*		13:22 NCR 1868	
<b>ENGINEERS AND SURVEYORS, BOARD OF EXAMINERS FOR</b>										
21 NCAC 56 .0101	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56 .0103	14:08 NCR 579		14:13 NCR 1154	*						

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21 NCAC 56.0104	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56.0402	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56.0501	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56.0502	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56.0503	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56.0505	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56.0601	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56.0602	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56.0603	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56.0606	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56.0701	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56.0702	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56.0802	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56.0804	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56.0901	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56.0902	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56.1001	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56.1002	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56.1003	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56.1101	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56.1102	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56.1103	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56.1104	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56.1105	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56.1106	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56.1201	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56.1203	14:08 NCR 579		14:13 NCR 1154	*						



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21 NCAC 56 .1301	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56 .1302	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56 .1409	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56 .1501	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56 .1601	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56 .1602	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56 .1603	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56 .1604	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56 .1605	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56 .1606	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56 .1607	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56 .1608	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56 .1609	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56 .1701	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56 .1702	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56 .1703	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56 .1704	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56 .1705	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56 .1706	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56 .1707	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56 .1708	14:08 NCR 579		14:13 NCR 1154	*						
21 NCAC 56 .1709	14:08 NCR 579		14:13 NCR 1154	*						
<b>ENVIRONMENT AND NATURAL RESOURCES</b>										
15A NCAC 01J .0101		13:18 NCR 1528	13:22 NCR 1827	*	Approve	12/16/99				
15A NCAC 01J .0102		13:18 NCR 1528	13:22 NCR 1827	S/L	Approve	12/16/99	*			
15A NCAC 01J .0202		13:18 NCR 1528	13:22 NCR 1827	S/L	Approve	12/16/99	*			
15A NCAC 01J .0301	14:08 NCR 644	14:08 NCR 644								

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15A NCAC 01J .0303		13:18 NCR 1528	13:22 NCR 1827	S/L	Approve	12/16/99	*			
15A NCAC 01J .0402		13:18 NCR 1528	13:22 NCR 1827	S/L	Object	12/16/99				
15A NCAC 01J .0502		13:18 NCR 1528	13:22 NCR 1827	S/L	Approve	01/20/00	*			
15A NCAC 01J .0504		13:18 NCR 1528	13:22 NCR 1827	*	Approve	12/16/99				
15A NCAC 01J .0601		13:18 NCR 1528	13:22 NCR 1827	*	Object	12/16/99	*			
15A NCAC 01J .0604		13:18 NCR 1528	13:22 NCR 1827	*	Approve	01/20/00	*			
15A NCAC 01J .0701		13:18 NCR 1528	13:22 NCR 1827	*	Approve	12/16/99				
15A NCAC 01J .0703		13:18 NCR 1528	13:22 NCR 1827	S/L	Object	12/16/99				
15A NCAC 01J .0803		13:18 NCR 1528	13:22 NCR 1827	S/L	Approve	01/20/00	*			
15A NCAC 01J .0903		13:18 NCR 1528	13:22 NCR 1827	S/L	Object	12/16/99				
15A NCAC 01J .0904		13:18 NCR 1528	13:22 NCR 1827	S/L	Approve	01/20/00	*			
15A NCAC 01K	10:19 NCR 2506	13:18 NCR 1528	13:22 NCR 1827	*	Approve	12/16/99	*			
15A NCAC 01L .0101		13:18 NCR 1528	13:22 NCR 1827	S/L	Approve	12/16/99				
15A NCAC 01L .0102		13:18 NCR 1528	13:22 NCR 1827	*	Approve	12/16/99	*			
15A NCAC 01L .0203		13:18 NCR 1528	13:22 NCR 1827	*	Approve	12/16/99				
15A NCAC 01L .0301	14:08 NCR 644	14:08 NCR 644								
15A NCAC 01L .0303		13:18 NCR 1528	13:22 NCR 1827	*	Approve	12/16/99				
15A NCAC 01L .0501		13:18 NCR 1528	13:22 NCR 1827	S/L	Approve	12/16/99				
15A NCAC 01L .0503		13:18 NCR 1528	13:22 NCR 1827	*	Object	12/16/99	*			
15A NCAC 01L .0601		13:18 NCR 1528	13:22 NCR 1827	*	Approve	01/20/00	*			
15A NCAC 01L .0604		13:18 NCR 1528	13:22 NCR 1827	*	Approve	12/16/99				
15A NCAC 01L .0701		13:18 NCR 1528	13:22 NCR 1827	*	Object	12/16/99	*			
15A NCAC 01L .0801		13:18 NCR 1528	13:22 NCR 1827	*	Approve	01/20/00	*			
15A NCAC 01L .0902		13:18 NCR 1528	13:22 NCR 1827	S/L	Object	12/16/99	*			
15A NCAC 01L .1003		13:18 NCR 1528	13:22 NCR 1827	S/L	Approve	12/16/99	*			

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15A NCAC 01L .1004		13:18 NCR 1528	13:22 NCR 1827	*	Approve	01/20/00	*			
					Approve	12/16/99	*			
<b>Coastal Resources Commission</b>										
15A NCAC 07	11:04 NCR 183									
15A NCAC 07H .0200	13:22 NCR 1818									
15A NCAC 07H .0201	12:21 NCR 1873		13:23 NCR 1937	*	Approve	12/16/99	*			14:02 NCR 74
15A NCAC 07H .0203	12:21 NCR 1873		13:23 NCR 1937	*	Approve	12/16/99				14:02 NCR 74
15A NCAC 07H .0208	11:19 NCR 1408		11:27 NCR 2058	*						
15A NCAC 07H .0208	12:21 NCR 1873									
15A NCAC 07H .0209	12:21 NCR 1873		13:23 NCR 1937	S/L	Object	12/16/99	*			14:02 NCR 74
15A NCAC 07H .0210	13:22 NCR 1818		14:16 NCR 1421	L	Approve	01/20/00				
15A NCAC 07H .0300	12:02 NCR 52									
15A NCAC 07H .0300	13:05 NCR 436									
15A NCAC 07H .0306	11:04 NCR 183		11:11 NCR 907	*						
15A NCAC 07H .0306	12:19 NCR 1763									
15A NCAC 07H .0309	13:05 NCR 436		13:13 NCR 1044	S	Object	07/15/99	*		14:09 NCR 708	
					Approve	08/19/99				
15A NCAC 07H .1100	12:21 NCR 1873									
15A NCAC 07H .1103	14:06 NCR 428		14:09 NCR 662	S/L	Approve	01/20/00				
15A NCAC 07H .1200	12:21 NCR 1873									
15A NCAC 07H .1203	14:06 NCR 428		14:09 NCR 662	S/L	Approve	01/20/00				
15A NCAC 07H .1300	14:06 NCR 428									
15A NCAC 07H .1301	12:21 NCR 1873		13:23 NCR 1937	*	Approve	12/16/99	*			14:02 NCR 74
15A NCAC 07H .1303	14:06 NCR 428		14:09 NCR 662	S/L	Approve	01/20/00				
15A NCAC 07H .1400	12:21 NCR 1873									
15A NCAC 07H .1403	14:06 NCR 428		14:09 NCR 662	S/L	Approve	01/20/00				
15A NCAC 07H .1500	12:21 NCR 1873									
15A NCAC 07H .1503	14:06 NCR 428		14:09 NCR 662	S/L	Approve	01/20/00				



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15A NCAC 07H .1600	11:15 NCR 1200									
15A NCAC 07H .1600	14:06 NCR 428									
15A NCAC 07H .1601	12:21 NCR 1873		13:23 NCR 1937	*	Approve	12/16/99	*			14:02 NCR 74
15A NCAC 07H .1603	14:06 NCR 428		14:09 NCR 662	S/L	Approve	01/20/00				
15A NCAC 07H .1700	12:21 NCR 1873									
15A NCAC 07H .1803	14:06 NCR 428		14:09 NCR 662	S/L	Approve	01/20/00				
15A NCAC 07H .1805		13:07 NCR 593	13:16 NCR 1259	*	Object Object	07/15/99 08/19/99				
15A NCAC 07H .1901	12:21 NCR 1873		13:23 NCR 1937	*	Approve	12/16/99	*		14:10 NCR 839	
15A NCAC 07H .1903	14:06 NCR 428		14:09 NCR 662	S/L	Approve	01/20/00				
15A NCAC 07H .2003	14:06 NCR 428		14:09 NCR 662	S/L	Approve	01/20/00				
15A NCAC 07H .2100	14:06 NCR 428									
15A NCAC 07H .2101	13:05 NCR 436		13:13 NCR 1044	S	Approve	07/15/99	*		14:06 NCR 490	
15A NCAC 07H .2102	13:05 NCR 436		13:13 NCR 1044	S	Approve	07/15/99	*		14:06 NCR 490	
15A NCAC 07H .2103	14:06 NCR 428		14:09 NCR 662	S/L	Approve	01/20/00				
15A NCAC 07H .2105	13:05 NCR 436		13:13 NCR 1044	S	Object Approve	07/15/99 08/19/99	*		14:09 NCR 708	
15A NCAC 07H .2203	14:06 NCR 428		14:09 NCR 662	S/L	Approve	01/20/00				
15A NCAC 07H .2300	14:06 NCR 428									
15A NCAC 07H .2301	12:21 NCR 1873		13:23 NCR 1937	*	Approve	12/16/99				14:02 NCR 74
15A NCAC 07H .2303	14:06 NCR 428		14:09 NCR 662	S/L	Approve	01/20/00				
15A NCAC 07H .2401	13:05 NCR 436		13:13 NCR 1044	S	Approve	05/20/99	*		14:04 NCR 330	
15A NCAC 07H .2402	13:05 NCR 436		13:13 NCR 1044	S	Approve	05/20/99	*		14:04 NCR 330	
15A NCAC 07H .2403	13:05 NCR 436		13:13 NCR 1044	S	Approve	05/20/99			14:04 NCR 330	
15A NCAC 07H .2404	13:05 NCR 436		13:13 NCR 1044	S	Object Approve	05/20/99 06/17/99	*		14:05 NCR 402	
15A NCAC 07H .2405	13:05 NCR 436		13:13 NCR 1044	S	Approve	05/20/99	*		14:04 NCR 330	
15A NCAC 07H .2501	14:09 NCR 693	14:09 NCR 693								
15A NCAC 07H .2502	14:09 NCR 693	14:09 NCR 693								

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15A NCAC 07H .2503	14:09 NCR 693	14:09 NCR 693								
15A NCAC 07H .2504	14:09 NCR 693	14:09 NCR 693								
15A NCAC 07H .2505	14:09 NCR 693	14:09 NCR 693								
15A NCAC 07J .0200	12:24 NCR 2202									
15A NCAC 07J .0204		13:07 NCR 593	Temp Expired 06/28/99							
15A NCAC 07J .0204	14:06 NCR 428		14:09 NCR 662	S/L	Approve	01/20/00	*			
15A NCAC 07J .0404	14:06 NCR 428		14:09 NCR 662	S/L	Approve	01/20/00	*			
15A NCAC 07J .0405	12:24 NCR 2202									
15A NCAC 07J .0405	14:06 NCR 428		14:09 NCR 662	S/L	Approve	01/20/00	*			
15A NCAC 07J .0406	14:06 NCR 428		14:09 NCR 662	S/L	<b>Object</b>	<b>01/20/00</b>				
15A NCAC 07K .0203	12:21 NCR 1873		13:23 NCR 1937	*	Approve	12/16/99	*			14:02 NCR 74
15A NCAC 07K .0203	14:06 NCR 428									
15A NCAC 07K .0208	12:21 NCR 1873									
15A NCAC 07K .0208	14:06 NCR 428									
15A NCAC 07K .0209	12:21 NCR 1873		13:23 NCR 1937	*	Approve		*			14:02 NCR 74
15A NCAC 07L .0202	12:21 NCR 1874									
15A NCAC 07L .0203	12:21 NCR 1874									
15A NCAC 07L .0206	12:21 NCR 1874									
15A NCAC 07L .0302	12:21 NCR 1874									
15A NCAC 07L .0304	12:21 NCR 1874									
15A NCAC 07L .0401	12:21 NCR 1874									
15A NCAC 07L .0405	12:21 NCR 1874									
15A NCAC 07M .0300	12:24 NCR 2202									
15A NCAC 07M .0307	13:22 NCR 1818		14:09 NCR 666	S/L	<b>Object</b>	<b>01/20/00</b>				
15A NCAC 07M .0401	13:04 NCR 361	13:12 NCR 976	13:16 NCR 1259	*						
15A NCAC 07M .0401	14:01 NCR 44	14:01 NCR 44	14:09 NCR 666	*	Approve	01/20/00				
15A NCAC 07M .0402	13:04 NCR 361	13:12 NCR 976	13:16 NCR 1259	*	Approve	01/20/00				

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15A NCAC 07M .0402	14:01 NCR 44	14:01 NCR 44	14:09 NCR 666	*	Approve	01/20/00				
15A NCAC 07M .0403	13:04 NCR 361	13:12 NCR 976	14:09 NCR 666	*	Approve	01/20/00				
15A NCAC 07M .0403	14:01 NCR 44	14:01 NCR 44	14:09 NCR 666	*	Object	01/20/00				
<b>Environmental Management Commission</b>										
<b>NPDES Permit</b>										
Notice of Intent to Adopt Temporary Rules (Tar-Pamlico River Basin)										
Notice of Intent to Adopt Temporary Rules (Implementation Plan for Use of Hurricane Floyd Relief Funds)										
15A NCAC 02	10:24 NCR 3045									14:16 NCR 1400
15A NCAC 02	11:04 NCR 183									14:05 NCR 369
15A NCAC 02	11:19 NCR 1408									14:14 NCR 1218
15A NCAC 02B .0100	13:08 NCR 621									
15A NCAC 02B .0101	11:24 NCR 1818		11:30 NCR 2303	*						
15A NCAC 02B .0110	13:08 NCR 621		14:06 NCR 434	*						
15A NCAC 02B .0200	13:08 NCR 621									
15A NCAC 02B .0202	11:24 NCR 1818		11:30 NCR 2303	*						
15A NCAC 02B .0211	13:08 NCR 621		14:06 NCR 434	*						
15A NCAC 02B .0220	13:08 NCR 621		14:06 NCR 434	*						
15A NCAC 02B .0223	11:02 NCR 75									
15A NCAC 02B .0223	11:03 NCR 109									
15A NCAC 02B .0223	13:08 NCR 621		14:06 NCR 434	*						
15A NCAC 02B .0225	13:08 NCR 621		14:06 NCR 434	*						
15A NCAC 02B .0225	13:19 NCR 1606		13:23 NCR 1929	*	Object	01/20/00				
15A NCAC 02B .0227	10:18 NCR 2400		11:12 NCR 973	*						
15A NCAC 02B .0230	14:10 NCR 823	14:10 NCR 823								
15A NCAC 02B .0231	11:02 NCR 75		11:10 NCR 824	L/SE						
			11:14 NCR 1136							
15A NCAC 02B .0233	11:02 NCR 75		11:10 NCR 824	L	Object Approve	01/15/98 02/19/98	*		12:22 NCR 2012	Disapproved (HB 1402)



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15A NCAC 02C .0102	14:10 NCR 743									
15A NCAC 02C .0103	14:10 NCR 743									
15A NCAC 02C .0105	14:10 NCR 743									
15A NCAC 02C .0107	14:10 NCR 743									
15A NCAC 02C .0108	14:10 NCR 743									
15A NCAC 02C .0110	14:10 NCR 743									
15A NCAC 02C .0111	14:10 NCR 743									
15A NCAC 02C .0112	14:10 NCR 743									
15A NCAC 02C .0113	14:10 NCR 743									
15A NCAC 02C .0114	14:10 NCR 743									
15A NCAC 02C .0117	14:10 NCR 743									
15A NCAC 02C .0118	14:10 NCR 743									
15A NCAC 02D	13:12 NCR 943									
15A NCAC 02D .0101	12:02 NCR 52									
15A NCAC 02D .0101	12:16 NCR 1482									
15A NCAC 02D .0108	11:15 NCR 1200									
15A NCAC 02D .0307	11:15 NCR 1200									
15A NCAC 02D .0501	11:15 NCR 1200									
15A NCAC 02D .0501	11:04 NCR 183									
15A NCAC 02D .0501	13:16 NCR 1252									
15A NCAC 02D .0506	14:04 NCR 265									
15A NCAC 02D .0518	11:19 NCR 1408									
15A NCAC 02D .0521	11:15 NCR 1200									
15A NCAC 02D .0521	14:04 NCR 265									
15A NCAC 02D .0521	14:16 NCR 1401									
15A NCAC 02D .0523	13:12 NCR 943									
15A NCAC 02D .0524	11:15 NCR 1200									
			14:07 NCR 524	*						
					Approve	01/20/00				
			14:03 NCR 162	*						

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					Action	Date				
15A NCAC 02D .0524	13:08 NCR 621		14:03 NCR 162	*	Approve	11/17/99	*		14:15 NCR 1354	
15A NCAC 02D .0525	11:15 NCR 1200									
15A NCAC 02D .0535	14:16 NCR 1401									
15A NCAC 02D .0540	13:04 NCR 356									
15A NCAC 02D .0541	13:08 NCR 621									
15A NCAC 02D .0541	13:16 NCR 1252		14:03 NCR 162	*	Object Approve	11/17/99 12/16/99	*			
15A NCAC 02D .0542	13:24 NCR 1994									
15A NCAC 02D .0610	11:15 NCR 1200									
15A NCAC 02D .0611	11:15 NCR 1200									
15A NCAC 02D .0612	11:15 NCR 1200									
15A NCAC 02D .0613	11:15 NCR 1200									
15A NCAC 02D .0614	11:15 NCR 1200									
15A NCAC 02D .0615	11:15 NCR 1200									
15A NCAC 02D .0806	11:26 NCR 1976									
15A NCAC 02D .0902	11:19 NCR 1408		14:07 NCR 524	*						
15A NCAC 02D .0903	11:15 NCR 1200									
15A NCAC 02D .0909	11:19 NCR 1408									
15A NCAC 02D .0912	11:15 NCR 1200		14:07 NCR 524	*						
15A NCAC 02D .0917	11:19 NCR 1408									
15A NCAC 02D .0918	11:19 NCR 1408									
15A NCAC 02D .0919	11:19 NCR 1408									
15A NCAC 02D .0920	11:19 NCR 1408									
15A NCAC 02D .0921	11:19 NCR 1408									
15A NCAC 02D .0922	11:19 NCR 1408									
15A NCAC 02D .0923	11:19 NCR 1408									
15A NCAC 02D .0924	11:19 NCR 1408									
15A NCAC 02D .0936	13:16 NCR 1252									



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15A NCAC 02D .0927	13:16 NCR 1252									
15A NCAC 02D .0932	13:16 NCR 1252									
15A NCAC 02D .0934	11:19 NCR 1408									
15A NCAC 02D .0948	11:19 NCR 1408		14:07 NCR 524	*						
15A NCAC 02D .0949	11:19 NCR 1408		14:07 NCR 524	*						
15A NCAC 02D .0950	11:19 NCR 1408		14:07 NCR 524	*						
15A NCAC 02D .0951	11:19 NCR 1408		14:07 NCR 524	*						
15A NCAC 02D .0952	12:16 NCR 1482									
15A NCAC 02D .0954	11:15 NCR 1200									
15A NCAC 02D .0958	11:19 NCR 1408		14:07 NCR 524	*						
15A NCAC 02D .1005	14:04 NCR 265									
15A NCAC 02D .1100	11:08 NCR 442									
15A NCAC 02D .1103	13:04 NCR 356									
15A NCAC 02D .1103	14:04 NCR 265									
15A NCAC 02D .1104	13:04 NCR 356									
15A NCAC 02D .1104	13:16 NCR 1252									
15A NCAC 02D .1105	11:15 NCR 1200									
15A NCAC 02D .1106	11:26 NCR 1976									
15A NCAC 02D .1200	14:04 NCR 265									
15A NCAC 02D .1201	13:12 NCR 943		14:03 NCR 162	*						
15A NCAC 02D .1202	13:12 NCR 943		14:14 NCR 1237	*	Approve	01/20/00	*			
15A NCAC 02D .1203	13:12 NCR 943		14:03 NCR 162	*	Approve	01/20/00	*			
15A NCAC 02D .1204	13:12 NCR 943		14:03 NCR 162	*	Approve	01/20/00	*			
15A NCAC 02D .1205	13:12 NCR 943		14:03 NCR 162	*	Approve	01/20/00	*			
15A NCAC 02D .1206	13:12 NCR 943		14:03 NCR 162	*	Approve	01/20/00	*			
15A NCAC 02D .1207	13:12 NCR 943		14:03 NCR 162	*	Object	01/20/00	*			
15A NCAC 02D .1208	13:12 NCR 943		14:03 NCR 162	*	Approve	01/20/00	*			

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15A NCAC 02D .1209	13:12 NCR 943		14:03 NCR 162	*	Approve	01/20/00				
15A NCAC 02D .1201	13:16 NCR 1252		14:03 NCR 162	*						
15A NCAC 02D .1202	13:16 NCR 1252		14:03 NCR 162	*	Approve	01/20/00	*			
15A NCAC 02D .1203	13:16 NCR 1252		14:03 NCR 162	*	Approve	01/20/00	*			
15A NCAC 02D .1204	13:16 NCR 1252		14:03 NCR 162	*	Approve	01/20/00	*			
15A NCAC 02D .1205	13:16 NCR 1252		14:03 NCR 162	*	Approve	01/20/00	*			
15A NCAC 02D .1206	13:16 NCR 1252		14:03 NCR 162	*	Approve	01/20/00	*			
15A NCAC 02D .1207	13:16 NCR 1252		14:03 NCR 162	*	Object	01/20/00	*			
15A NCAC 02D .1208	13:16 NCR 1252		14:03 NCR 162	*	Approve	01/20/00	*			
15A NCAC 02D .1209	13:16 NCR 1252		14:03 NCR 162	*	Approve	01/20/00	*			
15A NCAC 02D .1400	13:24 NCR 1994		14:03 NCR 162	*	Approve	01/20/00				
15A NCAC 02D .1404	11:15 NCR 1200		14:03 NCR 162	*	Approve	01/20/00				
15A NCAC 02D .1700	12:02 NCR 52		14:07 NCR 524	*	Approve	01/20/00				
15A NCAC 02D .1703	13:16 NCR 1252		14:07 NCR 524	*						
15A NCAC 02D .1708	13:16 NCR 1252		14:07 NCR 524	*						
15A NCAC 02D .1709	13:16 NCR 1252		14:03 NCR 162	SE	Object	11/17/99				
15A NCAC 02D .1801		13:18 NCR 1545	14:03 NCR 162	SE	Object	11/17/99	*			
15A NCAC 02D .1802		13:22 NCR 1860	14:03 NCR 162	SE	Approve	12/16/99				
15A NCAC 02D .1803		13:18 NCR 1545	14:03 NCR 162	SE	Object	11/17/99	*			
15A NCAC 02D .1804		13:22 NCR 1860	14:03 NCR 162	SE	Object	11/17/99	*			
15A NCAC 02D .1805		13:18 NCR 1545	14:03 NCR 162	SE	Approve	12/16/99	*			
15A NCAC 02D .1903	12:16 NCR 1482	13:24 NCR 2017	14:03 NCR 162	SE	Approve	11/17/99	*		14:15 NCR 1354	
15A NCAC 02D .1903	13:12 NCR 943		14:03 NCR 162	SE	Approve	11/17/99	*		14:15 NCR 1354	
15A NCAC 02D .1904	12:16 NCR 1482		14:03 NCR 162	SE	Approve	11/17/99	*		14:15 NCR 1354	
15A NCAC 02D .2101	13:04 NCR 356		14:07 NCR 524	L						

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15A NCAC 02D .2102	13:04 NCR 356		14:07 NCR 524	L						
15A NCAC 02D .2103	13:04 NCR 356		14:07 NCR 524	L						
15A NCAC 02D .2104	13:04 NCR 356		14:07 NCR 524	L						
15A NCAC 02D .2200	11:26 NCR 1976									
15A NCAC 02E .0102	13:20 NCR 1715		13:24 NCR 1998	*						14:01 NCR 3
15A NCAC 02E .0103	13:20 NCR 1715		13:24 NCR 1998	*						14:01 NCR 3
15A NCAC 02E .0106	13:20 NCR 1715		13:24 NCR 1998	*						14:01 NCR 3
15A NCAC 02E .0107	13:20 NCR 1715		13:24 NCR 1998	*						14:01 NCR 3
15A NCAC 02E .0201	13:20 NCR 1715		13:24 NCR 1998	*						14:01 NCR 3
15A NCAC 02E .0202	13:20 NCR 1715		13:24 NCR 1998	*						14:01 NCR 3
15A NCAC 02E .0205	13:20 NCR 1715		13:24 NCR 1998	*						14:01 NCR 3
15A NCAC 02E .0501	13:20 NCR 1715		13:24 NCR 1998	*						14:01 NCR 3
15A NCAC 02E .0502	13:20 NCR 1715		13:24 NCR 1998	S/L/SE						14:01 NCR 3
15A NCAC 02E .0503	13:20 NCR 1715		13:24 NCR 1998	*						14:01 NCR 3
15A NCAC 02E .0504	13:20 NCR 1715		13:24 NCR 1998	*						14:01 NCR 3
15A NCAC 02H .0226	12:20 NCR 1817	13:04 NCR 426 Temp Expired 05/11/99	13:05 NCR 491	*						14:01 NCR 3
15A NCAC 02H .0806	13:04 NCR 356		14:02 NCR 80	L						14:01 NCR 3
15A NCAC 02H .0800	13:08 NCR 621									
15A NCAC 02H .1202	11:15 NCR 1200									
15A NCAC 02H .1203	11:15 NCR 1200									
15A NCAC 02H .1204	11:15 NCR 1200									
15A NCAC 02H .1205	11:15 NCR 1200									
15A NCAC 02L .0202	13:04 NCR 356									
15A NCAC 02L .0202	14:10 NCR 743									
15A NCAC 02N	11:15 NCR 1200									
15A NCAC 02N	11:15 NCR 1204									
15A NCAC 02P	11:15 NCR 1200									



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15A NCAC 02P .0402	13:24 NCR 1994	14:07 NCR 550	14:11 NCR 908	S/L						
15A NCAC 02Q .0102	12:16 NCR 1482									
15A NCAC 02Q .0102	13:08 NCR 621		14:03 NCR 162	*	Approve	11/17/99			14:15 NCR 1354	
15A NCAC 02Q .0102	13:12 NCR 943		14:03 NCR 162	*	Approve	11/17/99			14:15 NCR 1354	
15A NCAC 02Q .0102		13:18 NCR 1545	14:03 NCR 162	*	Approve	01/20/00	*			
15A NCAC 02Q .0102	13:24 NCR 1994	14:10 NCR 823	14:07 NCR 524	*	Approve	01/20/00	*			
15A NCAC 02Q .0102	14:04 NCR 265									
15A NCAC 02Q .0103	13:24 NCR 1994	14:10 NCR 823	14:07 NCR 524	*	Object	01/20/00				
15A NCAC 02Q .0109	14:04 NCR 265									
15A NCAC 02Q .0202	13:24 NCR 1994	14:10 NCR 823	14:07 NCR 524	*	Approve	01/20/00				
15A NCAC 02Q .0304	14:04 NCR 265									
15A NCAC 02Q .0305	14:04 NCR 265									
15A NCAC 02Q .0306	13:12 NCR 943		14:03 NCR 162	*	Approve	01/20/00				
15A NCAC 02Q .0401	14:04 NCR 265									
15A NCAC 02Q .0502	13:24 NCR 1994	14:10 NCR 823	14:07 NCR 524	S	Approve	01/20/00				
15A NCAC 02Q .0503	13:24 NCR 1994	14:10 NCR 823	14:07 NCR 524	*	Approve	01/20/00				
15A NCAC 02Q .0507	13:24 NCR 1994	14:10 NCR 823	14:07 NCR 524	*	Approve	01/20/00				
15A NCAC 02Q .0508	13:08 NCR 621	14:10 NCR 823	14:07 NCR 524	*	Object	01/20/00				
15A NCAC 02Q .0508	14:04 NCR 265									
15A NCAC 02Q .0700	11:08 NCR 442									
15A NCAC 02Q .0702	13:12 NCR 943		13:20 NCR 1727	*	Approve	10/04/99	*		14:10 NCR 839	
15A NCAC 02Q .0703	13:04 NCR 356		14:03 NCR 162	*	Object	01/20/00				
15A NCAC 02Q .0703	14:04 NCR 265									
15A NCAC 02Q .0711	13:04 NCR 356									
15A NCAC 02Q .0711	13:16 NCR 1252									
15A NCAC 02Q .0800	14:04 NCR 265									
15A NCAC 02R .0204	12:02 NCR 52		12:14 NCR 1267	S						

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15A NCAC 02R .0205	12:02 NCR 52		12:14 NCR 1267	S						
15A NCAC 02R .0600	12:02 NCR 52			*						
15A NCAC 02S .0101	14:04 NCR 272		14:10 NCR 755	*						
15A NCAC 02S .0102	14:04 NCR 272		14:10 NCR 755	*						
15A NCAC 02S .0201	14:04 NCR 272		14:10 NCR 755	*						
15A NCAC 02S .0202	14:04 NCR 272		14:10 NCR 755	*						
<b>Forest Resources, Division of</b>										
15A NCAC 09C .0200	14:13 NCR 1092									
15A NCAC 09C .0400	14:13 NCR 1092									
15A NCAC 09C .1101		14:14 NCR 1316								
15A NCAC 09C .1102		14:14 NCR 1316								
15A NCAC 09C .1103		14:14 NCR 1316								
15A NCAC 09C .1104		14:14 NCR 1316								
<b>Health Services, Commission for</b>										
15A NCAC 13A .0101	14:04 NCR 265		14:10 NCR 757	S						
	14:05 NCR 370		14:10 NCR 757	S						
15A NCAC 13A .0102	14:04 NCR 265		14:10 NCR 757	*						
	14:05 NCR 370		14:10 NCR 757	*						
15A NCAC 13A .0103	14:04 NCR 265		14:10 NCR 757	*						
	14:05 NCR 370		14:10 NCR 757	*						
15A NCAC 13A .0104	14:04 NCR 265		14:10 NCR 757	*						
	14:05 NCR 370		14:10 NCR 757	*						
15A NCAC 13A .0106	14:04 NCR 265		14:10 NCR 757	*						
	14:05 NCR 370		14:10 NCR 757	*						
15A NCAC 13A .0108	14:04 NCR 265		14:10 NCR 757	*						
	14:05 NCR 370		14:10 NCR 757	*						
15A NCAC 13A .0110	14:04 NCR 265		14:10 NCR 757	*						
	14:05 NCR 370		14:10 NCR 757	*						
15A NCAC 13A .0112	14:04 NCR 265		14:10 NCR 757	*						
	14:05 NCR 370		14:10 NCR 757	*						
15A NCAC 13A .0113	14:04 NCR 265		14:10 NCR 757	*						
	14:05 NCR 370		14:10 NCR 757	*						
15A NCAC 13A .0118	14:04 NCR 265		14:10 NCR 757	*						
	14:05 NCR 370		14:10 NCR 757	*						

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15A NCAC 13B .1627	11:08 NCR 442		11:13 NCR 1055	*						
15A NCAC 13B .1800	11:08 NCR 442									
15A NCAC 13B .1800	11:26 NCR 1976									
15A NCAC 18A	11:04 NCR 183									
15A NCAC 18A .0134	14:09 NCR 656		14:14 NCR 1238	*						
15A NCAC 18A .0188	14:09 NCR 656		14:14 NCR 1238	*						
15A NCAC 18A .0189	14:09 NCR 656		14:14 NCR 1238	*						
15A NCAC 18A .0190	14:09 NCR 656		14:14 NCR 1238	*						
15A NCAC 18A .0191	14:09 NCR 656		14:14 NCR 1238	*						
15A NCAC 18A .0301	14:09 NCR 656		14:14 NCR 1238	*						
15A NCAC 18A .0433	14:09 NCR 656		14:14 NCR 1238	*						
15A NCAC 18A .0434	14:09 NCR 656		14:14 NCR 1238	*						
15A NCAC 18A .0435	14:09 NCR 656		14:14 NCR 1238	*						
15A NCAC 18A .0500	14:09 NCR 656									
15A NCAC 18A .0600	14:09 NCR 656									
15A NCAC 18A .0700	14:09 NCR 656									
15A NCAC 18A .0800	14:09 NCR 656									
15A NCAC 18A .0900	14:09 NCR 656									
15A NCAC 18A .1000	13:16 NCR 1252									
15A NCAC 18A .1300	13:16 NCR 1252									
15A NCAC 18A .1600	13:16 NCR 1252									
15A NCAC 18A .1601										
15A NCAC 18A .1611				*						
		12:21 NCR 1882	Temp Expired 01/26/99							
		12:21 NCR 1882	Temp Expired 01/26/99							
		13:12 NCR 979	13:20 NCR 1738		Approve	08/19/99			14:09 NCR 708	
		Temp Expired 01/26/99								
15A NCAC 18A .1700	13:16 NCR 1252	12:18 NCR 1713	Temp Expired 12/11/98							
15A NCAC 18A .1720	12:16 NCR 1482	12:21 NCR 1882	Temp Expired 01/26/99							
		12:24 NCR 2228	Temp Expired 03/12/99							



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					Action	Date				
15A NCAC 18A .1808	13:08 NCR 621		13:13 NCR 1047	*	Approve	04/15/99	*		14:02 NCR 84	
15A NCAC 18A .1809	14:11 NCR 906	14:12 NCR 1041								
15A NCAC 18A .1810		12:24 NCR 2228 13:20 NCR 1740 14:12 NCR 1041	13:13 NCR 1047	*	Approve	04/15/99			14:02 NCR 84	
15A NCAC 18A .1811	14:11 NCR 906									
15A NCAC 18A .1812	13:08 NCR 621		13:13 NCR 1047	*	Approve	04/15/99	*		14:02 NCR 84	
15A NCAC 18A .1812	14:11 NCR 906	14:12 NCR 1041								
15A NCAC 18A .1938	N/A		N/A	N/A	Approve	10/04/99			14:10 NCR 839	
15A NCAC 18A .1952		13:12 NCR 979	14:03 NCR 234	*	Approve	10/04/99	*		14:10 NCR 839	
15A NCAC 18A .1953		13:12 NCR 979	14:03 NCR 234	*	Approve	10/04/99			14:10 NCR 839	
15A NCAC 18A .1954		13:12 NCR 979	14:03 NCR 234	*	Approve	10/04/99	*		14:10 NCR 839	
15A NCAC 18A .1955		13:12 NCR 979	14:03 NCR 234	*	Approve	10/04/99	*		14:10 NCR 839	
15A NCAC 18A .1956	N/A		N/A	N/A	Approve	10/04/99			14:10 NCR 839	
15A NCAC 18A .2400	13:16 NCR 1252									
15A NCAC 18A .2515	14:04 NCR 265		14:11 NCR 909	*						
15A NCAC 18A .2515	14:06 NCR 428		14:11 NCR 909	*						
15A NCAC 18A .2600	12:04 NCR 240									
15A NCAC 18A .2618	N/A	N/A	N/A	N/A	Approve	08/19/99			14:09 NCR 708	
15A NCAC 18A .2802	14:11 NCR 907	14:12 NCR 1041								
15A NCAC 18A .2805	12:16 NCR 1482									
15A NCAC 18A .2806	12:16 NCR 1482									
15A NCAC 18A .2806	14:11 NCR 907	14:12 NCR 1041								
15A NCAC 18A .2807	12:16 NCR 1482									
15A NCAC 18A .2809	12:16 NCR 1482									
15A NCAC 18A .2810	14:11 NCR 907	14:12 NCR 1041								
15A NCAC 18A .2811	12:16 NCR 1482									
15A NCAC 18A .2812	14:11 NCR 907	14:12 NCR 1041								
15A NCAC 18A .2814	12:16 NCR 1482									

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15A NCAC 18A .2815	14:11 NCR 907	14:12 NCR 1041								
15A NCAC 18A .2816	12:16 NCR 1482									
15A NCAC 18A .2818	12:16 NCR 1482									
15A NCAC 18A .2821	12:16 NCR 1482									
15A NCAC 18A .2825	14:11 NCR 907	14:12 NCR 1041								
15A NCAC 18A .2826	12:16 NCR 1482									
15A NCAC 18A .2835	12:16 NCR 1482									
15A NCAC 18A .2836	12:16 NCR 1482									
15A NCAC 18C .0301	13:04 NCR 356	14:03 NCR 247	14:03 NCR 247	S/L	Approve	12/16/99				
15A NCAC 18C .0302	13:04 NCR 356	14:03 NCR 247	14:03 NCR 247	S/L	Approve	12/16/99	*			
15A NCAC 18C .0303	13:04 NCR 356	14:03 NCR 247	14:03 NCR 247	S/L	Approve	12/16/99	*			
15A NCAC 18C .0304	13:04 NCR 356	14:03 NCR 247	14:03 NCR 247	S/L	Approve	12/16/99				
15A NCAC 18C .0305	13:04 NCR 356	14:03 NCR 247	14:03 NCR 247	S/L	Approve	12/16/99	*			
15A NCAC 18C .0306	13:04 NCR 356	14:03 NCR 247	14:03 NCR 247	*	Approve	12/16/99				
15A NCAC 18C .0307	13:04 NCR 356	14:03 NCR 247	14:03 NCR 247	S/L	Approve	12/16/99	*			
15A NCAC 18C .0308	13:04 NCR 356	14:03 NCR 247	14:03 NCR 247	S/L	Approve	12/16/99				
15A NCAC 18C .0309	13:04 NCR 356	14:03 NCR 247	14:03 NCR 247	S/L	Approve	12/16/99	*			
15A NCAC 18C .1304	13:04 NCR 356	14:03 NCR 247	14:03 NCR 247	*	Approve	12/16/99	*			
15A NCAC 18C .1513	14:05 NCR 370		14:10 NCR 757	*						
15A NCAC 18C .1538	14:05 NCR 370		14:10 NCR 757	S/L						
15A NCAC 18C .2007	14:05 NCR 370		14:10 NCR 757	S/L/SE						
15A NCAC 18C .2008	14:05 NCR 370		14:10 NCR 757	S/L						
15A NCAC 18D .0201	13:23 NCR 1928		14:06 NCR 468	S/L						
15A NCAC 18D .0203	13:23 NCR 1928		14:06 NCR 468	S/L						
15A NCAC 18D .0205	13:23 NCR 1928		14:06 NCR 468	S/L						
15A NCAC 18D .0206	13:23 NCR 1928		14:06 NCR 468	S/L						
15A NCAC 18D .0304	13:23 NCR 1928		14:06 NCR 468	S/L						

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15A NCAC 18D .0305	13:23 NCR 1928		14:06 NCR 468	*						
15A NCAC 18D .0307	13:23 NCR 1928		14:06 NCR 468	S/L						
15A NCAC 18D .0308	13:23 NCR 1928		14:06 NCR 468	S/L						
15A NCAC 18D .0309	13:23 NCR 1928		14:06 NCR 468	S/L						
15A NCAC 18D .0403	13:23 NCR 1928		14:06 NCR 468	S/L						
15A NCAC 18D .0701	13:23 NCR 1928		14:06 NCR 468	S/L						
15A NCAC 26C .0001	11:19 NCR 1408									
15A NCAC 26C .0002	11:19 NCR 1408									
15A NCAC 26C .0003	11:19 NCR 1408									
15A NCAC 26C .0004	11:19 NCR 1408									
15A NCAC 26C .0005	11:19 NCR 1408									
15A NCAC 26C .0006	11:19 NCR 1408									
15A NCAC 26C .0007	11:19 NCR 1408									
<b>Land Resources/Land Quality/Sedimentation Control Commission</b>										
15A NCAC 04B .0106	12:20 NCAC 1817		13:09 NCR 760	*	Approve	08/19/99	*		14:09 NCR 708	
15A NCAC 04B .0107	12:20 NCAC 1817		13:09 NCR 760	*	Approve	08/19/99	*		14:09 NCR 708	
15A NCAC 04B .0126	14:07 NCR 520		14:12 NCR 962	S/L						
15A NCAC 04B .0127	12:20 NCAC 1817		13:09 NCR 760	*	Approve	08/19/99			14:09 NCR 708	
15A NCAC 04C .0107	13:12 NCR 943		13:19 NCR 1651	*	Approve	10/04/99			14:10 NCR 839	
<b>Marine Fisheries Commission</b>										
15A NCAC 03	11:11 NCR 881									
15A NCAC 03	11:20 NCR 1537									
15A NCAC 03	11:26 NCR 1985									
15A NCAC 03	13:14 NCR 1113									
15A NCAC 03	13:17 NCR 1377									
15A NCAC 03H .0101	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*	Approve	12/16/99				
15A NCAC 03H .0103	12:23 NCR 2089									
	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*	Approve	12/16/99				



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					Action	Date				
15A NCAC 031.0101	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*	Approve	12/16/99	*			
15A NCAC 031.0105	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*	Approve	12/16/99	*			
15A NCAC 031.0106	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*	Object	12/16/99	*			
15A NCAC 031.0107	N/A		N/A	N/A	Approve	01/20/00				
15A NCAC 031.0114	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*	Approve	06/17/99	*		14:05 NCR 402	
15A NCAC 031.0117	N/A		N/A	N/A	Extend Review	11/17/99				
15A NCAC 031.0120	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*	Approve	12/16/99				
15A NCAC 031.0103	13:08 NCR 739									
15A NCAC 031.0103	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 031.0103	14:09 NCR 688									
15A NCAC 031.0104	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*	Approve	12/16/99	*			
15A NCAC 031.0110	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*	Approve	12/16/99	*			
15A NCAC 031.0202	11:07 NCR 407		11:11 NCR 888	*						
15A NCAC 031.0301	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*	Approve	12/16/99	*			
15A NCAC 031.0302	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*	Approve	12/16/99	*			
15A NCAC 031.0305	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*	Approve	12/16/99	*			
15A NCAC 031.0402	14:09 NCR 655									
15A NCAC 03K.0101	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*	Approve	12/16/99	*			
15A NCAC 03K.0105	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*	Approve	12/16/99	*			
15A NCAC 03K.0106	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*	Approve	12/16/99	*			
15A NCAC 03K.0202	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*	Approve	12/16/99	*			
15A NCAC 03K.0502	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*	Approve	12/16/99	*			
15A NCAC 03L.0102	11:07 NCR 407		11:11 NCR 888	*						
15A NCAC 03L.0201	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*	Approve	12/16/99	*			
15A NCAC 03L.0205	14:09 NCR 688									
15A NCAC 03L.0206	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*	Approve	12/16/99	*			
15A NCAC 03M.0202	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*	Approve	12/16/99	*			

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15A NCAC 03M .0301	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 03M .0304	14:12 NCR 958	14:12 NCR 1038								
15A NCAC 03M .0501	13:14 NCR 1113	13:08 NCR 739	14:06 NCR 443	*						
15A NCAC 03M .0503	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*	Approve	12/16/99				
15A NCAC 03M .0504	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*	Approve	12/16/99				
15A NCAC 03M .0506	13:22 NCR 1865									
15A NCAC 03M .0506	14:12 NCR 1038									
15A NCAC 03M .0507	13:10 NCR 803									
15A NCAC 03M .0507	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*	Approve	12/16/99				
15A NCAC 03M .0511	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*	Approve	12/16/99				
15A NCAC 03M .0513	11:26 NCR 1976		12:05 NCR 418	*						
15A NCAC 03M .0513	13:14 NCR 1113	14:01 NCR 18								
		14:04 NCR 323	14:06 NCR 443	*						
15A NCAC 03M .0513	13:19 NCR 1666									
15A NCAC 03M .0515	12:23 NCR 2089		13:03 NCR 303	*						
15A NCAC 03M .0515	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 03M .0515		14:12 NCR 1038								
15A NCAC 03M .0516	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*	Approve	12/16/99				
15A NCAC 03O .0101	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*	Object	12/16/99	*			
					Approve	01/20/00				
15A NCAC 03O .0101	14:09 NCR 688									
15A NCAC 03O .0102	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*	Approve	12/16/99				
15A NCAC 03O .0103	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*	Approve	12/16/99	*			
15A NCAC 03O .0104	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*	Approve	12/16/99	*			
15A NCAC 03O .0105	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*	Approve	12/16/99				
15A NCAC 03O .0106	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*	Approve	12/16/99	*			
15A NCAC 03O .0107	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*	Approve	12/16/99				
15A NCAC 03O .0108	13:14 NCR 1113	14:01 NCR 18								

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					Action	Date				
15A NCAC 030 .0109	13:14 NCR 1113	14:04 NCR 323	14:06 NCR 443	*	Approve	12/16/99	*			
15A NCAC 030 .0109	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*	Approve	12/16/99	*			
15A NCAC 030 .0109	14:09 NCR 688									
15A NCAC 030 .0110	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*	Approve	12/16/99				
15A NCAC 030 .0111	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*	Approve	12/16/99	*			
15A NCAC 030 .0201	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*	Approve	12/16/99	*			
15A NCAC 030 .0301	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*	Approve	12/16/99				
15A NCAC 030 .0302	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*	Approve	12/16/99				
15A NCAC 030 .0303	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*	Approve	12/16/99	*			
15A NCAC 030 .0304	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*	Approve	12/16/99	*			
15A NCAC 030 .0305	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*	Approve	12/16/99				
15A NCAC 030 .0306	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*	Approve	12/16/99				
15A NCAC 030 .0307	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*	Approve	12/16/99				
15A NCAC 030 .0308	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*	Approve	12/16/99				
15A NCAC 030 .0309	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*	Approve	12/16/99				
15A NCAC 030 .0310	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*	Approve	12/16/99	*			
15A NCAC 030 .0401	13:14 NCR 1113	13:18 NCR 1553	14:06 NCR 443	*	Approve	12/16/99	*			
15A NCAC 030 .0402	13:14 NCR 1113	13:18 NCR 1553	14:06 NCR 443	*	Approve	12/16/99	*			
15A NCAC 030 .0403	13:14 NCR 1113	13:18 NCR 1553	14:06 NCR 443	*	Approve	12/16/99	*			
15A NCAC 030 .0404	13:14 NCR 1113	13:18 NCR 1553	14:06 NCR 443	*	Object	12/16/99				
					Approve	01/20/00	*			
					Approve	12/16/99				
					Approve	12/16/99	*			
					Approve	07/15/99			14:06 NCR 490	
					Approve	07/15/99			14:06 NCR 490	
					Approve	06/17/99			14:05 NCR 402	
					Approve	05/20/99			14:04 NCR 330	
15A NCAC 03P .0101	N/A		N/A	N/A	Approve					
15A NCAC 03P .0102	N/A		N/A	N/A	Approve					
15A NCAC 03Q .0106	N/A		N/A	N/A	Approve					
15A NCAC 03Q .0107	11:26 NCR 1985		13:13 NCR 1043	*	Approve					
15A NCAC 03Q .0107	14:12 NCR 958									



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## Parks and Recreation Commission

15A NCAC 12A .0001 12:13 NCR 1097  
 15A NCAC 12A .0004 12:13 NCR 1097  
 15A NCAC 12A .0005 12:13 NCR 1097  
 15A NCAC 12B .0101 12:13 NCR 1097  
 15A NCAC 12B .0104 12:13 NCR 1097  
 15A NCAC 12B .0106 12:13 NCR 1097  
 15A NCAC 12B .0203 12:13 NCR 1097  
 15A NCAC 12B .0401 12:13 NCR 1097  
 15A NCAC 12B .0402 12:13 NCR 1097  
 15A NCAC 12B .0501 12:13 NCR 1097  
 15A NCAC 12B .0602 12:13 NCR 1097  
 15A NCAC 12B .0701 12:13 NCR 1097  
 15A NCAC 12B .0702 12:13 NCR 1097  
 15A NCAC 12B .0802 12:13 NCR 1097  
 15A NCAC 12B .1001 12:13 NCR 1097  
 15A NCAC 12B .1004 12:13 NCR 1097  
 15A NCAC 12B .1102 12:13 NCR 1097  
 15A NCAC 12B .1201 12:13 NCR 1097

## Water Pollution Control System Operators Certification Commission

15A NCAC 08E 11:26 NCR 1976  
 15A NCAC 08F 11:26 NCR 1976  
 15A NCAC 08F .0406 13:16 NCR 1252  
 15A NCAC 08F .0407 13:16 NCR 1252

## Waste Management

Public Notice - Seaboard Chemical Corporation  
 Well Contractors Certification Commission

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15A NCAC 27.0101	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*	Object	08/19/99			14:10 NCR 839	
15A NCAC 27.0110	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*	Approve	10/04/99	*		14:09 NCR 708	
15A NCAC 27.0201	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*	Approve	08/19/99	*			
15A NCAC 27.0301	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*	Object	08/19/99	*		14:10 NCR 839	
15A NCAC 27.0401	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*	Approve	10/04/99				
15A NCAC 27.0410	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*	Object	08/19/99	*		14:10 NCR 839	
15A NCAC 27.0420	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*	Approve	10/04/99	*		14:09 NCR 708	
15A NCAC 27.0430	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*	Object	08/19/99	*		14:10 NCR 839	
15A NCAC 27.0440	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*	Approve	10/04/99				
15A NCAC 27.0501	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*	Object	08/19/99	*		14:10 NCR 839	
15A NCAC 27.0510	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*	Approve	10/04/99	*		14:09 NCR 708	
15A NCAC 27.0520	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*	Object	08/19/99	*		14:09 NCR 708	
15A NCAC 27.0601	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*	Approve	08/19/99	*		14:09 NCR 708	
15A NCAC 27.0701	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*	Object	08/19/99	*		14:09 NCR 708	
15A NCAC 27.0801	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*	Agcy withdrew	09/30/99				
15A NCAC 27.0810	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*	Approve	08/19/99			14:09 NCR 708	
15A NCAC 27.0820	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*	Object	08/19/99	*		14:10 NCR 839	
15A NCAC 27.0830	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*	Approve	10/04/99	*		14:09 NCR 708	
15A NCAC 27.0840	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*	Object	08/19/99	*		14:10 NCR 839	
15A NCAC 27.0901	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*	Approve	10/04/99	*		14:09 NCR 708	
15A NCAC 27.0910	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*	Object	08/19/99	*		14:10 NCR 839	
15A NCAC 27.0920	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*	Approve	10/04/99	*		14:09 NCR 708	
15A NCAC 27.0930	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*	Object	08/19/99	*		14:10 NCR 839	
Wildlife Resources Commission				*	Approve	08/19/99	*		14:09 NCR 708	

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15A NCAC 10B .0100	14:08 NCR 577									
15A NCAC 10B .0105	13:07 NCR 595	13:07 NCR 595	13:12 NCR 948	*	Object	04/15/99			14:04 NCR 330	
15A NCAC 10B .0109	N/A		N/A	N/A	Approve	05/20/99	*		14:05 NCR 402	
15A NCAC 10B .0113	13:08 NCR 625	13:19 NCR 1666	13:12 NCR 948	*	Approve	06/17/99			14:02 NCR 84	
15A NCAC 10B .0115	13:18 NCR 1502		13:22 NCR 1842	*						
15A NCAC 10B .0116	14:08 NCR 577		14:12 NCR 963	*						
15A NCAC 10B .0119	14:08 NCR 577		14:12 NCR 963	*						
15A NCAC 10B .0200	14:08 NCR 577									
15A NCAC 10B .0202	13:08 NCR 625	13:19 NCR 1666	13:12 NCR 948	*	Approve	04/15/99	*		14:02 NCR 84	
15A NCAC 10B .0203	13:08 NCR 625	13:19 NCR 1666	13:12 NCR 948	*	Approve	04/15/99	*		14:02 NCR 84	
15A NCAC 10B .0203	14:08 NCR 577		14:12 NCR 963	*						
15A NCAC 10B .0204	N/A		N/A	N/A	Approve	06/17/99			14:05 NCR 402	
15A NCAC 10B .0205	13:08 NCR 625	13:19 NCR 1666	13:12 NCR 948	*	Approve	04/15/99	*		14:02 NCR 84	
15A NCAC 10B .0209	13:08 NCR 625	13:19 NCR 1666	13:12 NCR 948	*	Approve	04/15/99			14:02 NCR 84	
15A NCAC 10B .0209	14:08 NCR 577		14:12 NCR 963	*						
15A NCAC 10B .0212	13:08 NCR 625	13:19 NCR 1666	13:12 NCR 948	*	Object	04/15/99			14:04 NCR 330	
15A NCAC 10B .0302	13:08 NCR 625	13:19 NCR 1666	13:12 NCR 948	*	Approve	05/20/99	*		14:02 NCR 84	
15A NCAC 10B .0403	13:23 NCR 1928		14:12 NCR 963	*	Approve	04/15/99				
15A NCAC 10C .0107	13:08 NCR 625		13:12 NCR 948	*	Approve	04/15/99	*		14:02 NCR 84	
15A NCAC 10C .0107	14:09 NCR 655									
15A NCAC 10C .0200	14:08 NCR 577									
15A NCAC 10C .0205	14:08 NCR 577		14:12 NCR 963	*	Approve	04/15/99			14:02 NCR 84	
15A NCAC 10C .0205	13:08 NCR 625	13:19 NCR 1666	13:12 NCR 948	*	Approve	04/15/99			14:02 NCR 84	
15A NCAC 10C .0206	14:08 NCR 577		14:12 NCR 963	*						
15A NCAC 10C .0300	14:08 NCR 577									
15A NCAC 10C .0305	14:08 NCR 577		14:12 NCR 963	*						



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15A NCAC 10C .0305	13:08 NCR 625	13:19 NCR 1666	13:12 NCR 948	*	Approve	04/15/99	*		14:02 NCR 84	
15A NCAC 10C .0400	14:08 NCR 577									
15A NCAC 10C .0401	14:08 NCR 577		14:12 NCR 963	*						
15A NCAC 10C .0401	13:08 NCR 625	13:19 NCR 1666	13:12 NCR 948	*	Approve	04/15/99			14:02 NCR 84	
15A NCAC 10C .0402	14:08 NCR 577		14:12 NCR 963	*						
15A NCAC 10C .0407	14:08 NCR 577		14:12 NCR 963	*						
15A NCAC 10C .0500	14:08 NCR 577									
15A NCAC 10C .0501	13:14 NCR 1113		13:20 NCR 1737	*	Approve	08/19/99	*		14:09 NCR 708	
15A NCAC 10C .0502	13:14 NCR 1113		13:20 NCR 1737	*	Approve	08/19/99	*		14:09 NCR 708	
15A NCAC 10C .0503	13:14 NCR 1113		13:20 NCR 1737	*	Approve	08/19/99			14:09 NCR 708	
15A NCAC 10C .0503	14:08 NCR 577		14:12 NCR 963	*						
15A NCAC 10D .0100	14:08 NCR 577									
15A NCAC 10D .0102	14:08 NCR 577		14:12 NCR 963	*						
15A NCAC 10D .0102	13:08 NCR 625	13:19 NCR 1666	13:12 NCR 948	*	Approve	04/15/99			14:02 NCR 84	
15A NCAC 10D .0102	13:19 NCR 1609									
15A NCAC 10D .0103	13:08 NCR 625	13:19 NCR 1666	13:12 NCR 948	*	Approve	04/15/99	*		14:02 NCR 84	
15A NCAC 10D .0103	13:19 NCR 1609	14:07 NCR 551	14:01 NCR 6	*						
15A NCAC 10D .0103	14:08 NCR 577		14:12 NCR 963	*						
15A NCAC 10D .0104	14:08 NCR 577		14:12 NCR 963	*						
15A NCAC 10F .0201	N/A		N/A	N/A	Approve	03/18/99			14:01 NCR 48	
15A NCAC 10F .0202	N/A		N/A	N/A	Approve	10/04/99			14:10 NCR 839	
15A NCAC 10F .0300	14:01 NCR 5									
15A NCAC 10F .0303	14:02 NCR 79									
15A NCAC 10F .0310	13:07 NCR 595	13:15 NCR 1231	13:11 NCR 905	L	Approve	02/18/99	*		13:24 NCR 2037	
15A NCAC 10F .0311	14:13 NCR 1092									
15A NCAC 10F .0317	13:08 NCR 625		13:14 NCR 1116	*	Approve	04/15/99			14:02 NCR 84	
15A NCAC 10F .0321	13:13 NCR 1040	13:19 NCR 1666	13:19 NCR 1666	L	Approve	08/19/99			14:09 NCR 708	

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15A NCAC 10F .0323	13:13 NCR 1040	13:19 NCR 1666	13:19 NCR 1666	L	Approve	08/19/99			14:09 NCR 708	
15A NCAC 10F .0327	14:08 NCR 577									
15A NCAC 10F .0330	13:03 NCR 269	13:07 NCR 595	13:07 NCR 595	S/L	Approve	04/15/99			14:02 NCR 84	
15A NCAC 10F .0330	13:11 NCR 855	13:15 NCR 1217	13:15 NCR 1231	L	Approve	04/15/99			14:02 NCR 84	
15A NCAC 10F .0332	14:08 NCR 577		14:13 NCR 1145	L						
15A NCAC 10F .0333	14:02 NCR 79		14:08 NCR 580	L						
15A NCAC 10F .0336	14:08 NCR 577									
15A NCAC 10F .0339	13:13 NCR 1040	13:19 NCR 1666	13:19 NCR 1666	L	Approve	08/19/99			14:09 NCR 708	
15A NCAC 10F .0339	13:23 NCR 1928		14:08 NCR 580	L						
15A NCAC 10F .0342	13:07 NCR 585	13:15 NCR 1231	13:11 NCR 905	L	Approve	02/18/99	*		13:24 NCR 2037	
15A NCAC 10F .0353	14:02 NCR 79		14:12 NCR 963	L						
15A NCAC 10F .0354	14:02 NCR 79									
15A NCAC 10F .0355	14:04 NCR 272		14:08 NCR 580	L						
15A NCAC 10F .0355	14:13 NCR 1092									
15A NCAC 10F .0367	13:14 NCR 1113	13:19 NCR 1666	13:19 NCR 1666	L	Approve	08/19/99			14:09 NCR 708	
15A NCAC 10I .0102	14:11 NCR 906		14:15 NCR 1347	*						
15A NCAC 10I .0103	14:11 NCR 906		14:15 NCR 1347	*						
15A NCAC 10I .0104	14:11 NCR 906		14:15 NCR 1347	*						
15A NCAC 10I .0105	14:11 NCR 906		14:15 NCR 1347	*						

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Voting Rights Act	14:02 NCR 75
Voting Rights Act	14:03 NCR 123
Voting Rights Act	14:04 NCR 263
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Voting Rights Act										
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21 NCAC 20.0101		13:19 NCR 1695	13:23 NCR 1942	*	Approve	10/04/99			14:10 NCR 839	14:14 NCR 1222
21 NCAC 20.0103		13:19 NCR 1695	13:23 NCR 1942	*	Approve	10/04/99	*		14:10 NCR 839	
21 NCAC 20.0104		13:19 NCR 1695	13:23 NCR 1942	*	Approve	10/04/99	*		14:10 NCR 839	
21 NCAC 20.0105		13:19 NCR 1695	13:23 NCR 1942	*	Approve	10/04/99	*		14:10 NCR 839	
21 NCAC 20.0106		13:19 NCR 1695	13:23 NCR 1942	*	Approve	10/04/99	*		14:10 NCR 839	
21 NCAC 20.0117		13:19 NCR 1695	13:23 NCR 1942	*	Approve	10/04/99	*		14:10 NCR 839	
21 NCAC 20.0120		13:19 NCR 1695	13:23 NCR 1942	*	Object	10/04/99			14:15 NCR 1354	
21 NCAC 20.0122		13:19 NCR 1695	13:23 NCR 1942	*	Approve	11/17/99	*		14:10 NCR 839	
21 NCAC 20.0123		13:19 NCR 1695	13:23 NCR 1942	*	Approve	10/04/99	*		14:10 NCR 839	
GENERAL CONTRACTORS LICENSING BOARD										
21 NCAC 12.0202	13:22 NCR 1821		14:06 NCR 474	*						
21 NCAC 12.0204		13:06 NCR 568	13:13 NCR 1048	*	Approve	05/20/99			14:04 NCR 330	
21 NCAC 12.0204	13:22 NCR 1821		14:06 NCR 474	*						
21 NCAC 12.0205	13:22 NCR 1821		14:06 NCR 474	*						
21 NCAC 12.0209	13:22 NCR 1821		14:06 NCR 474	*						
21 NCAC 12.0307	13:22 NCR 1821		14:06 NCR 474	*						
21 NCAC 12.0402	13:22 NCR 1821		14:06 NCR 474	*						
21 NCAC 12.0405	13:22 NCR 1821		14:06 NCR 474	*						
21 NCAC 12.0410	13:22 NCR 1821		14:06 NCR 474	*						
21 NCAC 12.0504	13:13 NCR 1040		13:18 NCR 1524	*						
21 NCAC 12.0901	13:22 NCR 1821		13:24 NCR 2015	*	Approve	11/17/99			14:15 NCR 1354	
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21 NCAC 12.0907	13:22 NCR 1821		14:06 NCR 474	*						



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21 NCAC 21 .0501	14:05 NCR 372	14:12 NCR 1064	14:12 NCR 1064	*						
21 NCAC 21 .0502	14:05 NCR 372	14:12 NCR 1064	14:12 NCR 1064	*						
21 NCAC 21 .0514	14:05 NCR 372	14:12 NCR 1064	14:12 NCR 1064	*						
21 NCAC 21 .0515	14:05 NCR 372	14:12 NCR 1064	14:12 NCR 1064	*						
21 NCAC 21 .1101	14:05 NCR 372	14:12 NCR 1064	14:12 NCR 1064	*						
21 NCAC 21 .1102	14:05 NCR 372	14:12 NCR 1064	14:12 NCR 1064	*						

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Number 153 - Eff. 05/28/99	14:02 NCR 72
Number 154 - Eff. 07/14/99	14:06 NCR 426
Number 155 - Eff. 07/20/99	14:07 NCR 510
Number 156 - Eff. 07/20/99	14:07 NCR 510
Number 157 - Eff. 08/13/99	14:07 NCR 510
Number 158 - Eff. 08/30/99	14:07 NCR 510
Number 159 - Eff. 09/15/99	14:08 NCR 574
Number 160 - Eff. 09/16/99	14:08 NCR 574
Number 161 - Eff. 09/19/99	14:08 NCR 574
Number 162 - Eff. 10/18/99	14:10 NCR 737
Number 163 - Eff. 10/18/99	14:10 NCR 737
Number 164 - Eff. 10/18/99	14:10 NCR 737
Number 165 - Eff. 11/15/99	14:12 NCR 953
Number 166 - Eff. 12/30/99	14:15 NCR 1342

## **GOVERNOR, OFFICE OF**

9 NCAC 05G .0101	14:03 NCR 245
9 NCAC 05G .0102	14:03 NCR 245
9 NCAC 05G .0103	14:03 NCR 245
9 NCAC 05G .0104	14:03 NCR 245

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HEALTH AND HUMAN SERVICES										
Aging										
10 NCAC 22	10:23 NCR 2956									
Blind/State Rehabilitation Council, Commission for the										
10 NCAC 19G .0823		13:17 NCR 1378	13:21 NCR 1785	*	Return to agency	07/15/99				
					Approve	11/17/99	*		14:15 NCR 1354	
10 NCAC 19G .0827		13:17 NCR 1378	13:21 NCR 1785	*	Approve	11/17/99			14:15 NCR 1354	
Child Day Care Commission										
10 NCAC 03U .0102	12:21 NCR 1873		14:03 NCR 154	*	Object	12/16/99				
10 NCAC 03U .0700	14:10 NCR 742									
10 NCAC 03U .2501	12:21 NCR 1873		14:03 NCR 154	*	Approve	12/16/99	*			
10 NCAC 03U .2502	12:21 NCR 1873		14:03 NCR 154	*	Approve	12/16/99	*			
10 NCAC 03U .2510	12:21 NCR 1873		14:03 NCR 154	L	Object	12/16/99				
10 NCAC 03U .2804	12:21 NCR 1873		14:03 NCR 154	*	Approve	12/16/99	*			
10 NCAC 03U .2811	12:21 NCR 1873		14:03 NCR 154	S	Approve	12/16/99	*			
Controller, Office of										
10 NCAC 01B .0418	13:14 NCR 1109		13:22 NCR 1823	*	Approve	07/15/99	*		14:06 NCR 490	
10 NCAC 01B .0419	13:14 NCR 1109		13:22 NCR 1823	*	Approve	07/15/99	*		14:06 NCR 490	
10 NCAC 01B .0420	13:14 NCR 1109		13:22 NCR 1823	*	Approve	07/15/99	*		14:06 NCR 490	
10 NCAC 01B .0501	14:07 NCR 518	14:08 NCR 594	14:14 NCR 1224	*						
10 NCAC 01B .0502	14:07 NCR 518	14:08 NCR 594	14:14 NCR 1224	*						
Facility Services										
Abbreviated Notice of Temporary Rule-Making										
10 NCAC 03R .0111	N/A		N/A	N/A	Approve	12/16/99				14:04 NCR 264
10 NCAC 03R .0212	N/A		N/A	N/A	Object	12/16/99				
					Approve	01/20/00				
10 NCAC 03R .0213		14:14 NCR 1282								
10 NCAC 03R .0304		14:14 NCR 1282								

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10 NCAC 03R .0305		14:14 NCR 1282								
10 NCAC 03R .1613		13:14 NCR 1119 Expired 10/12/99	14:04 NCR 279	*	Approve	11/17/99			14:15 NCR 1354	
10 NCAC 03R .1613		14:14 NCR 1282								
10 NCAC 03R .1615		13:14 NCR 1119 Expired 10/12/99	14:04 NCR 279	*	Approve	11/17/99			14:15 NCR 1354	
10 NCAC 03R .1615		14:14 NCR 1282								
10 NCAC 03R .1713		13:14 NCR 1119 Expired 10/12/99	14:04 NCR 279	*	Approve	11/17/99			14:15 NCR 1354	
10 NCAC 03R .1713		14:14 NCR 1282								
10 NCAC 03R .1714		13:14 NCR 1119 Expired 10/12/99	14:04 NCR 279	*	Approve	11/17/99			14:15 NCR 1354	
10 NCAC 03R .1714		14:14 NCR 1282								
10 NCAC 03R .1715		13:14 NCR 1119 Expired 10/12/99	14:04 NCR 279	*	Approve	11/17/99			14:15 NCR 1354	
10 NCAC 03R .1715		14:14 NCR 1282								
10 NCAC 03R .1912		13:14 NCR 1119 Expired 10/12/99	14:04 NCR 279	*	Approve	11/17/99			14:15 NCR 1354	
10 NCAC 03R .1912		14:14 NCR 1282								
10 NCAC 03R .1913		13:14 NCR 1119 Expired 10/12/99	14:04 NCR 279	*	Approve	11/17/99			14:15 NCR 1354	
10 NCAC 03R .1913		14:14 NCR 1282								
10 NCAC 03R .1914		13:14 NCR 1119 Expired 10/12/99	14:04 NCR 279	*	Approve	11/17/99			14:15 NCR 1354	
10 NCAC 03R .2113		14:14 NCR 1282								
10 NCAC 03R .2113		13:14 NCR 1119 Expired 10/12/99	14:04 NCR 279	*	Approve	11/17/99			14:15 NCR 1354	
10 NCAC 03R .2713		14:14 NCR 1282								
10 NCAC 03R .2713		13:14 NCR 1119 Expired 10/12/99	14:04 NCR 279	*	Approve	11/17/99			14:15 NCR 1354	
10 NCAC 03R .2715		14:14 NCR 1282								
10 NCAC 03R .2715		13:14 NCR 1119 Expired 10/12/99	14:04 NCR 279	*	Approve	11/17/99			14:15 NCR 1354	
10 NCAC 03R .2715		14:14 NCR 1282								



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10 NCAC 03R .4203		13:14 NCR 1119 Expired 10/12/99	14:04 NCR 279	*	Approve	11/17/99			14:15 NCR 1354	
10 NCAC 03R .4203		14:14 NCR 1282								
10 NCAC 03R .6001	11:22 NCR 1704									
10 NCAC 03R .6112		12:15 NCR 1431 Temp Expired 04/15/99	13:02 NCR 178	S/L/SE	Object Object Returned to Acy	10/22/98 12/17/98 04/15/99				
10 NCAC 03R .6201		13:14 NCR 1119 Expired 10/12/99	14:03 NCR 130	*	Approve	11/17/99	*		14:15 NCR 1354	
10 NCAC 03R .6202		13:14 NCR 1119 Expired 10/12/99	14:03 NCR 130	*	Approve	11/17/99	*		14:15 NCR 1354	
10 NCAC 03R .6203		13:14 NCR 1119 Expired 10/12/99	14:03 NCR 130	*	Approve	11/17/99	*		14:15 NCR 1354	
10 NCAC 03R .6204		13:14 NCR 1119 Expired 10/12/99	14:03 NCR 130	*	Approve	11/17/99	*		14:15 NCR 1354	
10 NCAC 03R .6205		13:14 NCR 1119 Expired 10/12/99	14:03 NCR 130	*	Approve	11/17/99	*		14:15 NCR 1354	
10 NCAC 03R .6206		13:14 NCR 1119 Expired 10/12/99	14:03 NCR 130	*	Approve	11/17/99	*		14:15 NCR 1354	
10 NCAC 03R .6207		13:14 NCR 1119 Expired 10/12/99	14:03 NCR 130	*	Approve	11/17/99	*		14:15 NCR 1354	
10 NCAC 03R .6208		13:14 NCR 1119 Expired 10/12/99	14:03 NCR 130	S/L/SE	Approve	11/17/99			14:15 NCR 1354	
10 NCAC 03R .6209		13:14 NCR 1119 Expired 10/12/99	14:03 NCR 130	S/L/SE	Approve	11/17/99	*		14:15 NCR 1354	
10 NCAC 03R .6210		13:14 NCR 1119 Expired 10/12/99	14:03 NCR 130	S/L/SE	Approve	11/17/99			14:15 NCR 1354	
10 NCAC 03R .6211		13:14 NCR 1119 Expired 10/12/99	14:03 NCR 130	S/L/SE	Approve	11/17/99			14:15 NCR 1354	
10 NCAC 03R .6212		13:14 NCR 1119 Expired 10/12/99	14:03 NCR 130	S/L/SE	Approve	11/17/99			14:15 NCR 1354	
10 NCAC 03R .6213		13:14 NCR 1119 Expired 10/12/99	14:03 NCR 130	*	Approve	11/17/99			14:15 NCR 1354	
10 NCAC 03R .6214		13:14 NCR 1119 Expired 10/12/99	14:03 NCR 130	*	Approve	11/17/99			14:15 NCR 1354	
10 NCAC 03R .6215		13:14 NCR 1119 Expired 10/12/99	14:03 NCR 130	*	Approve	11/17/99			14:15 NCR 1354	

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10 NCAC 03R .6216	13:14 NCR 1119 Expired 10/12/99	13:14 NCR 130	*	Approve	11/17/99				14:15 NCR 1354	
10 NCAC 03R .6217	13:14 NCR 1119 Expired 10/12/99	14:03 NCR 130	*	Approve	11/17/99				14:15 NCR 1354	
10 NCAC 03R .6218	13:14 NCR 1119 Expired 10/12/99	14:03 NCR 130	*	Approve	11/17/99				14:15 NCR 1354	
10 NCAC 03R .6219	13:14 NCR 1119 Expired 10/12/99	14:03 NCR 130	*	Approve	11/17/99				14:15 NCR 1354	
10 NCAC 03R .6220	13:14 NCR 1119 Expired 10/12/99	14:03 NCR 130	S/L/SE	Approve	11/17/99				14:15 NCR 1354	
10 NCAC 03R .6221	13:14 NCR 1119 14:04 NCR 314 Expired 10/12/99	14:03 NCR 130	S/L/SE	Approve	11/17/99		*		14:15 NCR 1354	
10 NCAC 03R .6222	13:14 NCR 1119 Expired 10/12/99	14:03 NCR 130	S/L/SE	Approve	11/17/99		*		14:15 NCR 1354	
10 NCAC 03R .6223	13:14 NCR 1119 Expired 10/12/99	14:03 NCR 130	*	Approve	11/17/99				14:15 NCR 1354	
10 NCAC 03R .6224	13:14 NCR 1119 Expired 10/12/99	14:03 NCR 130	S/L/SE	Approve	11/17/99		*		14:15 NCR 1354	
10 NCAC 03R .6225	13:14 NCR 1119 Expired 10/12/99	14:03 NCR 130	*	Approve	11/17/99				14:15 NCR 1354	
10 NCAC 03R .6226	13:14 NCR 1119 Expired 10/12/99	14:03 NCR 130	S/L/SE	Approve	11/17/99				14:15 NCR 1354	
10 NCAC 03R .6227	13:14 NCR 1119 Expired 10/12/99	14:03 NCR 130	*	Approve	11/17/99				14:15 NCR 1354	
10 NCAC 03R .6228	13:14 NCR 1119 Expired 10/12/99	14:03 NCR 130	S/L/SE	Approve	11/17/99				14:15 NCR 1354	
10 NCAC 03R .6229	13:14 NCR 1119 Expired 10/12/99	14:03 NCR 130	S/L/SE	Approve	11/17/99				14:15 NCR 1354	
10 NCAC 03R .6230	13:14 NCR 1119 Expired 10/12/99	14:03 NCR 130	*	Approve	11/17/99		*		14:15 NCR 1354	
10 NCAC 03R .6231	13:14 NCR 1119 Expired 10/12/99	14:03 NCR 130	*	Approve	11/17/99		*		14:15 NCR 1354	
10 NCAC 03R .6232	13:14 NCR 1119 Expired 10/12/99	14:03 NCR 130	*	Approve	11/17/99		*		14:15 NCR 1354	
10 NCAC 03R .6233	13:14 NCR 1119 Expired 10/12/99	14:03 NCR 130	S/L/SE	Approve	11/17/99		*		14:15 NCR 1354	
10 NCAC 03R .6234	13:14 NCR 1119 Expired 10/12/99	14:03 NCR 130	S/L/SE	Object Approve	11/17/99 12/16/99		*			
10 NCAC 03R .6235	13:14 NCR 1119 Expired 10/12/99	14:03 NCR 130	*	Approve	11/17/99		*		14:15 NCR 1354	

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10 NCAC 03R .6236		13:14 NCR 1119 Expired 10/12/99	14:03 NCR 130	*	Approve	11/17/99			14:15 NCR 1354	
10 NCAC 03R .6237		13:14 NCR 1119 Expired 10/12/99	14:03 NCR 130	*	Approve	11/17/99			14:15 NCR 1354	
10 NCAC 03R .6238		13:14 NCR 1119 Expired 10/12/99	14:03 NCR 130	*	Approve	11/17/99			14:15 NCR 1354	
10 NCAC 03R .6239		13:14 NCR 1119 Expired 10/12/99	14:03 NCR 130	*	Approve	11/17/99			14:15 NCR 1354	
10 NCAC 03R .6240		13:14 NCR 1119 Expired 10/12/99	14:03 NCR 130	*	Approve	11/17/99			14:15 NCR 1354	
10 NCAC 03R .6241		13:14 NCR 1119 Expired 10/12/99	14:03 NCR 130	*	Approve	11/17/99			14:15 NCR 1354	
10 NCAC 03R .6242	14:12 NCR 1035	14:12 NCR 1035								
10 NCAC 03R .6243	14:12 NCR 1035	14:12 NCR 1035								
10 NCAC 03R .6250		14:14 NCR 1282								
10 NCAC 03R .6252		14:14 NCR 1282								
10 NCAC 03R .6253		14:14 NCR 1282								
10 NCAC 03R .6254		14:14 NCR 1282								
10 NCAC 03R .6255		14:14 NCR 1282								
10 NCAC 03R .6256		14:14 NCR 1282								
10 NCAC 03R .6257		14:14 NCR 1282								
10 NCAC 03R .6258		14:14 NCR 1282								
10 NCAC 03R .6259		14:14 NCR 1282								
10 NCAC 03R .6260		14:14 NCR 1282								
10 NCAC 03R .6261		14:14 NCR 1282								
10 NCAC 03R .6263		14:14 NCR 1282								
10 NCAC 03R .6264		14:14 NCR 1282								
10 NCAC 03R .6265		14:14 NCR 1282								
10 NCAC 03R .6266		14:14 NCR 1282								
10 NCAC 03R .6267		14:14 NCR 1282								
10 NCAC 03R .6268		14:14 NCR 1282								



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10 NCAC 03R .6269		14:14 NCR 1282								
10 NCAC 03R .6270		14:14 NCR 1282								
10 NCAC 03R .6271		14:14 NCR 1282								
10 NCAC 03R .6272		14:14 NCR 1282								
10 NCAC 03R .6273		14:14 NCR 1282								
10 NCAC 03R .6274		14:14 NCR 1282								
10 NCAC 03R .6275		14:14 NCR 1282								
10 NCAC 03R .6276		14:14 NCR 1282								
10 NCAC 03R .6277		14:14 NCR 1282								
10 NCAC 03R .6278		14:14 NCR 1282								
10 NCAC 03R .6279		14:14 NCR 1282								
10 NCAC 03R .6280		14:14 NCR 1282								
10 NCAC 03R .6281		14:14 NCR 1282								
10 NCAC 03R .6282		14:14 NCR 1282								
10 NCAC 03R .6283		14:14 NCR 1282								
10 NCAC 03R .6284		14:14 NCR 1282								
10 NCAC 03R .6285		14:14 NCR 1282								
10 NCAC 03R .6286		14:14 NCR 1282								
10 NCAC 03R .6287		14:14 NCR 1282								
10 NCAC 03R .6288		14:14 NCR 1282								
10 NCAC 03R .6289		14:14 NCR 1282								
10 NCAC 03R .6290		14:14 NCR 1282								
10 NCAC 03R .6291		14:14 NCR 1282								
10 NCAC 03R .6292		14:14 NCR 1282								
10 NCAC 03R .6293		14:14 NCR 1282								
10 NCAC 03S .0108	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/17/99				
10 NCAC 03S .0109	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/17/99				

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10 NCAC 03S .0207	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/17/99				
10 NCAC 03S .0208	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/17/99				
10 NCAC 03S .0209	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/17/99				
10 NCAC 03S .0210	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/17/99				
10 NCAC 03S .0211	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/17/99				
10 NCAC 03S .0213	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/17/99				
10 NCAC 03S .0214	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/17/99				
10 NCAC 03S .0307	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/17/99				
10 NCAC 03S .0308	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/17/99				
10 NCAC 03S .0407	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/17/99				
10 NCAC 03S .0408	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/17/99				
10 NCAC 03S .0506	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/17/99				
10 NCAC 03S .0507	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/17/99				
10 NCAC 03S .0508	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/17/99				
10 NCAC 03S .0509	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/17/99				
10 NCAC 03S .0510	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/17/99				
10 NCAC 03S .0511	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/17/99				
10 NCAC 03S .0614	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/17/99				
10 NCAC 03S .0615	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/17/99				
10 NCAC 03S .0616	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/17/99				
10 NCAC 03S .0617	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/17/99				
10 NCAC 03S .0618	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/17/99				
10 NCAC 03S .0619	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/17/99				
10 NCAC 03S .0706	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/17/99				
10 NCAC 03S .0707	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/17/99				
10 NCAC 03S .0806	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/17/99				
10 NCAC 03S .0807	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/17/99				

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10 NCAC 03S .0808	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/17/99				
10 NCAC 03S .0901	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/17/99				
10 NCAC 03S .0902	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/17/99				
10 NCAC 03S .0903	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/17/99				
10 NCAC 03S .0904	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/17/99				
10 NCAC 03S .1001	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/17/99				
10 NCAC 03S .1002	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/17/99				
10 NCAC 03S .1003	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/17/99				
10 NCAC 03S .1004	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/17/99				
10 NCAC 03S .1005	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/17/99				
10 NCAC 03S .1006	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/17/99				
10 NCAC 03S .1101	12:24 NCR 2194		14:05 NCR 374	*	Object	11/17/99	*			
10 NCAC 03S .1201	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/17/99	*			
10 NCAC 03S .1202	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/17/99				
10 NCAC 03S .1203	12:24 NCR 2194		14:05 NCR 374	*	Object	11/17/99				
10 NCAC 03S .1204	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/17/99				
10 NCAC 03S .1205	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/17/99				
10 NCAC 03S .1206	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/17/99				
10 NCAC 03S .1207	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/17/99				
10 NCAC 03S .1301	12:24 NCR 2194		14:05 NCR 374	*	Object	11/17/99				
10 NCAC 03S .1302	12:24 NCR 2194		14:05 NCR 374	*	Return to agcy	12/16/99				
10 NCAC 03S .1303	12:24 NCR 2194		14:05 NCR 374	*	Object	11/17/99	*			
10 NCAC 03S .1401	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/17/99				
10 NCAC 03S .1501	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/17/99	*			
10 NCAC 03S .1601	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/17/99	*			
10 NCAC 03S .1701	12:24 NCR 2194		14:05 NCR 374	*	Object	11/17/99	*			
				*	Approve	12/16/99				
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10 NCAC 03S .1702	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/17/99				
10 NCAC 03S .1801	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/17/99				
10 NCAC 03S .1802	12:24 NCR 2194		14:05 NCR 374	*	Object	11/17/99	*			
10 NCAC 03S .1803	12:24 NCR 2194		14:05 NCR 374	*	Approve	12/16/99	*			
10 NCAC 03S .1804	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/17/99				
10 NCAC 03S .1805	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/17/99	*			
10 NCAC 03S .1806	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/17/99	*			
10 NCAC 03S .1901	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/17/99				
10 NCAC 03S .1902	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/17/99				
10 NCAC 03S .1903	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/17/99				
10 NCAC 03S .2001	12:24 NCR 2194		14:05 NCR 374	*	Object	11/17/99	*			
10 NCAC 03S .2002	12:24 NCR 2194		14:05 NCR 374	*	Approve	12/16/99				
10 NCAC 03S .2101	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/17/99				
10 NCAC 03S .2102	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/17/99	*			
10 NCAC 03S .2103	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/17/99				
10 NCAC 03S .2104	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/17/99				
10 NCAC 03S .2105	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/17/99				
10 NCAC 03S .2106	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/17/99				
<b>Health Services, Commission for</b>										
15A NCAC 16A .1104	13:14 NCR 1114		14:01 NCR 12	*	Object	10/04/99				
15A NCAC 16A .1106	13:14 NCR 1114		14:01 NCR 12	*	Approve	02/20/00	*			
15A NCAC 16A .1301	14:15 NCR 1344			*	Approve	10/04/99			14:10 NCR 839	
15A NCAC 16A .1302	14:15 NCR 1344									
15A NCAC 16A .1303	14:15 NCR 1344									
15A NCAC 16A .1304	14:15 NCR 1344									
15A NCAC 16A .1305	14:15 NCR 1344									

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15A NCAC 16A .1306	14:15 NCR 1344									
15A NCAC 16A .1307	14:15 NCR 1344									
15A NCAC 19A .0401	13:11 NCR 855	13:24 NCR 2034	13:24 NCR 2004	*	Approve	10/04/99	*		14:10 NCR 839	
15A NCAC 19A .0401	13:22 NCR 1818	13:24 NCR 2034	13:24 NCR 2004	*	Approve	10/04/99	*		14:10 NCR 839	
15A NCAC 19A .0401	14:06 NCR 483	14:06 NCR 483	14:10 NCR 767	*						
15A NCAC 19A .0404	13:11 NCR 855		13:24 NCR 2004	*	Approve	10/04/99			14:10 NCR 839	
15A NCAC 19A .0404	13:22 NCR 1818		13:24 NCR 2004	*	Approve	10/04/99			14:10 NCR 839	
15A NCAC 19A .0406	13:11 NCR 855		13:24 NCR 2004	*	Approve	10/04/99			14:10 NCR 839	
15A NCAC 19A .0406	13:22 NCR 1818		13:24 NCR 2004	*	Approve	10/04/99			14:10 NCR 839	
15A NCAC 19A .0502	13:11 NCR 855		13:24 NCR 2004	*	Approve	10/04/99			14:10 NCR 839	
15A NCAC 19A .0502	13:22 NCR 1818		13:24 NCR 2004	*	Approve	10/04/99			14:10 NCR 839	
15A NCAC 19A .0502	13:11 NCR 855		13:24 NCR 2004	*	Approve	10/04/99			14:10 NCR 839	
15A NCAC 19B .0101	14:15 NCR 1345									
15A NCAC 19B .0301	14:15 NCR 1345									
15A NCAC 19B .0302	14:15 NCR 1345									
15A NCAC 19B .0304	14:15 NCR 1345									
15A NCAC 19B .0309	14:15 NCR 1345									
15A NCAC 19B .0311	14:15 NCR 1345									
15A NCAC 19B .0313	14:15 NCR 1345									
15A NCAC 19B .0320	14:15 NCR 1345									
15A NCAC 19B .0321	14:15 NCR 1345									
15A NCAC 19B .0322	14:15 NCR 1345									
15A NCAC 19B .0502	14:15 NCR 1345									
15A NCAC 19B .0503	14:15 NCR 1345									
15A NCAC 21D .0202	14:15 NCR 1345									
15A NCAC 21D .0701	14:15 NCR 1345									
15A NCAC 21D .0702	14:15 NCR 1345									

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15A NCAC 21D .0703	14:15 NCR 1345									
15A NCAC 21D .0704	14:15 NCR 1345									
15A NCAC 21D .0705	14:15 NCR 1345									
15A NCAC 21D .0706	14:15 NCR 1345									
15A NCAC 21D .0802	14:15 NCR 1345									
15A NCAC 21D .0803	14:15 NCR 1345									
15A NCAC 21F .1201	14:03 NCR 126	14:06 NCR 483	14:10 NCR 767	*						
15A NCAC 21F .1202	14:03 NCR 126	14:06 NCR 483	14:10 NCR 767	*						
15A NCAC 21F .1203	14:03 NCR 126	14:06 NCR 483	14:10 NCR 767	*						
15A NCAC 21F .1204	14:03 NCR 126	14:06 NCR 483	14:10 NCR 767	*						
15A NCAC 21H .0110	12:20 NCR 1822		13:07 NCR 591	S	Extended Rev.	01/21/99				
15A NCAC 21H .0111	12:20 NCR 1822		13:07 NCR 591	S	Agcy Withdraw	02/02/99	*		13:22 NCR 1868	
15A NCAC 21H .0113	12:20 NCR 1822		13:07 NCR 591	*	Approve	01/21/99			13:22 NCR 1868	
15A NCAC 21H .0314	14:03 NCR 126	14:06 NCR 483	14:10 NCR 767	*	Approve	01/21/99				
15A NCAC 21I .0102	14:04 NCR 272									
15A NCAC 21I .0103	14:04 NCR 272									
15A NCAC 21J .0102	14:04 NCR 272									
15A NCAC 21J .0103	14:04 NCR 272									
15A NCAC 23 .0201	13:22 NCR 1820		14:02 NCR 80	*	Approve	10/04/99			14:10 NCR 839	
15A NCAC 23 .0202	13:22 NCR 1820	13:18 NCR 1555	14:02 NCR 80	S/L	Approve	10/04/99			14:10 NCR 839	
15A NCAC 23 .0204	13:22 NCR 1820		14:02 NCR 80	*	Approve	10/04/99			14:10 NCR 839	
15A NCAC 23 .0501	13:22 NCR 1820		14:02 NCR 80	*	Approve	10/04/99			14:10 NCR 839	
15A NCAC 24A .0402	14:03 NCR 126	14:06 NCR 483	14:10 NCR 767	*						
15A NCAC 24A .0403	14:03 NCR 126	14:06 NCR 483	14:10 NCR 767	*						
15A NCAC 26B	14:15 NCR 1346									
15A NCAC 26C	13:22 NCR 1820									
15A NCAC 26C .0101	13:22 NCR 1820		14:01 NCR 12	*	Approve	11/17/99	*		14:15 NCR 1354	



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15A NCAC 26C .0102	13:22 NCR 1820		14:01 NCR 12	*	Approve	11/17/99	*		14:15 NCR 1354	
15A NCAC 26C .0103	13:22 NCR 1820		14:01 NCR 12	*	Approve	11/17/99	*		14:15 NCR 1354	
15A NCAC 26C .0104	13:22 NCR 1820		14:01 NCR 12	*	Approve	11/17/99	*		14:15 NCR 1354	
15A NCAC 26C .0105	13:22 NCR 1820		14:01 NCR 12	*	Approve	11/17/99	*		14:15 NCR 1354	
15A NCAC 26C .0106	13:22 NCR 1820		14:01 NCR 12	*	Approve	11/17/99	*		14:15 NCR 1354	
15A NCAC 26C .0107	13:22 NCR 1820		14:01 NCR 12	*						
<b>Medical Assistance</b>										
10 NCAC 26B .0113	14:01 NCR 4	14:04 NCR 319								
10 NCAC 26D .0101	14:09 NCR 687	14:09 NCR 687								
10 NCAC 26D .0110	12:06 NCR 444		12:21 NCR 1875	*						
10 NCAC 26H .0101	11:14 NCR 1108									
10 NCAC 26H .0102	11:14 NCR 1108									
10 NCAC 26H .0212		12:09 NCR 827 Temp.Expired 7/31/98								
		12:13 NCR 733								
10 NCAC 26H .0213	14:08 NCR 595	14:08 NCR 595								
10 NCAC 26H .0213		11:26 NCR 1997								
		12:09 NCR 827								
		13:08 NCR 733								
	14:08 NCR 595	14:08 NCR 595								
10 NCAC 26H .0304		13:03 NCR 316	13:08 NCR 668	S/L	Object	12/17/98	*		13:22 NCR 1868	
10 NCAC 26H .0304		14:05 NCR 394			Approve	01/21/99				
10 NCAC 26H .0401		13:02 NCR 248	13:12 NCR 947	*	Approve	02/18/99	*		13:24 NCR 2037	
10 NCAC 26H .0401		14:13 NCR 1176								
10 NCAC 26H .0506		14:15 NCR 1352								
10 NCAC 26H .0511	14:13 NCR 1092									
10 NCAC 26I .0101	13:02 NCR 175		13:07 NCR 588	*						
10 NCAC 26M .0301		14:04 NCR 319								
10 NCAC 26M .0302		14:04 NCR 319								

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10 NCAC 26M .0303		14:04 NCR 319								
10 NCAC 26M .0304		14:04 NCR 319								
10 NCAC 26M .0305		14:04 NCR 319								
10 NCAC 50B .0101	14:07 NCR 545	14:07 NCR 545								
10 NCAC 50B .0102		13:18 NCR 1526	14:10 NCR 750	S/L/SE						
10 NCAC 50B .0202	12:06 NCR 444		12:21 NCR 1875	*						
10 NCAC 50B .0302	13:02 NCR 175		13:10 NCR 806	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 50B .0305		14:03 NCR 246								
10 NCAC 50B .0311	13:03 NCR 268									
10 NCAC 50B .0311	14:07 NCR 545	14:07 NCR 545								
10 NCAC 50B .0313	13:02 NCR 175		13:10 NCR 806	*	Approve	02/18/99	*		13:24 NCR 2037	
10 NCAC 50B .0313		13:18 NCR 1526	14:10 NCR 750	S/L/SE						
10 NCAC 50B .0403	14:07 NCR 545	14:07 NCR 545								
10 NCAC 50B .0408	14:07 NCR 545	14:07 NCR 545								
<b>Medical Care Commission/Secretary of the Department of Health and Human Services</b>										
Abbreviated Notice to adopt Temporary Rules										
10 NCAC 42B .1201	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
		14:10 NCR 799	14:13 NCR 1106	*						
10 NCAC 42B .1212	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
		14:10 NCR 799	14:13 NCR 1106	*						
10 NCAC 42B .1213	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	S						
		14:10 NCR 799	14:13 NCR 1106	S						
10 NCAC 42B .1214	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42B .1215	14:05 NCR 370									
10 NCAC 42B .1407	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42B .1707	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42B .1803	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42B .2013	14:05 NCR 370									
10 NCAC 42B .2014	14:05 NCR 370									

14:15 NCR 1343

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10 NCAC 42B .2406		14:10 NCR 799	14:13 NCR 1106	*						
10 NCAC 42B .2501	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42B .2502	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42B .2503	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42B .2601		14:10 NCR 799	14:13 NCR 1106	*						
10 NCAC 42C .2005	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42C .2011	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42C .2012	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42C .2013	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	S						
10 NCAC 42C .2014	14:05 NCR 370	14:10 NCR 799	14:13 NCR 1106	S						
10 NCAC 42C .2015		14:10 NCR 799	14:13 NCR 1106	*						
10 NCAC 42C .2207	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42C .2214	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42C .2302	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42C .2501	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42C .2505	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42C .2506	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42C .2703	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42C .3401	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	S						
10 NCAC 42C .3402	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42C .3701	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42C .3703	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42C .3801	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42C .3802	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42C .3803	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42C .3804	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42C .3805	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						



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10 NCAC 42C .3806	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42C .3807	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42C .3808	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42C .3809	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42C .3810	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42C .3901	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42C .3902	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42C .3903	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42C .4001		14:10 NCR 799	14:13 NCR 1106	*						
10 NCAC 42D .1301	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42D .1302	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42D .1303		14:10 NCR 799	14:13 NCR 1106	S						
10 NCAC 42D .1304	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	S						
10 NCAC 42D .1401	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	S/SE						
10 NCAC 42D .1402	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42D .1407	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	S/SE						
10 NCAC 42D .1410	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42D .1411	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42D .1412	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42D .1413	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	S/SE						
10 NCAC 42D .1414	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	S/SE						
10 NCAC 42D .1415	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	S						
10 NCAC 42D .1416	14:05 NCR 370	14:10 NCR 799	14:13 NCR 1106	*						
10 NCAC 42D .1503	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42D .1605	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						

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					Action	Date				
10 NCAC 42D .1804	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42D .1813	14:05 NCR 370									
10 NCAC 42D .1821	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42D .1831		14:10 NCR 799	14:13 NCR 1106	*						
10 NCAC 42D .1832	14:05 NCR 370									
10 NCAC 42D .1833	14:05 NCR 370									
10 NCAC 42D .1901	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42D .1902	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42D .1903	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42D .1904	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42D .1905	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42D .1906	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42D .1907	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42D .1908	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42D .1909	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42D .1910	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42D .2001	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42D .2002	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42D .2003	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42D .2004	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42D .2005	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42D .2006	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42D .2007	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42D .2008	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42D .2009	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42D .2010	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42D .2011	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						

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10 NCAC 42D .2101	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42D .2102	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42D .2201	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42D .2202	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42D .2203	14:05 NCR 370	14:08 NCR 606	14:13 NCR 1106	*						
10 NCAC 42D .2301		14:10 NCR 799	14:13 NCR 1106	*						
<b>Mental Health, Developmental Disabilities and Substance Abuse Services</b>										
10 NCAC 14V .0802	12:20 NCR 1820	13:22 NCR 1853	13:22 NCR 1853	*						
10 NCAC 14V .0803	12:20 NCR 1820	13:22 NCR 1853	13:22 NCR 1853	*						
10 NCAC 14V .0804	12:20 NCR 1820	13:22 NCR 1853	13:22 NCR 1853	*						
10 NCAC 14V .0805	12:20 NCR 1820	13:22 NCR 1853	13:22 NCR 1853	*						
10 NCAC 14V .3602	14:07 NCR 518	14:16 NCR 1465	14:16 NCR 1465	*						
10 NCAC 14V .3604	14:07 NCR 518	14:16 NCR 1465	14:16 NCR 1465	*						
10 NCAC 14V .3800	12:20 NCR 1820									
10 NCAC 14V .4000	12:20 NCR 1820									
10 NCAC 14V .4301	12:19 NCR 1762		13:07 NCR 586	*	Approve	01/21/99	*		13:22 NCR 1868	
10 NCAC 14V .4302	12:19 NCR 1762		13:07 NCR 586	*	Object	01/21/99				
10 NCAC 14V .4303	12:19 NCR 1762		13:07 NCR 586	*	Approve	02/18/99	*		13:24 NCR 2037	
10 NCAC 14V .4304	12:19 NCR 1762		13:07 NCR 586	*	Approve	01/21/99			13:22 NCR 1868	
10 NCAC 14V .4305	12:19 NCR 1762		13:07 NCR 586	*	Approve	01/21/99	*		13:22 NCR 1868	
10 NCAC 14V .4306	12:19 NCR 1762		13:07 NCR 586	*	Approve	01/21/99			13:22 NCR 1868	
10 NCAC 14V .5000	12:20 NCR 1820									
10 NCAC 45G .0410	13:23 NCR 1947	13:23 NCR 1947	14:09 NCR 659	*						
10 NCAC 45H .0205	11:19 NCR 1762	12:24 NCR 2223	13:05 NCR 487	*	Approve	11/17/99			14:15 NCR 1354	
<b>Secretary of Health and Human Services</b>										
10 NCAC 14V .7000	14:07 NCR 518									
10 NCAC 14V .7006		12:01 NCR 31	12:07 NCR 511	*						



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Temp Expired 03/28/98										
10 NCAC 14V .7201	13:05 NCR 436		13:13 NCR 1042	*						
10 NCAC 14V .7202	13:05 NCR 436		13:13 NCR 1042	*						
10 NCAC 14V .7203	13:05 NCR 436		13:13 NCR 1042	*						
10 NCAC 14V .7204	13:05 NCR 436		13:13 NCR 1042	*						
10 NCAC 14V .7205	13:05 NCR 436		13:13 NCR 1042	*						
Social Services Commission										
10 NCAC 24	14:06 NCR 427									
10 NCAC 29C .0103		13:06 NCR 566	13:19 NCR 1611	*	Approve	07/15/99			14:06 NCR 490	
10 NCAC 29C .0201	14:10 NCR 798	14:10 NCR 798								
10 NCAC 29C .0201	14:12 NCR 1036	14:12 NCR 1036								
10 NCAC 29C .0202	14:10 NCR 798	14:10 NCR 798								
10 NCAC 29C .0202	14:12 NCR 1036	14:12 NCR 1036								
10 NCAC 29C .0203	14:10 NCR 798	14:10 NCR 798								
10 NCAC 29C .0204	14:10 NCR 798	14:10 NCR 798								
10 NCAC 29C .0205	14:10 NCR 798	14:10 NCR 798								
10 NCAC 29C .0206	14:10 NCR 798	14:10 NCR 798								
10 NCAC 41H .0304	14:10 NCR 742		14:16 NCR 1406	*						
10 NCAC 41I .0102	10:17 NCR 2228		10:21 NCR 2687	*						
10 NCAC 41P .0106	14:10 NCR 742		14:16 NCR 1406	*						
10 NCAC 41S .0613		14:04 NCR 321								
10 NCAC 42A .0801	14:06 NCR 427	14:08 NCR 602	14:13 NCR 1100	S/L						
10 NCAC 42A .0802	14:06 NCR 427	14:08 NCR 602	14:13 NCR 1100	S/L						
10 NCAC 42A .0803	14:06 NCR 427	14:08 NCR 602	14:13 NCR 1100	S/L						
10 NCAC 42A .0804	14:06 NCR 427	14:08 NCR 602	14:13 NCR 1100	S/L						
10 NCAC 42A .0805	14:06 NCR 427	14:08 NCR 602	14:13 NCR 1100	S/L						
10 NCAC 42A .0806	14:06 NCR 427	14:08 NCR 602	14:13 NCR 1100	S/L						
10 NCAC 42A .0807	14:06 NCR 427	14:08 NCR 602	14:13 NCR 1100	S/L						

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10 NCAC 42A .0808	14:06 NCR 427	14:08 NCR 602	14:13 NCR 1100	S/L						
10 NCAC 42A .0809	14:06 NCR 427	14:08 NCR 602	14:13 NCR 1100	S/L						
10 NCAC 42A .0810	14:06 NCR 427	14:08 NCR 602	14:13 NCR 1100	S/L						
10 NCAC 42E	14:10 NCR 742									
10 NCAC 42E .0801	14:06 NCR 427	14:08 NCR 642	14:13 NCR 1100	*						
10 NCAC 42E .1501	14:06 NCR 427	14:08 NCR 642	14:13 NCR 1100	*						
10 NCAC 42E .1502	14:06 NCR 427	14:08 NCR 642	14:13 NCR 1100	*						
10 NCAC 42E .1503	14:10 NCR 742		14:16 NCR 1406	*						
10 NCAC 42E .1504	14:10 NCR 742		14:16 NCR 1406	*						
10 NCAC 42E .1505	14:10 NCR 742		14:16 NCR 1406	*						
10 NCAC 42E .1506	14:10 NCR 742		14:16 NCR 1406	*						
10 NCAC 42E .1507	14:10 NCR 742		14:16 NCR 1406	*						
10 NCAC 42E .1508	14:10 NCR 742		14:16 NCR 1406	*						
10 NCAC 42V .0108	14:06 NCR 427	14:08 NCR 642	14:13 NCR 1100	*						
10 NCAC 42Z .1001	14:06 NCR 427	14:08 NCR 642	14:13 NCR 1100	*						
10 NCAC 42Z .1002	14:10 NCR 742		14:16 NCR 1406	*						
10 NCAC 42Z .1003	14:10 NCR 742		14:16 NCR 1406	*						
10 NCAC 42Z .1004	14:10 NCR 742		14:16 NCR 1406	*						
10 NCAC 42Z .1005	14:10 NCR 742		14:16 NCR 1406	*						
10 NCAC 42Z .1006	14:10 NCR 742		14:16 NCR 1406	*						
10 NCAC 42Z .1007	14:10 NCR 742		14:16 NCR 1406	*						
10 NCAC 43L .0401	14:12 NCR 1036	14:12 NCR 1036	14:16 NCR 1406	*						
10 NCAC 47B .0103	14:07 NCR 519	14:08 NCR 602	14:13 NCR 1100	*						
10 NCAC 47B .0204	14:07 NCR 519	14:08 NCR 602	14:13 NCR 1100	*						
10 NCAC 47B .0407	14:07 NCR 519	14:08 NCR 602	14:13 NCR 1100	*						

## Vocational Rehabilitation Services

10 NCAC 20A .0101 14:07 NCR 519

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10 NCAC 20A .0102	14:07 NCR 519									
10 NCAC 20B .0102	14:07 NCR 519									
10 NCAC 20B .0103	14:07 NCR 519									
10 NCAC 20B .0105	14:07 NCR 519									
10 NCAC 20B .0108	14:07 NCR 519									
10 NCAC 20B .0201	14:07 NCR 519		14:16 NCR 1402	*						
10 NCAC 20B .0202	14:07 NCR 519		14:16 NCR 1402	*						
10 NCAC 20B .0203	14:07 NCR 519		14:16 NCR 1402	*						
10 NCAC 20B .0204	14:07 NCR 519		14:16 NCR 1402	*						
10 NCAC 20B .0205	14:07 NCR 519		14:16 NCR 1402	*						
10 NCAC 20B .0206	14:07 NCR 519		14:16 NCR 1402	*						
10 NCAC 20B .0207	14:07 NCR 519		14:16 NCR 1402	*						
10 NCAC 20B .0208	14:07 NCR 519		14:16 NCR 1402	*						
10 NCAC 20B .0209	14:07 NCR 519		14:16 NCR 1402	*						
10 NCAC 20B .0210	14:07 NCR 519		14:16 NCR 1402	S						
10 NCAC 20B .0211	14:07 NCR 519		14:16 NCR 1402	*						
10 NCAC 20B .0217	14:07 NCR 519									
10 NCAC 20B .0221	14:07 NCR 519		14:16 NCR 1402	*						
10 NCAC 20B .0223	14:07 NCR 519		14:16 NCR 1402	*						
10 NCAC 20B .0224		13:17 NCR 1379	14:05 NCR 392	*	Approve	12/16/99	*			
10 NCAC 20B .0225	14:07 NCR 519		14:16 NCR 1402	*						
10 NCAC 20B .0228		13:17 NCR 1379	14:05 NCR 392	*	Approve	12/16/99				
10 NCAC 20C .0101	14:07 NCR 519									
10 NCAC 20C .0120	14:07 NCR 519									
10 NCAC 20C .0122	14:07 NCR 519									
10 NCAC 20C .0123	14:07 NCR 519									
10 NCAC 20C .0201	14:07 NCR 519									



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					Action	Date				
10 NCAC 20C .0202	14:07 NCR 519									
10 NCAC 20C .0203	14:07 NCR 519									
10 NCAC 20C .0204	14:07 NCR 519									
10 NCAC 20C .0205	14:07 NCR 519									
10 NCAC 20C .0206	14:07 NCR 519									
10 NCAC 20C .0301	14:07 NCR 519									
10 NCAC 20C .0302	14:07 NCR 519									
10 NCAC 20C .0303	14:07 NCR 519									
10 NCAC 20C .0304	14:07 NCR 519									
10 NCAC 20C .0305	14:07 NCR 519									
10 NCAC 20C .0306	14:07 NCR 519									
10 NCAC 20C .0307	14:07 NCR 519									
10 NCAC 20C .0308	14:07 NCR 519									
10 NCAC 20C .0310	14:07 NCR 519									
10 NCAC 20C .0311	14:07 NCR 519									
10 NCAC 20C .0313	14:07 NCR 519									
10 NCAC 20C .0314	14:07 NCR 519									
10 NCAC 20C .0315	14:07 NCR 519									
10 NCAC 20C .0316	14:07 NCR 519									
10 NCAC 20C .0401	14:07 NCR 519									
10 NCAC 20C .0408	14:07 NCR 519									
10 NCAC 20C .0502	14:07 NCR 519									
10 NCAC 20C .0601	14:07 NCR 519									
10 NCAC 20C .0603	14:07 NCR 519									
10 NCAC 20C .0604	14:07 NCR 519									
10 NCAC 20D .0101	14:07 NCR 519									
10 NCAC 20D .0201	14:07 NCR 519									

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					Action	Date				
10 NCAC 20D .0301	14:07 NCR 519									
<b>HOUSING FINANCE AGENCY</b>										
24 NCAC 01H .0103	13:22 NCR 1822		14:02 NCR 82	*	Approve	12/16/99	*			
<b>INSURANCE</b>										
11 NCAC 06B .0201	12:09 NCR 744		14:10 NCR 752	*	Approve	01/20/00				
11 NCAC 06B .0202	12:09 NCR 744		14:10 NCR 752	*	Approve	01/20/00				
11 NCAC 06B .0203	12:09 NCR 744		14:10 NCR 752	*	Approve	01/20/00				
11 NCAC 06B .0204	12:09 NCR 744		14:10 NCR 752	*	Approve	01/20/00				
11 NCAC 06B .0205	12:09 NCR 744		14:10 NCR 752	*	Approve	01/20/00				
11 NCAC 06B .0301	12:09 NCR 744		14:10 NCR 752	*	Approve	01/20/00				
11 NCAC 06B .0302	12:09 NCR 744		14:10 NCR 752	*	Approve	01/20/00				
11 NCAC 06B .0303	12:09 NCR 744		14:10 NCR 752	*	Approve	01/20/00				
11 NCAC 06B .0304	12:09 NCR 744		14:10 NCR 752	*	Approve	01/20/00				
11 NCAC 06B .0401	12:09 NCR 744		14:10 NCR 752	*	Approve	01/20/00				
11 NCAC 06B .0402	12:09 NCR 744		14:10 NCR 752	*	Approve	01/20/00				
11 NCAC 06B .0403	12:09 NCR 744		14:10 NCR 752	*	Approve	01/20/00				
11 NCAC 06B .0404	12:09 NCR 744		14:10 NCR 752	*	Approve	01/20/00				
11 NCAC 06B .0405	12:09 NCR 744		14:10 NCR 752	*	Approve	01/20/00				
11 NCAC 10 .0105	14:10 NCR 809	14:10 NCR 809	14:14 NCR 1225	*						
11 NCAC 10 .1110	14:10 NCR 809	14:10 NCR 809	14:14 NCR 1225	*						
11 NCAC 11F .0401	14:10 NCR 811	14:10 NCR 811	14:14 NCR 1226	*						
11 NCAC 11F .0402	14:10 NCR 811	14:10 NCR 811	14:14 NCR 1226	*						
11 NCAC 11F .0403	14:10 NCR 811	14:10 NCR 811	14:14 NCR 1226	*						
11 NCAC 11F .0404	14:10 NCR 811	14:10 NCR 811	14:14 NCR 1226	*						
11 NCAC 11F .0405	14:10 NCR 811	14:10 NCR 811	14:14 NCR 1226	*						
11 NCAC 11F .0501	14:10 NCR 811	14:10 NCR 811	14:14 NCR 1226	*						
11 NCAC 11F .0502	14:10 NCR 811	14:10 NCR 811	14:14 NCR 1226	*						

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11 NCAC 11F .0503	14:10 NCR 811	14:10 NCR 811	14:14 NCR 1226	*						
11 NCAC 11F .0504	14:10 NCR 811	14:10 NCR 811	14:14 NCR 1226	*						
11 NCAC 12 .0308	14:10 NCR 819	14:10 NCR 819	N/A	N/A	Approve	01/20/00				
11 NCAC 12 .0327	14:12 NCR 1038	14:12 NCR 1038	14:16 NCR 1409	*						
11 NCAC 12 .1025	N/A		N/A		Approve	10/04/99			14:10 NCR 839	
11 NCAC 12 .1701	14:10 NCR 819	14:10 NCR 819	14:14 NCR 1234	*						
11 NCAC 12 .1702	14:02 NCR 78		14:06 NCR 433	*						
11 NCAC 12 .1702	14:10 NCR 819	14:10 NCR 819	14:14 NCR 1234	*						
11 NCAC 12 .1703	14:10 NCR 819	14:10 NCR 819	14:14 NCR 1234	*						
11 NCAC 12 .1707	14:10 NCR 819	14:10 NCR 819	14:14 NCR 1234	*						
11 NCAC 12 .1709	14:10 NCR 819	14:10 NCR 819	14:14 NCR 1234	*						
11 NCAC 13 .0317	14:10 NCR 822	14:10 NCR 822	14:14 NCR 1237	*						
11 NCAC 13 .0318	14:10 NCR 822	14:10 NCR 822	14:14 NCR 1237	*						
11 NCAC 13 .0324	14:10 NCR 822	14:10 NCR 822	14:14 NCR 1237	*						
11 NCAC 13 .0326	14:10 NCR 822	14:10 NCR 822	14:14 NCR 1237	*						
11 NCAC 13 .0406	14:10 NCR 822	14:10 NCR 822	N/A	N/A	Approve	01/20/00				
11 NCAC 13 .0514	14:02 NCR 78		14:06 NCR 433	*	Approve	11/17/99			14:15 NCR 1354	
11 NCAC 13 .0518	14:02 NCR 78		14:06 NCR 433	*	Approve	11/17/99			14:15 NCR 1354	
<b>Home Inspector Licensure Board</b>										
11 NCAC 08 .1103	14:08 NCR 577		14:12 NCR 959	*						
11 NCAC 08 .1105	14:08 NCR 577		14:12 NCR 959	*						
11 NCAC 08 .1107	14:08 NCR 577		14:12 NCR 959	*						
11 NCAC 08 .1116	14:08 NCR 577		14:12 NCR 959	*						
11 NCAC 08 .1300	14:08 NCR 577									

## JUSTICE

### Alarm Systems Licensing Board

12 NCAC 11 .0500 14:15 NCR 1344



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					Action	Date				
Criminal Justice Education and Training Standards Commission										
12 NCAC 09A .0103	N/A		N/A	N/A	Approve	10/04/99			14:10 NCR 839	
12 NCAC 09A .0103	14:15 NCR 1344									
12 NCAC 09B .0106	N/A		N/A	N/A	Approve	10/04/99			14:10 NCR 839	
12 NCAC 09B .0107	13:14 NCR 1110		13:19 NCR 1611	*	Ext. Review Return to Agcy	06/17/99 07/15/99				
12 NCAC 09B .0109	13:14 NCR 1110		13:19 NCR 1611	*	Approve	10/04/99	*		14:10 NCR 839	
12 NCAC 09B .0110	13:14 NCR 1110		13:19 NCR 1611	*	Approve	06/17/99	*		14:05 NCR 402	
12 NCAC 09B .0112	13:14 NCR 1110		13:19 NCR 1611	*	Approve	06/17/99	*		14:05 NCR 402	
12 NCAC 09B .0113	13:14 NCR 1110		13:19 NCR 1611	*	Approve	06/17/99	*		14:05 NCR 402	
12 NCAC 09B .0115	13:14 NCR 1110		13:19 NCR 1611	*	Ext. Review Return to Agcy	06/17/99 07/15/99				
12 NCAC 09B .0201	13:14 NCR 1110		13:19 NCR 1611	*	Approve	10/04/99	*		14:10 NCR 839	
12 NCAC 09B .0202	13:14 NCR 1110		13:19 NCR 1611	*	Approve	06/17/99	*		14:05 NCR 402	
12 NCAC 09B .0203	13:14 NCR 1110		13:19 NCR 1611	*	Object Return to Agcy	06/17/99 07/15/99				
12 NCAC 09B .0204	13:14 NCR 1110		13:19 NCR 1611	*	Approve	10/04/99	*		14:10 NCR 839	
12 NCAC 09B .0205	13:14 NCR 1110		13:19 NCR 1611	S/L	Object Return to Agcy	06/17/99 07/15/99				
12 NCAC 09B .0206	13:14 NCR 1110		13:19 NCR 1611	*	Approve	10/04/99	*		14:10 NCR 839	
12 NCAC 09B .0207	13:14 NCR 1110		13:19 NCR 1611	*	Object Return to Agcy	06/17/99 07/15/99				
12 NCAC 09B .0208	13:14 NCR 1110		13:19 NCR 1611	*	Approve	10/04/99	*		14:10 NCR 839	
12 NCAC 09B .0226	13:14 NCR 1110		13:19 NCR 1611	*	Approve	06/17/99	*		14:05 NCR 402	
				*	Approve	06/17/99			14:05 NCR 402	
				*	Object Return to Agcy	06/17/99 07/15/99				

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					Action	Date				
12 NCAC 09B .0227	13:14 NCR 1110		13:19 NCR 1611	*	Approve Object Returned to Agency	10/04/99 06/17/99	*		14:10 NCR 839	
12 NCAC 09B .0228	13:14 NCR 1110		13:19 NCR 1611	S	Approve Object Returned to Agency	10/04/99 06/17/99	*		14:10 NCR 839	
12 NCAC 09B .0232	13:14 NCR 1110		13:19 NCR 1611	S	Approve Object Return to Agency	10/04/99 06/17/99	*		14:10 NCR 839	
12 NCAC 09B .0233	13:14 NCR 1110		13:19 NCR 1611	S	Approve Object Return to Agency	10/04/99 06/17/99	*		14:10 NCR 839	
12 NCAC 09B .0302	13:14 NCR 1110		13:19 NCR 1611	*	Approve Object Return to Agency	10/04/99 07/15/99	*		14:10 NCR 839	
12 NCAC 09B .0303	13:14 NCR 1110		13:19 NCR 1611	*	Approve	10/04/99	*		14:05 NCR 402	
12 NCAC 09B .0304	13:14 NCR 1110		13:19 NCR 1611	*	Approve	06/17/99	*		14:05 NCR 402	
12 NCAC 09B .0305	13:14 NCR 1110		13:19 NCR 1611	*	Approve	06/17/99	*		14:05 NCR 402	
12 NCAC 09B .0312	13:14 NCR 1110		13:19 NCR 1611	*	Object Return to Agency	06/17/99 07/15/99	*		14:10 NCR 839	
12 NCAC 09B .0403	13:14 NCR 1110		13:19 NCR 1611	*	Approve	10/04/99	*		14:05 NCR 402	
12 NCAC 09B .0404	13:14 NCR 1110		13:19 NCR 1611	*	Approve	06/17/99			14:05 NCR 402	
12 NCAC 09B .0405	13:14 NCR 1110		13:19 NCR 1611	*	Approve	06/17/99			14:05 NCR 402	
12 NCAC 09B .0406	13:14 NCR 1110		13:19 NCR 1611	S	Approve	06/17/99	*		14:05 NCR 402	
12 NCAC 09B .0407	13:14 NCR 1110		13:19 NCR 1611	*	Approve	06/17/99			14:05 NCR 402	
12 NCAC 09B .0414	13:14 NCR 1110		13:19 NCR 1611	*	Approve	06/17/99	*		14:05 NCR 402	
12 NCAC 09B .0415	13:14 NCR 1110		13:19 NCR 1611	*	Approve	06/17/99			14:05 NCR 402	
12 NCAC 09C .0211	13:14 NCR 1110		13:19 NCR 1611	*	Object Return to Agency	06/17/99 07/15/99			14:10 NCR 839	
12 NCAC 09C .0212	13:14 NCR 1110		13:19 NCR 1611	*	Approve Object Return to Agency	10/04/99 06/17/99	*		14:10 NCR 839	
12 NCAC 09C .0213	13:14 NCR 1110		13:19 NCR 1611	*	Approve Object Return to Agency	10/04/99 06/17/99	*		14:10 NCR 839	

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12 NCAC 09C .0403	13:14 NCR 1110		13:19 NCR 1611	*	Approve	10/04/99	*		14:10 NCR 839	
12 NCAC 09E .0107	13:14 NCR 1110		13:19 NCR 1611	*	Approve	06/17/99			14:05 NCR 402	
<b>Private Protective Services Board</b>										
12 NCAC 07D .0807	13:14 NCR 1110		14:07 NCR 523	*	Approve	06/17/99			14:05 NCR 402	
<b>Sheriffs' Education and Training Standards Commission</b>										
12 NCAC 10B .0103	13:14 NCR 1110		13:19 NCR 1637	S	Object	06/17/99				
					Return to Agcy	07/15/99				
					Approve	11/17/99	*		14:15 NCR 1354	
12 NCAC 10B .0302	14:12 NCR 957		14:16 NCR 1410	*						
12 NCAC 10B .0303	14:12 NCR 957		14:16 NCR 1410	*						
12 NCAC 10B .0502	13:14 NCR 1110		13:19 NCR 1637	L	Object	06/17/99				
12 NCAC 10B .0505	13:14 NCR 1110		13:19 NCR 1637	*	Approve	11/17/99	*		14:15 NCR 1354	
12 NCAC 10B .0506	13:14 NCR 1110		13:19 NCR 1637	*	Approve	06/17/99			14:05 NCR 402	
12 NCAC 10B .0507	13:14 NCR 1110		13:19 NCR 1637	*	Approve	06/17/99			14:05 NCR 402	
12 NCAC 10B .0508	13:14 NCR 1110		13:19 NCR 1637	*	Approve	06/17/99			14:05 NCR 402	
12 NCAC 10B .0509	13:14 NCR 1110		13:19 NCR 1637	*	Approve	06/17/99			14:05 NCR 402	
12 NCAC 10B .0601	13:14 NCR 1110		13:19 NCR 1637	S/L	Object	06/17/99	*		14:15 NCR 1354	
					Approve	11/17/99				
12 NCAC 10B .0606	13:14 NCR 1110									
12 NCAC 10B .0607	13:14 NCR 1110									
12 NCAC 10B .0703	13:14 NCR 1110		13:19 NCR 1637	S/L	Approve	06/17/99	*		14:05 NCR 402	
12 NCAC 10B .0908	13:14 NCR 1110		13:19 NCR 1637	S/L	Approve	06/17/99			14:05 NCR 402	
12 NCAC 10B .0909	14:12 NCR 957		14:16 NCR 1410	*						
12 NCAC 10B .1002	13:14 NCR 1110		13:19 NCR 1637	*	Approve	06/17/99			14:05 NCR 402	
12 NCAC 10B .1401	13:14 NCR 1110		13:19 NCR 1637	S	Approve	06/17/99			14:05 NCR 402	
12 NCAC 10B .1402	13:14 NCR 1110		13:19 NCR 1637	S	Approve	06/17/99	*		14:05 NCR 402	
12 NCAC 10B .1403	13:14 NCR 1110		13:19 NCR 1637	S	Approve	06/17/99	*		14:05 NCR 402	
12 NCAC 10B .1404	13:14 NCR 1110		13:19 NCR 1637	S	Approve	06/17/99	*		14:05 NCR 402	



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12 NCAC 10B .1405	13:14 NCR 1110		13:19 NCR 1637	S	Approve	06/17/99	*		14:05 NCR 402	
12 NCAC 10B .1406	13:14 NCR 1110		13:19 NCR 1637	S	Approve	06/17/99			14:05 NCR 402	
<b>LABOR</b>										
13 NCAC 01A .0100	14:07 NCR 519									
13 NCAC 01B .0100	14:07 NCR 519									
13 NCAC 01B .0200	14:07 NCR 519									
13 NCAC 01B .0300	14:07 NCR 519									
13 NCAC 01B .0400	14:07 NCR 519									
13 NCAC 01B .0500	14:07 NCR 519									
13 NCAC 01B .0600	14:07 NCR 519									
13 NCAC 01C .0100	14:07 NCR 519									
13 NCAC 01C .0200	14:07 NCR 519									
13 NCAC 01C .0300	14:07 NCR 519									
13 NCAC 01C .0400	14:07 NCR 519									
13 NCAC 01C .0500	14:07 NCR 519									
<b>Elevator and Amusement Device Division</b>										
13 NCAC 15 .0201		14:14 NCR 1315								
<b>Occupational Safety and Health</b>										
<b>*Verbatim Adoption Federal Standards</b>										
13 NCAC 07A .0401	14:02 NCR 78		14:12 NCR 961	*						14:07 NCR 517
13 NCAC 07F .0101	14:02 NCR 78									
13 NCAC 07F .0201	11:03 NCR 106		14:16 NCR 1412	N/A						
13 NCAC 07F .0201	14:02 NCR 78									
13 NCAC 07F .0410	14:02 NCR 78									
13 NCAC 07F .0601	13:02 NCR 176		13:21 NCR 1786	S/L/SE	Object	10/04/99				
13 NCAC 07F .0602	13:02 NCR 176		13:21 NCR 1786	S/L	Object	12/16/99				
13 NCAC 07F .0603	13:02 NCR 176		13:21 NCR 1786	S/L/SE	Object	12/16/99				
					Object	10/04/99				

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					Action	Date				
13 NCAC 07F .0604	13:02 NCR 176		13:21 NCR 1786	S/L/SE	Object	12/16/99				
13 NCAC 07F .0605	13:02 NCR 176		13:21 NCR 1786	S/L/SE	Object	10/04/99				
13 NCAC 07F .0606	13:02 NCR 176		13:21 NCR 1786	S/L	Object	12/16/99				
<b>Retaliatory Employment Discrimination</b>										
13 NCAC 19 .0101	N/A	N/A	N/A	N/A	Approve	08/19/99			14:09 NCR 708	
<b>Wage and Hour Division</b>										
13 NCAC 12 .0501	13:03 NCR 268									
13 NCAC 12 .0801	13:03 NCR 268									
13 NCAC 12 .0802	13:03 NCR 268									
<b>LANDSCAPE ARCHITECTS, BOARD OF</b>										
21 NCAC 26 .0101	14:05 NCR 373		14:12 NCR 1015	*						
21 NCAC 26 .0104	14:05 NCR 373		14:12 NCR 1015	*						
21 NCAC 26 .0105	14:05 NCR 373		14:12 NCR 1015	*						
21 NCAC 26 .0302	14:05 NCR 373		14:12 NCR 1015	*						
<b>MEDICAL BOARD</b>										
21 NCAC 32	13:06 NCR 538									
21 NCAC 32B	11:18 NCR 1369									
21 NCAC 32B	12:04 NCR 245									
21 NCAC 320 .0118	11:18 NCR 1369		13:08 NCR 709	*						
21 NCAC 320 .0119	11:18 NCR 1369		13:08 NCR 709	*						
21 NCAC 320 .0120	11:18 NCR 1369		13:08 NCR 709	*						
21 NCAC 320 .0121	11:18 NCR 1369		13:08 NCR 709	*						
21 NCAC 32R .0101	14:03 NCR 127		14:16 NCR 1455	*						
21 NCAC 32R .0102	14:03 NCR 127		14:16 NCR 1455	*						
21 NCAC 32R .0103	14:03 NCR 127		14:16 NCR 1455	*						
21 NCAC 32R .0104	14:03 NCR 127		14:16 NCR 1455	*						

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					Action	Date				

## MIDWIFERY JOINT COMMITTEE

21 NCAC 33 .0101	14:12 NCR 958		14:16 NCR 1456	*						
21 NCAC 33 .0102	14:12 NCR 958		14:16 NCR 1456	*						
21 NCAC 33 .0104	14:12 NCR 958		14:16 NCR 1456	*						
21 NCAC 33 .0106	14:12 NCR 958		14:16 NCR 1456	*						

## MORTUARY SCIENCE, BOARD OF

21 NCAC 34C	12:09 NCR 745									
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## NURSING, BOARD OF

21 NCAC 36 .0213	13:22 NCR 1821		14:02 NCR 82	*	Approve	11/17/99			14:15 NCR 1354	
21 NCAC 36 .0220	14:07 NCR 521		14:12 NCR 1016	*						14:13 NCR 1090
21 NCAC 36 .0221	14:07 NCR 521		14:12 NCR 1016	*						14:13 NCR 1090
21 NCAC 36 .0227	14:07 NCR 521		14:12 NCR 1016	*						14:13 NCR 1090
21 NCAC 36 .0318	14:07 NCR 521		14:12 NCR 1016	*						14:13 NCR 1090
21 NCAC 36 .0404	14:07 NCR 521		14:12 NCR 1016	*						14:13 NCR 1090
21 NCAC 36 .0405	14:07 NCR 521		14:12 NCR 1016	*						14:13 NCR 1090
21 NCAC 36 .0701	14:07 NCR 521		14:12 NCR 1016	*						14:13 NCR 1090
21 NCAC 36 .0702	14:07 NCR 521		14:12 NCR 1016	*						14:13 NCR 1090
21 NCAC 36 .0703	14:07 NCR 521		14:12 NCR 1016	*						14:13 NCR 1090
21 NCAC 36 .0704	14:07 NCR 521		14:12 NCR 1016	*						14:13 NCR 1090
21 NCAC 36 .0705	14:07 NCR 521		14:12 NCR 1016	*						14:13 NCR 1090

## NURSING HOME ADMINISTRATORS, BOARD OF EXAMINERS FOR

21 NCAC 37D .0202		14:05 NCR 398	14:09 NCR 684	*						
21 NCAC 37D .0302	14:08 NCR 578		14:13 NCR 1149	*						
21 NCAC 37D .0303	14:08 NCR 578		14:13 NCR 1149	*						
21 NCAC 37D .0403	14:08 NCR 578		14:13 NCR 1149	*						
21 NCAC 37D .0405	14:08 NCR 578		14:13 NCR 1149	*						
21 NCAC 37D .0407	14:08 NCR 578		14:13 NCR 1149	*						



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21 NCAC 37D .0502	14:08 NCR 578		14:13 NCR 1149	*						
21 NCAC 37D .0504	14:08 NCR 578		14:13 NCR 1149	*						
21 NCAC 37D .0601	14:08 NCR 578		14:13 NCR 1149	*						
21 NCAC 37D .0603	14:08 NCR 578		14:13 NCR 1149	*						
21 NCAC 37D .0605	14:08 NCR 578		14:13 NCR 1149	*						
21 NCAC 37D .0701	14:08 NCR 578		14:13 NCR 1149	*						
21 NCAC 37D .0704	14:08 NCR 578		14:13 NCR 1149	*						
21 NCAC 37E .0101	14:08 NCR 578		14:13 NCR 1149	*						
21 NCAC 37E .0102	14:05 NCR 398		14:09 NCR 684	*						
21 NCAC 37E .0102	14:08 NCR 578		14:13 NCR 1149	*						
21 NCAC 37F .0101	14:08 NCR 578		14:13 NCR 1149	*						
21 NCAC 37F .0102	14:05 NCR 398		14:09 NCR 684	*						
21 NCAC 37F .0102	14:08 NCR 578		14:13 NCR 1149	*						
21 NCAC 37G .0102	14:05 NCR 398		14:09 NCR 684	*						
21 NCAC 37G .0201	14:05 NCR 398		14:09 NCR 684	*						
21 NCAC 37G .0201	14:08 NCR 578		14:13 NCR 1149	*						
21 NCAC 37G .0202	14:08 NCR 578		14:09 NCR 684	*						
21 NCAC 37H .0102	14:05 NCR 398		14:09 NCR 684	*						
21 NCAC 37H .0102	14:08 NCR 578		14:13 NCR 1149	*						
21 NCAC 37H .0104	14:08 NCR 578		14:13 NCR 1149	*						
21 NCAC 37I .0101	14:08 NCR 578		14:13 NCR 1149	*						
<b>PHARMACY, BOARD OF</b>										
21 NCAC 46 .1317	13:22 NCR 1821			*						
21 NCAC 46 .1413	13:22 NCR 1821		14:06 NCR 480	*	Approve	11/17/99	*		14:15 NCR 1354	
21 NCAC 46 .1414	13:22 NCR 1821									
21 NCAC 46 .1508	13:22 NCR 1821		14:06 NCR 480	*	Approve	11/17/99	*		14:15 NCR 1354	
21 NCAC 46 .1601	13:22 NCR 1821									

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					Action	Date				
21 NCAC 46.1804	12:03 NCR 168		12:07 NCR 527 12:09 NCR 797 13:02 NCR 246	*	State Budget Object Object Object Approve	03/20/98 12/17/98 02/18/99 04/15/99 05/20/99				
21 NCAC 46.1810	13:22 NCR 1821		14:06 NCR 480	*			*		14:04 NCR 330	
21 NCAC 46.1813	13:22 NCR 1821			SE						
21 NCAC 46.1814	13:22 NCR 1821		14:06 NCR 480	*	Approve	12/16/99	*			
21 NCAC 46.1815		13:11 NCR 910	13:22 NCR 1848 13:24 NCR 2016 14:06 NCR 480	*	Approve Approve	08/19/99 12/16/99	*		14:09 NCR 708	
21 NCAC 46.1816	13:22 NCR 1821			*						14:13 NCR 1091
Narrow Therapeutic Index Drugs										
PHYSICAL THERAPY EXAMINERS										
21 NCAC 48F.0102	14:06 NCR 489	14:06 NCR 489	14:10 NCR 771	*	Approve	01/20/00		Approve	01/20/00	
PLUMBING, HEATING AND FIRE SPRINKLER CONTRACTORS, EXAMINERS OF										
21 NCAC 50.0301	14:06 NCR 429		14:14 NCR 1242	*						
21 NCAC 50.0304	14:06 NCR 429		14:14 NCR 1242	*						
21 NCAC 50.0306	14:06 NCR 429		14:14 NCR 1242	*						
21 NCAC 50.0310	14:06 NCR 429		14:14 NCR 1242	*						
21 NCAC 50.0402	14:06 NCR 429		14:14 NCR 1242	*						
21 NCAC 50.0404	14:06 NCR 429		14:14 NCR 1242	*						
21 NCAC 50.0406	14:06 NCR 429		14:14 NCR 1242	*						
21 NCAC 50.0412	14:06 NCR 429		14:14 NCR 1242	*						
21 NCAC 50.0501	14:10 NCR 749		14:14 NCR 1242	*						
21 NCAC 50.0506	14:06 NCR 429		14:14 NCR 1242	*						
21 NCAC 50.0508	14:06 NCR 429		14:14 NCR 1242	*						
21 NCAC 50.0512	14:06 NCR 429		14:14 NCR 1242	*						
21 NCAC 50.0513	14:06 NCR 429		14:14 NCR 1242	*						
21 NCAC 50.0514	14:06 NCR 429		14:14 NCR 1242	*						

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					Action	Date				
21 NCAC 50.1001	14:10 NCR 749		14:14 NCR 1242	*						
21 NCAC 50.1004	14:10 NCR 749		14:14 NCR 1242	*						
21 NCAC 50.1006	14:10 NCR 749		14:14 NCR 1242	*						
21 NCAC 50.1007	14:10 NCR 749		14:14 NCR 1242	*						
21 NCAC 50.1008	14:10 NCR 749		14:14 NCR 1242	*						
21 NCAC 50.1009	14:10 NCR 749		14:14 NCR 1242	*						
21 NCAC 50.1010	14:10 NCR 749		14:14 NCR 1242	*						
21 NCAC 50.1011	14:10 NCR 749		14:14 NCR 1242	*						
21 NCAC 50.1013	14:10 NCR 749		14:14 NCR 1242	*						
21 NCAC 50.1014	14:10 NCR 749		14:14 NCR 1242	*						
21 NCAC 50.1101	14:06 NCR 429		14:14 NCR 1242	*						
21 NCAC 50.1204	14:06 NCR 429		14:14 NCR 1242	*						
21 NCAC 50.1205	14:06 NCR 429		14:14 NCR 1242	*						
21 NCAC 50.1206	14:06 NCR 429		14:14 NCR 1242	*						
21 NCAC 50.1210	14:06 NCR 429		14:14 NCR 1242	*						
21 NCAC 50.1212	14:06 NCR 429		14:14 NCR 1242	*						
21 NCAC 50.1213	14:06 NCR 429		14:14 NCR 1242	*						
PSYCHOLOGY BOARD										
21 NCAC 54.1611	12:05 NCR 338		13:13 NCR 1050	*						
21 NCAC 54.1901	13:21 NCR 1784		14:16 NCR 1458	*						
21 NCAC 54.2006	12:05 NCR 338									
21 NCAC 54.2010	12:05 NCR 338									
21 NCAC 54.2104	12:05 NCR 338		13:13 NCR 1050	*						
21 NCAC 54.2301	12:05 NCR 338		14:16 NCR 1458	*						
21 NCAC 54.2302	12:05 NCR 338									
21 NCAC 54.2303	12:05 NCR 338									
21 NCAC 54.2304	12:05 NCR 338									



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					Action	Date				
21 NCAC 54 .2305	12:05 NCR 338									
21 NCAC 54 .2306	12:05 NCR 338									
21 NCAC 54 .2307	12:05 NCR 338									
21 NCAC 54 .2308	12:05 NCR 338									
21 NCAC 54 .2309	12:05 NCR 338									
21 NCAC 54 .2310	12:05 NCR 338									
21 NCAC 54 .2311	12:05 NCR 338									
21 NCAC 54 .2312	12:05 NCR 338									
21 NCAC 54 .2313	12:05 NCR 338									
21 NCAC 54 .2314	12:05 NCR 338									
21 NCAC 54 .2401	12:05 NCR 338									
21 NCAC 54 .2402	12:05 NCR 338									
21 NCAC 54 .2501	12:05 NCR 338									
21 NCAC 54 .2502	12:05 NCR 338									
21 NCAC 54 .2503	12:05 NCR 338									
21 NCAC 54 .2504	12:05 NCR 338									
21 NCAC 54 .2505	12:05 NCR 338									
21 NCAC 54 .2601	12:05 NCR 338									
21 NCAC 54 .2602	12:05 NCR 338									
21 NCAC 54 .2704	12:05 NCR 338		13:13 NCR 1050	*	Approve	11/17/99	*		14:15 NCR 1354	
21 NCAC 54 .2706	12:05 NCR 338		13:13 NCR 1050	*	Approve	11/17/99	*		14:15 NCR 1354	
21 NCAC 54 .2801	12:05 NCR 338		13:13 NCR 1050	*						
			14:16 NCR 1458	*						
21 NCAC 54 .2802	12:05 NCR 338		13:13 NCR 1050	*						
			14:16 NCR 1458	*						
21 NCAC 54 .2803	12:05 NCR 338		13:13 NCR 1050	*						
			14:16 NCR 1458	*						
21 NCAC 54 .2804	12:05 NCR 338		13:13 NCR 1050	*						
			14:16 NCR 1458	*						
21 NCAC 54 .2805	12:05 NCR 338		13:13 NCR 1050	*						

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					Action	Date				
21 NCAC 54 .2806	12:05 NCR 338		13:13 NCR 1050	*						
21 NCAC 54 .2807	12:05 NCR 338		13:13 NCR 1050	*						
<b>PUBLIC EDUCATION</b>										
16 NCAC 06B .0108		13:13 NCR 1061	13:18 NCR 1503	*	Approve	07/15/99			14:06 NCR 490	
16 NCAC 06C .0100	14:06 NCR 428									
16 NCAC 06C .0102	14:06 NCR 428		13:18 NCR 1503	*	Return to Agcy	07/15/99				
16 NCAC 06C .0103	14:06 NCR 428		13:18 NCR 1503	*	Return to Agcy	07/15/99				
16 NCAC 06C .0200	14:06 NCR 428		14:12 NCR 998	*						
16 NCAC 06C .0202	14:06 NCR 428		13:18 NCR 1503	*	Return to Agcy	07/15/99				
16 NCAC 06C .0205	14:06 NCR 428		14:12 NCR 998	*	Return to Agcy	07/15/99				
16 NCAC 06C .0205	14:06 NCR 428		13:24 NCR 2008	*						
16 NCAC 06C .0206	14:06 NCR 428		13:18 NCR 1503	*	Return to Agcy	07/15/99				
16 NCAC 06C .0207	14:06 NCR 428		14:12 NCR 998	*	Return to Agcy	07/15/99				
16 NCAC 06C .0300	14:06 NCR 428		13:18 NCR 1503	*	Return to Agcy	07/15/99				
16 NCAC 06C .0301	14:06 NCR 428		14:12 NCR 998	*	Return to Agcy	07/15/99				
16 NCAC 06C .0302	14:06 NCR 428		13:18 NCR 1503	*	Return to Agcy	07/15/99				
16 NCAC 06C .0303	14:06 NCR 428		14:12 NCR 998	*	Return to Agcy	07/15/99				
16 NCAC 06C .0304	14:06 NCR 428		13:18 NCR 1503	*	Return to Agcy	07/15/99				
16 NCAC 06C .0305	14:06 NCR 428		14:12 NCR 998	*	Return to Agcy	07/15/99				
16 NCAC 06C .0306	14:06 NCR 428		13:18 NCR 1503	*	Return to Agcy	07/15/99				
16 NCAC 06C .0307	14:06 NCR 428		14:12 NCR 998	*	Return to Agcy	07/15/99				
16 NCAC 06C .0308	14:06 NCR 428		13:18 NCR 1503	*	Return to Agcy	07/15/99				
16 NCAC 06C .0309	14:06 NCR 428		14:12 NCR 998	*	Return to Agcy	07/15/99				
16 NCAC 06C .0309	14:06 NCR 428		13:18 NCR 1503	*	Return to Agcy	07/15/99				

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16 NCAC 06C .0311	14:06 NCR 428		14:12 NCR 998	*						
			13:18 NCR 1503	*						
16 NCAC 06C .0312	14:06 NCR 428		14:12 NCR 998	*	Return to Agency	07/15/99				
			13:18 NCR 1503	*	Return to Agency	07/15/99				
16 NCAC 06C .0313	14:06 NCR 428		14:12 NCR 998	*	Return to Agency	07/15/99				
			13:18 NCR 1503	*						
16 NCAC 06C .0400	14:06 NCR 428		14:12 NCR 998	*						
16 NCAC 06C .0402		14:11 NCR 910								
16 NCAC 06C .0501			13:18 NCR 1503	*	Object	07/15/99			14:09 NCR 708	
				*	Approve	08/19/99	*		14:06 NCR 490	
16 NCAC 06D .0103		12:22 NCR 2010	13:18 NCR 1503	*	Approve	07/15/99				
		Temp Expired 02/09/99								
16 NCAC 06D .0103			13:24 NCR 2008	S	Approve	10/04/99			14:15 NCR 1354	
16 NCAC 06D .0210			13:18 NCR 1503	*	Approve	07/15/99	*		14:06 NCR 490	
16 NCAC 06D .0301			13:18 NCR 1503	*	Approve	07/15/99			14:06 NCR 490	
16 NCAC 06D .0302			13:18 NCR 1503	*	Approve	07/15/99			14:06 NCR 490	
16 NCAC 06D .0303			13:18 NCR 1503	*	Approve	07/15/99			14:06 NCR 490	
16 NCAC 06D .0304			13:18 NCR 1503	*	Approve	07/15/99			14:15 NCR 1354	
16 NCAC 06D .0305			13:24 NCR 2008	S	Approve	10/04/99			14:15 NCR 1354	
16 NCAC 06D .0501			13:18 NCR 1503	*	Approve	07/15/99	*		14:06 NCR 490	
16 NCAC 06D .0502			13:24 NCR 2008	S	Approve	10/04/99	*		14:15 NCR 1354	
16 NCAC 06D .0503			13:24 NCR 2008	S	Approve	10/04/99			14:15 NCR 1354	
16 NCAC 06D .0504			13:24 NCR 2008	S	Object	10/04/99	*		14:15 NCR 1354	
16 NCAC 06D .0505			13:24 NCR 2008	S	Approve	11/17/99	*		14:15 NCR 1354	
16 NCAC 06D .0506			13:24 NCR 2008	S	Object	10/04/99	*		14:15 NCR 1354	
16 NCAC 06D .0507			13:24 NCR 2008	S	Approve	10/04/99	*		14:15 NCR 1354	
16 NCAC 06E .0202			13:24 NCR 2008	S	Approve	10/04/99	*		14:15 NCR 1354	
			13:18 NCR 1503	*	Approve	10/04/99	*		14:15 NCR 1354	
			14:12 NCR 998	*	Return to Agency	07/15/99				
16 NCAC 06E .0301	14:06 NCR 428	13:05 NCR 523	13:18 NCR 1503	*					14:06 NCR 490	
16 NCAC 06E .0301			13:18 NCR 1503	*	Approve	07/15/99			14:06 NCR 490	
16 NCAC 06G .0202				*	Approve	07/15/99				



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16 NCAC 06G .0308			13:18 NCR 1503	*	Approve	07/15/99			14:06 NCR 490	
16 NCAC 06G .0309			13:18 NCR 1503	*	Approve	07/15/99			14:06 NCR 490	
16 NCAC 06G .0311		12:22 NCR 2010 Temp Expired 02/09/99	13:18 NCR 1503	*	Approve	07/15/99	*		14:06 NCR 490	
16 NCAC 06G .0502			13:18 NCR 1503	*	Return to Agcy	07/15/99				
16 NCAC 06H .0101	14:06 NCR 428		14:12 NCR 998	*	Return to Agcy	07/15/99				
16 NCAC 06H .0101	N/A		13:18 NCR 1503	*	Approve	10/04/99			14:15 NCR 1354	
16 NCAC 06H .0103			13:18 NCR 1503	*	Return to Agcy	07/15/99				
16 NCAC 06H .0105	14:06 NCR 428		14:12 NCR 998	*	Return to Agcy	07/15/99				
16 NCAC 06H .0105	N/A		13:18 NCR 1503	*	Approve	10/04/99			14:15 NCR 1354	
16 NCAC 06H .0106			13:18 NCR 1503	*	Return to Agcy	07/15/99				
16 NCAC 06H .0107	14:06 NCR 428		14:12 NCR 998	*	Return to Agcy	07/15/99				
16 NCAC 06H .0107	14:06 NCR 428		13:18 NCR 1503	*	Return to Agcy	07/15/99				
16 NCAC 06H .0107	N/A		N/A	N/A	Approve	10/04/99				
16 NCAC 06H .0108			13:18 NCR 1503	*	Return to Agcy	07/15/99			14:15 NCR 1354	
16 NCAC 06H .0108	N/A		N/A	N/A	Approve	10/04/99				
16 NCAC 06H .0109			13:18 NCR 1503	*	Return to Agcy	07/15/99			14:15 NCR 1354	
16 NCAC 06H .0109	N/A		N/A	N/A	Approve	10/04/99				
16 NCAC 06H .0110			13:18 NCR 1503	*	Return to Agcy	07/15/99	*		14:15 NCR 1354	
REAL ESTATE COMMISSION										
21 NCAC 58A .0107	14:06 NCR 429		14:10 NCR 772	*	Approve	11/17/99				
21 NCAC 58A .0109	14:06 NCR 429		14:10 NCR 772	*	Approve	11/17/99				
21 NCAC 58A .0110	14:06 NCR 429		14:10 NCR 772	*	Approve	11/17/99				
21 NCAC 58A .0113	14:06 NCR 429		14:10 NCR 772	*	Approve	11/17/99				
21 NCAC 58A .0114	14:06 NCR 429		14:10 NCR 772	*	Approve	11/17/99				
21 NCAC 58A .0301	14:06 NCR 429		14:10 NCR 772	*	Approve	11/17/99				

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21 NCAC 58A .0302	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58A .0303	14:06 NCR 429		14:10 NCR 772	S						
21 NCAC 58A .0304	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58A .0401	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58A .0402	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58A .0403	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58A .0404	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58A .0406	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58A .0503	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58A .0505	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58A .0601	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58A .0615	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58A .1402	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58A .1703	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58A .1708	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58B .0101	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58B .0102	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58C .0105	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58C .0106	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58C .0107	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58C .0108	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58C .0207	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58C .0213	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58C .0214	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58C .0217	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58C .0218	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58C .0220	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58C .0302	14:06 NCR 429		14:10 NCR 772	*						

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21 NCAC 58C .0304	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58C .0305	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58C .0306	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58C .0307	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58C .0310	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58C .0312	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58C .0601	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58C .0602	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58C .0603	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58C .0604	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58C .0605	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58C .0606	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58C .0607	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58C .0608	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58E .0102	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58E .0202	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58E .0204	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58E .0205	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58E .0304	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58E .0310	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58E .0412	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58E .0515	14:06 NCR 429		14:10 NCR 772	*						
REFRIGERATION EXAMINERS, BOARD OF										
21 NCAC 60 .0102	14:08 NCR 579		14:12 NCR 1028	*						
21 NCAC 60 .0207	14:08 NCR 579		14:12 NCR 1028	*						
21 NCAC 60 .0311	14:08 NCR 579		14:12 NCR 1028	*						
21 NCAC 60 .0316	14:08 NCR 579		14:12 NCR 1028	*						
21 NCAC 60 .1102	14:08 NCR 579		14:12 NCR 1028	*						



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					Action	Date				
REVENUE										
17 NCAC 01C .0502	N/A		14:16 NCR 1424	*						
17 NCAC 01C .0504	N/A		14:16 NCR 1424	*						
17 NCAC 01C .0506	N/A		14:16 NCR 1424	*						
17 NCAC 01C .0509	N/A		14:16 NCR 1424	*						
17 NCAC 01C .0601	N/A		14:16 NCR 1424	*						
17 NCAC 03B .0302	N/A		14:16 NCR 1427	*						
17 NCAC 03C .0108	N/A		14:16 NCR 1427	*						
17 NCAC 04B .0102	N/A		13:08 NCR 690	N/A						
17 NCAC 04B .0104	N/A		13:08 NCR 690	N/A						
17 NCAC 04B .0105	N/A		13:08 NCR 690	N/A						
17 NCAC 04B .0106	N/A		13:08 NCR 690	N/A						
17 NCAC 04B .0107	N/A		13:08 NCR 690	N/A						
17 NCAC 04B .0301	N/A		13:08 NCR 690	N/A						
17 NCAC 04B .0302	N/A		13:08 NCR 690	N/A						
17 NCAC 04B .0306	N/A		13:08 NCR 690	N/A						
17 NCAC 04B .0308	N/A		13:08 NCR 690	N/A						
17 NCAC 04B .0309	N/A		13:08 NCR 690	N/A						
17 NCAC 04B .0310	N/A		13:08 NCR 690	N/A						
17 NCAC 04B .0311	N/A		13:08 NCR 690	N/A						
17 NCAC 04B .0312	N/A		13:08 NCR 690	N/A						
17 NCAC 04B .0403	N/A		13:08 NCR 690	N/A						
17 NCAC 04B .0405	N/A		13:08 NCR 690	N/A						
17 NCAC 04B .2902	N/A		13:08 NCR 690	N/A						
17 NCAC 04B .4301	N/A		13:08 NCR 690	N/A						
17 NCAC 04B .4301	N/A		14:16 NCR 1428	*						
17 NCAC 04B .4302	N/A		13:08 NCR 690	N/A						
17 NCAC 04B .4302	N/A		14:16 NCR 1428	*						

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					Action	Date				
17 NCAC 07B .0123	N/A		14:16 NCR 1437	*						
17 NCAC 07B .0124	N/A		13:08 NCR 695	N/A						
17 NCAC 07B .0125	N/A		13:08 NCR 695	N/A						
17 NCAC 07B .0207	N/A		14:16 NCR 1437	*						
17 NCAC 07B .1401	N/A		14:16 NCR 1437	*						
17 NCAC 07B .1402	N/A		14:16 NCR 1437	*						
17 NCAC 07B .1404	N/A		14:16 NCR 1437	*						
17 NCAC 07B .1601	N/A		14:16 NCR 1437	*						
17 NCAC 07B .1602	N/A		14:16 NCR 1437	*						
17 NCAC 07B .1702	N/A		14:16 NCR 1437	*						
17 NCAC 07B .1801	N/A		14:16 NCR 1437	*						
17 NCAC 07B .1802	N/A		14:16 NCR 1437	*						
17 NCAC 07B .1902	N/A		14:16 NCR 1437	*						
17 NCAC 07B .2101	N/A		13:09 NCR 767	N/A						
17 NCAC 07B .2213	N/A		14:16 NCR 1437	*						
17 NCAC 07B .2401	N/A		14:16 NCR 1437	*						
17 NCAC 07B .2801	N/A		14:16 NCR 1437	*						
17 NCAC 07B .2901	N/A		14:16 NCR 1437	*						
17 NCAC 07B .2903	N/A		14:16 NCR 1437	*						
17 NCAC 07B .3001	N/A		14:16 NCR 1437	*						
17 NCAC 07B .3004	N/A		14:16 NCR 1437	*						
17 NCAC 07B .3009	N/A		14:16 NCR 1437	*						
17 NCAC 07B .3010	N/A		14:16 NCR 1437	*						
17 NCAC 07B .3013	N/A		14:16 NCR 1437	*						
17 NCAC 07B .3204	N/A		14:16 NCR 1437	*						
17 NCAC 07B .4301	N/A		14:16 NCR 1437	*						
17 NCAC 07B .4303	N/A		14:16 NCR 1437	*						
17 NCAC 091 .0302	N/A		14:16 NCR 1451	*						



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					Action	Date				
17 NCAC 09K .0601	N/A		13:08 NCR 695	N/A						
17 NCAC 09K .0602	N/A		14:16 NCR 1451	*						
17 NCAC 09L .0403	N/A		14:16 NCR 1451	*						
17 NCAC 10 .0101	N/A		14:16 NCR 1452	*						
17 NCAC 10 .0405	N/A		14:16 NCR 1452	*						
17 NCAC 10 .0504	N/A		14:16 NCR 1452	*						
17 NCAC 10 .0505	N/A		14:16 NCR 1452	*						
Tax Review Board										
14:12 NCR 954										
<b>SECRETARY OF STATE</b>										
18 NCAC 06 .1212		13:14 NCR 1151								
		14:08 NCR 645	14:08 NCR 645	*	Approve	01/20/00				
18 NCAC 06 .1304		13:14 NCR 1151								
		14:08 NCR 645	14:08 NCR 645	*	Approve	01/20/00				
18 NCAC 06 .1502		13:14 NCR 1151								
		14:08 NCR 645	14:08 NCR 645	*	Approve	01/20/00				
18 NCAC 06 .1802		12:07 NCR 534	12:14 NCR 1312	*						
		Temp Expired 06/28/98								
18 NCAC 06 .1803		12:07 NCR 534	12:14 NCR 1312	*						
		Temp Expired 06/28/98								
18 NCAC 10 .0101	13:09 NCR 759	13:14 NCR 1153								Temp Filed over obj
		Expired 10/12/99								
		13:18 NCR 1556								
		Expired 12/10/99								
		14:12 NCR 1046								
18 NCAC 10 .0201	13:09 NCR 759	13:14 NCR 1153								Temp Filed over obj
		Expired 10/12/99								
		13:18 NCR 1556								
		Expired 12/10/99								
18 NCAC 10 .0301	13:09 NCR 759	14:12 NCR 1046								Temp Filed over obj
		13:14 NCR 1153								
		Expired 10/12/99								
		13:18 NCR 1556								
		Expired 12/10/99								
18 NCAC 10 .0302	13:09 NCR 759	14:12 NCR 1046								Temp Filed over obj
		13:14 NCR 1153								
		Expired 10/12/99								
		14:12 NCR 1046								

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Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
18 NCAC 10 .0303	13:09 NCR 759	13:14 NCR 1153 Expired 10/12/99								Temp Filed over obj
18 NCAC 10 .0304	13:09 NCR 759	14:12 NCR 1046 13:14 NCR 1153 Expired 10/12/99								Temp Filed over obj
18 NCAC 10 .0305	13:09 NCR 759	14:12 NCR 1046 13:14 NCR 1153 Expired 10/12/99								Temp Filed over obj
18 NCAC 10 .0306		13:18 NCR 1556 Expired 12/10/99								Temp Filed over obj
18 NCAC 10 .0307		14:12 NCR 1046 13:18 NCR 1556 Expired 12/10/99								Temp Filed over obj
18 NCAC 10 .0308		13:18 NCR 1556 Expired 12/10/99								Temp Filed over obj
18 NCAC 10 .0309		14:12 NCR 1046 13:18 NCR 1556 Expired 12/10/99								Temp Filed over obj
18 NCAC 10 .0401	13:09 NCR 759	14:12 NCR 1046 13:14 NCR 1153-Recodified to .0801 Expired 10/12/99								Temp Filed over obj
18 NCAC 10 .0402	13:09 NCR 759	13:18 NCR 1556 Expired 12/10/99								Temp Filed over obj
18 NCAC 10 .0501	13:09 NCR 759	13:14 NCR 1153-Recodified to .0802 Expired 10/12/99								Temp Filed over obj
18 NCAC 10 .0701		13:18 NCR 1556 Expired 12/10/99								Temp Filed over obj
18 NCAC 10 .0801		13:18 NCR 1556 Expired 12/10/99								Temp Filed over obj

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Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
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18 NCAC 10 .0802		13:18 NCR 1556 Expired 12/10/99								Temp Filed over obj
18 NCAC 10 .0901		14:12 NCR 1046 13:18 NCR 1556 Expired 12/10/99 14:12 NCR 1046								Temp Filed over obj

## SOCIAL WORK CERTIFICATION AND LICENSURE BOARD

21 NCAC 63 .0101	14:09 NCR 697	14:09 NCR 697	14:14 NCR 1249	*						
21 NCAC 63 .0102	14:09 NCR 697	14:09 NCR 697	14:14 NCR 1249	*						
21 NCAC 63 .0103	14:09 NCR 697	14:09 NCR 697	14:14 NCR 1249	*						
21 NCAC 63 .0104	14:09 NCR 697	14:09 NCR 697	14:14 NCR 1249	*						
21 NCAC 63 .0105	14:09 NCR 697	14:09 NCR 697	14:14 NCR 1249	*						
21 NCAC 63 .0201	14:09 NCR 697	14:09 NCR 697	14:14 NCR 1249	*						
21 NCAC 63 .0202	14:09 NCR 697	14:09 NCR 697	14:14 NCR 1249	*						
21 NCAC 63 .0204	14:09 NCR 697	14:09 NCR 697	14:14 NCR 1249	*						
21 NCAC 63 .0205	14:09 NCR 697	14:09 NCR 697	14:14 NCR 1249	*						
21 NCAC 63 .0206	14:09 NCR 697	14:09 NCR 697	14:14 NCR 1249	*						
21 NCAC 63 .0207	14:09 NCR 697	14:09 NCR 697	14:14 NCR 1249	*						
21 NCAC 63 .0208	14:09 NCR 697	14:09 NCR 697	14:14 NCR 1249	*						
21 NCAC 63 .0209	14:09 NCR 697	14:09 NCR 697	14:14 NCR 1249	*						
21 NCAC 63 .0210	14:09 NCR 697	14:09 NCR 697	14:14 NCR 1249	*						
21 NCAC 63 .0211	14:09 NCR 697	14:09 NCR 697	14:14 NCR 1249	*						
21 NCAC 63 .0212	14:09 NCR 697	14:09 NCR 697	14:14 NCR 1249	*						
21 NCAC 63 .0213	14:09 NCR 697	14:09 NCR 697	14:14 NCR 1249	*						
21 NCAC 63 .0301	14:09 NCR 697	14:09 NCR 697	14:14 NCR 1249	*						
21 NCAC 63 .0302	14:09 NCR 697	14:09 NCR 697	14:14 NCR 1249	*						
21 NCAC 63 .0303	14:09 NCR 697	14:09 NCR 697	14:14 NCR 1249	*						
21 NCAC 63 .0304	14:09 NCR 697	14:09 NCR 697	14:14 NCR 1249	*						
21 NCAC 63 .0305	14:09 NCR 697	14:09 NCR 697	14:14 NCR 1249	*						
21 NCAC 63 .0306	14:09 NCR 697	14:09 NCR 697	14:14 NCR 1249	*						



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21 NCAC 63 .0401	14:09 NCR 697	14:09 NCR 697	14:14 NCR 1249	*						
21 NCAC 63 .0402	14:09 NCR 697	14:09 NCR 697	14:14 NCR 1249	*						
21 NCAC 63 .0403	14:09 NCR 697	14:09 NCR 697	14:14 NCR 1249	*						
21 NCAC 63 .0404	14:09 NCR 697	14:09 NCR 697	14:14 NCR 1249	*						
21 NCAC 63 .0501	14:09 NCR 697	14:09 NCR 697	14:14 NCR 1249	*						
21 NCAC 63 .0503	14:09 NCR 697	14:09 NCR 697	14:14 NCR 1249	*						
21 NCAC 63 .0507	14:09 NCR 697	14:09 NCR 697	14:14 NCR 1249	*						
21 NCAC 63 .0508	14:09 NCR 697	14:09 NCR 697	14:14 NCR 1249	*						
21 NCAC 63 .0509	14:09 NCR 697	14:09 NCR 697	14:14 NCR 1249	*						
21 NCAC 63 .0601	14:09 NCR 697	14:09 NCR 697	14:14 NCR 1249	*						
21 NCAC 63 .0602	14:09 NCR 697	14:09 NCR 697	14:14 NCR 1249	*						
21 NCAC 63 .0603	14:09 NCR 697	14:09 NCR 697	14:14 NCR 1249	*						
21 NCAC 63 .0604	14:09 NCR 697	14:09 NCR 697	14:14 NCR 1249	*						
21 NCAC 63 .0607	14:09 NCR 697	14:09 NCR 697	14:14 NCR 1249	*						
21 NCAC 63 .0609 ,	14:09 NCR 697	14:09 NCR 697	14:14 NCR 1249	*						
21 NCAC 63 .0701	14:09 NCR 697	14:09 NCR 697	14:14 NCR 1249	*						
21 NCAC 63 .0702	14:09 NCR 697	14:09 NCR 697	14:14 NCR 1249	*						
21 NCAC 63 .0703	14:09 NCR 697	14:09 NCR 697	14:14 NCR 1249	*						
21 NCAC 63 .0704	14:09 NCR 697	14:09 NCR 697	14:14 NCR 1249	*						
21 NCAC 63 .0801	14:09 NCR 697	14:09 NCR 697	14:14 NCR 1249	*						
21 NCAC 63 .0802	14:09 NCR 697	14:09 NCR 697	14:14 NCR 1249	*						
21 NCAC 63 .0803	14:09 NCR 697	14:09 NCR 697	14:14 NCR 1249	*						
21 NCAC 63 .0804	14:09 NCR 697	14:09 NCR 697	14:14 NCR 1249	*						
21 NCAC 63 .0805	14:09 NCR 697	14:09 NCR 697	14:14 NCR 1249	*						
21 NCAC 63 .0806	14:09 NCR 697	14:09 NCR 697	14:14 NCR 1249	*						
21 NCAC 63 .0807	14:09 NCR 697	14:09 NCR 697	14:14 NCR 1249	*						
21 NCAC 63 .0808	14:09 NCR 697	14:09 NCR 697	14:14 NCR 1249	*						
21 NCAC 63 .0809	14:09 NCR 697	14:09 NCR 697	14:14 NCR 1249	*						

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21 NCAC 63 .0820	14:09 NCR 697	14:09 NCR 697	14:14 NCR 1249	*						
<b>STATE PERSONNEL COMMISSION</b>										
25 NCAC 01B .0354	13:05 NCR 436		13:09 NCR 773	*						
25 NCAC 01B .0414		13:18 NCR 1560	13:22 NCR 1850	*	Approve	10/04/99	*		14:10 NCR 839	
25 NCAC 01B .0434		13:18 NCR 1560	13:22 NCR 1850	*	Approve	10/04/99	*		14:10 NCR 839	
25 NCAC 01B .0437	13:05 NCR 436		13:09 NCR 773	*	Object	10/04/99	*		14:15 NCR 1354	
25 NCAC 01C .0214		13:18 NCR 1560	13:22 NCR 1850	*	Approve	11/17/99	*		14:10 NCR 839	
25 NCAC 01C .0801	14:16 NCR 1467	14:16 NCR 1467								
25 NCAC 01C .0802	14:16 NCR 1467	14:16 NCR 1467								
25 NCAC 01C .0803	14:16 NCR 1467	14:16 NCR 1467								
25 NCAC 01C .0804	14:16 NCR 1467	14:16 NCR 1467								
25 NCAC 01C .0805	14:16 NCR 1467	14:16 NCR 1467								
25 NCAC 01C .0806	14:16 NCR 1467	14:16 NCR 1467								
25 NCAC 01C .0807	14:16 NCR 1467	14:16 NCR 1467								
25 NCAC 01C .0808	14:16 NCR 1467	14:16 NCR 1467								
25 NCAC 01C .0809	14:16 NCR 1467	14:16 NCR 1467								
25 NCAC 01C .0810	14:16 NCR 1467	14:16 NCR 1467								
25 NCAC 01C .0811	14:16 NCR 1467	14:16 NCR 1467								
25 NCAC 01C .0812	14:16 NCR 1467	14:16 NCR 1467								
25 NCAC 01C .0813	14:16 NCR 1467	14:16 NCR 1467								
25 NCAC 01D .2516		11:13 NCR 1062	11:19 NCR 1429	*						
25 NCAC 01D .2517		Temp Expired	Temp Expired 07/31/98							
25 NCAC 01H .0602	13:05 NCR 436	12:09 NCR 835	13:09 NCR 773	*	Approve	10/04/99	*		14:10 NCR 839	
25 NCAC 01H .0605	13:05 NCR 436		13:09 NCR 773	*	Object	10/04/99	*		14:15 NCR 1354	
25 NCAC 01H .0606	13:05 NCR 436		13:09 NCR 773	*	Approve	10/04/99	*		14:15 NCR 1354	
25 NCAC 01J .0503	13:05 NCR 436		13:09 NCR 773	*	Object	11/17/99	*		14:10 NCR 839	
					Approve	10/04/99	*			

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25 NCAC 01J .0506		13:18 NCR 1560	13:22 NCR 1850	*	Approve	10/04/99	*		14:10 NCR 839	
25 NCAC 01J .0512	13:05 NCR 436		13:09 NCR 773	*						
25 NCAC 01J .0603	13:05 NCR 436		13:09 NCR 773	*	Approve	10/04/99	*		14:10 NCR 839	
25 NCAC 01J .0603		13:18 NCR 1560	13:22 NCR 1850	*	Approve	10/04/99	*		14:10 NCR 839	
<b>STATE TREASURER</b>										
20 NCAC 08 .0102	14:16 NCR 1466	14:16 NCR 1466								
20 NCAC 08 .0110	14:16 NCR 1466	14:16 NCR 1466								
20 NCAC 08 .0111	14:16 NCR 1466	14:16 NCR 1466								
20 NCAC 08 .0112	14:16 NCR 1466	14:16 NCR 1466								
<b>SUBSTANCE ABUSE PROFESSIONAL CERTIFICATION BOARD</b>										
21 NCAC 68 .0101	14:10 NCR 749		14:14 NCR 1259	*						
21 NCAC 68 .0203	14:10 NCR 749		14:16 NCR 1460	*						
21 NCAC 68 .0205	14:10 NCR 749		14:16 NCR 1460	*						
21 NCAC 68 .0206	14:10 NCR 749		14:16 NCR 1460	*						
21 NCAC 68 .0208	14:10 NCR 749		14:16 NCR 1460	*						
21 NCAC 68 .0209	14:10 NCR 749		14:16 NCR 1460	*						
21 NCAC 68 .0211	14:10 NCR 749		14:16 NCR 1460	*						
21 NCAC 68 .0212	14:10 NCR 749		14:16 NCR 1460	*						
21 NCAC 68 .0213	14:10 NCR 749		14:16 NCR 1460	*						
21 NCAC 68 .0503	14:10 NCR 749		14:14 NCR 1259	*						
21 NCAC 68 .0503	14:10 NCR 749		14:16 NCR 1460	*						
21 NCAC 68 .0507	14:10 NCR 749		14:14 NCR 1259	*						
21 NCAC 68 .0509	14:10 NCR 749		14:14 NCR 1259	*						
21 NCAC 68 .0511	14:10 NCR 749		14:14 NCR 1259	*						
21 NCAC 68 .0601	14:10 NCR 749		14:14 NCR 1259	*						
21 NCAC 68 .0701	14:10 NCR 749		14:16 NCR 1460	*						
21 NCAC 68 .0706	14:10 NCR 749		14:14 NCR 1259	*						



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## TRANSPORTATION

### Highways, Division of

19A NCAC 02D .0415 13:08 NCR 626 13:14 NCR 1116 \* Approve 04/15/99 14:02 NCR 84

19A NCAC 02E .0201 14:03 NCR 126 14:09 NCR 670 \*

19A NCAC 02E .0202 14:03 NCR 126 14:09 NCR 670 \*

19A NCAC 02E .0203 14:03 NCR 126 14:09 NCR 670 \*

19A NCAC 02E .0206 14:03 NCR 126 14:09 NCR 670 \*

19A NCAC 02E .0207 14:03 NCR 126 14:09 NCR 695 \*

19A NCAC 02E .0208 14:03 NCR 126 14:09 NCR 670 \*

19A NCAC 02E .0209 14:03 NCR 126 14:09 NCR 670 \*

19A NCAC 02E .0210 14:03 NCR 126 14:09 NCR 670 \*

19A NCAC 02E .0211 14:03 NCR 126 14:09 NCR 670 \*

19A NCAC 02E .0212 14:03 NCR 126 14:09 NCR 670 \*

19A NCAC 02E .0213 14:03 NCR 126 14:09 NCR 670 \*

19A NCAC 02E .0214 14:03 NCR 126 14:09 NCR 670 \*

19A NCAC 02E .0215 14:03 NCR 126 14:09 NCR 695 \*

19A NCAC 02E .0221 13:04 NCR 361 13:10 NCR 811 \*

19A NCAC 02E .0222 13:04 NCR 361 13:10 NCR 811 \*

19A NCAC 02E .0224 14:03 NCR 126 14:09 NCR 670 \*

19A NCAC 02E .0225 14:03 NCR 126 14:09 NCR 670 \*

19A NCAC 02E .0602 14:03 NCR 126 14:09 NCR 695 \*

19A NCAC 02E .0603 14:03 NCR 126 14:12 NCR 1012 \*

19A NCAC 02E .0604 14:03 NCR 126 14:09 NCR 670 \*

### Motor Vehicles, Division of

19A NCAC 03D .0801 14:11 NCR 911 14:16 NCR 1453 \*

19A NCAC 03D .0802 14:14 NCR 1223

19A NCAC 03G .0203 14:07 NCR 520 14:13 NCR 1145 \*

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Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal.	Effective by Governor	Approved Rule	Other
					Action	Date				
19A NCAC 03G .0205	14:07 NCR 520		14:13 NCR 1145	*						
19A NCAC 03G .0206	14:07 NCR 520		14:13 NCR 1145	*						
19A NCAC 03G .0207	14:07 NCR 520		14:13 NCR 1145	*						
19A NCAC 03G .0209	14:07 NCR 520		14:13 NCR 1145	*						
19A NCAC 03G .0213	14:07 NCR 520		14:13 NCR 1145	*						
19A NCAC 03I .0207	13:16 NCR 1258		13:22 NCR 1843	*	Approve	07/15/99			14:06 NCR 490	
19A NCAC 03I .0301	13:16 NCR 1258		13:22 NCR 1843	*	Approve	07/15/99			14:06 NCR 490	
19A NCAC 03I .0302	13:16 NCR 1258		13:22 NCR 1843	*	Approve	07/15/99			14:06 NCR 490	
19A NCAC 03I .0307	13:16 NCR 1258		13:22 NCR 1843	*	Object	07/15/99			14:09 NCR 708	
19A NCAC 03I .0401	13:16 NCR 1258		13:22 NCR 1843	*	Approve	08/19/99	*		14:06 NCR 490	
19A NCAC 03I .0402	13:16 NCR 1258		13:22 NCR 1843	*	Approve	07/15/99			14:06 NCR 490	
19A NCAC 03I .0501	13:16 NCR 1258		13:22 NCR 1843	*	Object	07/15/99	*		14:09 NCR 708	
19A NCAC 03I .0601	13:16 NCR 1258		13:22 NCR 1843	*	Approve	08/19/99	*		14:06 NCR 490	
19A NCAC 03I .0701	13:16 NCR 1258		13:22 NCR 1843	*	Approve	07/15/99			14:06 NCR 490	
19A NCAC 03I .0804	13:16 NCR 1258		13:22 NCR 1843	*	Approve	07/15/99			14:06 NCR 490	
				*	Object	07/15/99	*		14:09 NCR 708	
					Approve	08/19/99				

## VETERINARY MEDICAL BOARD

21 NCAC 66 .0207	12:23 NCR 2089
21 NCAC 66 .0208	12:23 NCR 2089

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