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NORTH CAROLINA REGISTER

VOLUME 14 • ISSUE 23 • Pages 2023 - 2079

June 1, 2000

IN THIS ISSUE

Voting Rights Letters
Administrative Hearings, Office of
Agriculture
Auctioneers, Commission for
Dental Examiners
Elections, State Board of
Health and Human Services
Insurance

Labor
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

RECEIVED

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KATHRINE R. EVERETT LAW LIBRARY 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.

Office of Administrative Hearings

Rules Division

Capehart-Crocker House (919) 733-2678 424 North Blount Street (919) 733-3462 FAX

Raleigh, North Carolina 27601-2817

contact: Molly Masich, Director APA Services
Ruby Creech, Publications Coordinator
Ruby.Creech@ncmail.net

Fiscal Notes & Economic Analysis

Office of State Budget and Management

116 West Jones Street Raleigh, North Carolina 27603-8005

contact: Warren Plonk, Economist III

(919) 733-7061 (919) 733-0640 FAX

Warren.Plonk@ncmail.net

Rule Review and Legal Issues

Rules Review Commission 1307 Glenwood Ave., Suite 159 Raleigh, North Carolina 27605

contact: Joe DeLuca Jr., Staff Director Counsel Bobby Bryan, Staff Attorney (919) 733-2721 (919) 733-9415 FAX

Legislative Process Concerning Rule-making

Joint Legislative Administrative Procedure Oversight Committee

545 Legislative Office Building

300 North Salisbury Street (919) 733-2578 Raleigh, North Carolina 27611 (919) 715-5460 FAX

contact: Mary Shuping, Staff Liaison marys@ncleg.net

County and Municipality Government Questions or Notification

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

IN THIS ISSUE



Volume 14, Issue 23 Pages 2023 - 2079

June 1, 2000

This issue contains documents officially filed through May 10, 2000.

> Office of Administrative Hearings Rules Division 424 North Blount Street (27601) 6714 Mail Service Center Raleigh, NC 27699-6714 (919) 733-2678 FAX (919) 733-3462

Julian Mann III, Director Camille Winston, Deputy Director Molly Masich, Director of APA Services Ruby Creech, Publications Coordinator Linda Dupree, Editorial Assistant Jessica Flowers, Editorial Assistant Dana Sholes, Editorial Assistant

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V. RULES REVIEW COMMISSION 2055 - 2058

VI. CONTESTED CASE DECISIONS Text of Selected Decisions 99 OSP 1135 2077 - 2079

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
	Council of State		8
		Certified Public Accountant Examiners	
7 8	Cultural Resources	Chiropractic Examiners	10
8	Elections Governor	Employee Assistance Professionals	11
9 10	00.01.00	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
1	Environment and Natural Resources	Foresters	20
16	Public Education	Geologists	21
17	Revenue	Hearing Aid Dealers and Fitters	22
18	Secretary of State	Landscape Architects	26
19A	Transportation	Landscape Contractors	28
20	Treasurer	Massage & Bodywork Therapy	30
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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

FILI	FILING DEADLINES	St	NOTICE OF RULE-MAKING PROCEEDINGS			-	NOTICE OF TEXT	ı			TEMPORARY RULE
					8-UOU	non-substaotial economic Impact	nic Impact	as	substantial economic impact	c impact	
volume and Issue number	issue date	last day for filing	earliest register Issue for publication of text	earliest date for public hearlog	end of required comment perlod	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	270 th day from Issue date
14:13	01/04/00	12/09/99	03/15/00	01/19/00	02/03/00	02/21/00	00/60/50	03/06/00	03/20/00	00/60/50	09/30/00
14:14	01/14/00	12/21/99	03/12/00	01/31/00	02/14/00	02/21/00	00/60/50	03/14/00	03/20/00	00/60/50	10/10/00
14:15	05/01/00	01/10/00	04/03/00	02/16/00	03/02/00	03/20/00	00/60/50	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	00/60/50	04/17/00	04/20/00	10/97/10	11/11/00
14:17	03/01/00	05/09/00	05/01/00	03/16/00	03/31/00	04/20/00	01/26/01	02/01/00	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	00/11/90	04/18/00	09/03/00	05/22/00	01/26/01	06/05/00	09/27/90	01/26/01	12/29/00
14:20	04/17/00	03/27/00	04/03/00	05/05/00	09/11/90	05/22/00	01/26/01	06/16/00	06/20/00	01/26/01	01/12/01
14:21	02/01/00	04/01/00	01/03/00	09/1/90	09/31/00	06/20/00	01/26/01	00/06/90	04/20/00	01/26/01	01/26/01
14:22	05/15/00	04/24/00	00/11/00	02/30/00	06/14/00	06/20/00	01/26/01	07/14/00	04/20/00	01/26/01	02/09/01
14:23	06/01/00	02/10/00	08/01/00	06/16/00	04/03/00	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	00//1//00	07/20/00	01/26/01	08/14/00	08/21/00	01/26/01	03/12/01
15:01	04/03/00	06/12/00	09/01/00	07/18/00	08/02/00	08/21/00	01/26/01	00/01/00	09/20/00	01/26/01	03/30/01
15:02	04/11/00	06/23/00	09/12/00	08/01/00	08/16/00	08/21/00	01/26/01	09/12/00	00/20/00	01/26/01	04/13/01
15:03	08/01/00	07/11/00	10/02/00	08/16/00	08/31/00	09/20/00	01/26/01	10/05/00	10/20/00	01/26/01	04/28/01
15:04	08/15/00	07/25/00	10/16/00	08/30/00	09/14/00	09/20/00	01/26/01	10/16/00	10/20/00	01/26/01	05/12/01
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
15:06	09/12/00	08/24/00	11/15/00	10/02/00	10/16/00	10/20/00	01/26/01	11/14/00	11/20/00	01/26/01	06/12/01
15:07	10/02/00	09/11/00	12/01/00	10/11/00	11/01/00	11/20/00	01/26/01	12/01/00	12/20/00	05/2002	06/29/01
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	05/2002	07/13/01
15:09	11/01/00	10/11/00	01/02/01	00/91/11	12/01/00	12/20/00	05/2002	01/02/01	01/22/01	05/2002	07/29/01
15:10	11/15/00	10/24/00	01/16/01	11/30/00	12/15/00	12/20/00	05/2002	01/16/01,	01/22/01	05/2002	08/12/01
15:11	12/01/00	11/07/00	02/01/01	12/18/00	01/05/01	01/22/01	05/2002	01/30/01	02/20/01	05/2002	08/28/01
15:12	12/15/00	11/22/00	02/15/01	01/02/01	01/16/01	01/22/01	05/2002	02/13/01	02/20/01	05/2002	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

FILING DEADLINES

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

- temporary rules;
- notices of rule-making proceed-3
- text of proposed rules;
- ext of permanent rules approved by the Rules Review Commission; notices of receipt of a petition for \odot \oplus 3
- Executive Orders of the Governor; required by G.S. 120-165; 90

municipal incorporation, as

- Attorney General concerning final decision letters from the U.S. 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;
 - orders of the Tax Review Board ssued under G.S. 105-241.2; and 8
- other information the Codiffier of Rules determines to be helpful to 6

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

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

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

NOTICE OF RULE-MAKING PROCEEDINGS

proposed rules is published, and the text of RULE-MAKING PROCEEDINGS: This date is making proceeding until the text of the END OF COMMENT PERIOD TO A NOTICE OF 60 days from the issue date. An agency shall accept comments on the notice of rulethe proposed rule shall not be published until at least 60 days after the notice of rulemaking 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 MPACT: 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 2)RULE WITH SUBSTANTIAL ECONOMIC proposed rule, whichever is longer.

MPACT: An agency shall accept comments on the text of a proposed rule published in under G.S. 150B-21.4(b1) for at least 60 economic impact requiring a fiscal note days after publication or until the date of any public hearing held on the rule, whichever is the Register and that has a substantial longer. DEADLINE TO SUBMIT TO THE RULES The Commission shall review a rule submitted to it on or before the twentieth of a month by the last REVIEW COMMISSION: day of the next month.

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

Civil Rights Division

JDR:JBG:TGL:nj DJ 166-012-3 2000-1014 2000-1161 Voting Section PO. Box 66128 Washington, D.C. 20035-6128

April 18, 2000

Robert C. Cogswell, Jr., Esq. City Attorney P.O. Box 1513 Fayetteville, North Carolina 28302-1513

Dear Mr. Cogswell:

This refers to seven annexations (Ordinance Nos. 99-05-436, 99-05-437, 99-07-438, 99-10-439, 99-11-440, 99-11-441, and 99-12-442), their designation to districts, and the procedures for conducting the May 2, 2000, special charter amendment election for the City of Fayetteville in Cumberland County, North Carolina, submitted to the Attorney General pursuant to Section 5 of the Voting Rights Act, 42, U.S.C. 1973c. We received your submissions on March 8 and 16, 2000.

The Attorney General does not interpose any objection to the specified changes. However, we note that Section 5 expressly provides that the failure of the Attorney General to object does not bar subsequent litigation to enjoin the enforcement of the changes. In addition, as authorized by Section 5, we reserve the right to reexamine these submissions if additional information that would otherwise require an objection comes to our attention during the remainder of the sixty-day review period. See the procedures for the Administration of Section 5 (28 C.F.R. 51.41 and 51.43).

Section 5 preclearance should be sought for any changes from existing voting practices adopted as a result of the special election. Your submission of such changes should include the relevant sections of the existing charter as well as the amended versions of those sections. See C.F.R. 51.27

Sincerely,

Joseph D. Rich Acting Chief Voting Section

Civil Rights Division

JDR:GLH:KIF:par DJ 166-012-3 2000-0797 2000-7207 Voting Section PO. Box 66128 Washington, D.C. 20035-6128

April 25, 2000

David A. Holec, Esq. City Attorney P.O. Box 7207 Greenville, North Carolina 27835-7207

Dear Mr. Holec:

This refers to 11 annexations (Ordinance Nos. 109 through 113, 134, 135, 147 through 149, and 155 (1999)) and their designation to council districts of the City of Greenville in Pitt County, North Carolina, submitted to the Attorney General pursuant to Section 5 of the Voting Rights Act, 42 U.S.C. 1973c. We received your submissions on February 25 and March 13, 2000.

The Attorney General does not interpose any objection to the specified changes. However, we note that Section 5 expressly provides that the failure of the Attorney General to object does not bar subsequent litigation to enjoin the enforcement of the changes. In addition, as authorized by Section 5, we reserve the right to reexamine these submissions if additional information that would otherwise require an objection comes to our attention during the remainder of the sixty-day review period. See the Procedures for the Administration of Section 5 (28 C.F.R. 51.41).

Sincerely,

Joseph D. Rich Acting Chief Voting Section

Civil Rights Division

JDR:DEBR:JGD:nj:jdh DJ 166-012-3 2000-0802

Voting Section PO. Box 66128 Washington, D.C. 20035-6128

April 25, 2000

Donald I. McRee, Jr., Esq.
County Attorney
P.O. Box 39
Elizabeth City, North Carolina 27907-0039

Dear Mr. McRee:

This refers to the realignment of voting precincts for Pasquotank County, North Carolina, submitted to the Attorney General pursuant to Section 5 of the Voting Rights Act, 42 U.S.C. 1973c. We received your submission on February 25, 2000; supplemental information was received on April 19, 2000.

The Attorney General does not interpose any objection to the specified changes. However, we note that Section 5 expressly provides that the failure of the Attorney General to object does not bar subsequent litigation to enjoin the enforcement of the change. See the Procedures for the Administration of Section 5 (28 C.F.R. 51.41).

Sincerely,

Joseph D. Rich Acting Chief Voting Section

cc: Ms. Glenda W. Crane

Director, Pasquotank County Board of Elections

Civil Rights Division

JDR:JBG:JGD:nj DJ 166-012-3 2000--0976 Voting Section PO. Box 66128 Washington, D.C. 20035-6128

May 3, 2000

Albert M. Benshoff, Esq. City Attorney P.O. Box 1388 Lumberton, North Carolina 28539

Dear Mr. Benshoff:

This refers to four annexations (adopted on June 28 and September 13, 1999) and their designatio to districts of the City of Lumberton in Robeson County, North Carolina, submitted to the Attorney General pursuant to Section 5 of the Voting Rights Act, 42 U.S.C. 1973c. We received your submissions on March 6, 2000.

The Attorney General does not interpose any objection to the specified changes. However, we note that Section 5 expressly provides that the failure of the Attorney General to object does not bar subsequent litigation to enjoin the enforcement of the changes. See the Procedures for the Administration of Section 5 (28 C.F.R. 51.41).

Sincerely,

Joseph D. Rich Acting Chief Voting Section 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 10 - DEPARTMENT OF HEALTH AND HUMAN SERVICES

CHAPTER 3 - FACILITY SERVICES

North Carolina Medical Care 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: 10 NCAC 3Q - Other rules may be proposed in the course of the rule-making process.

Authority for the rule-making: G.S. 131E-147; 131E-149

Statement of the Subject Matter: The rules pertain to licensing requirements for ambulatory surgery facilities.

Reason for Proposed Action: The purpose of the rule-making will be to more explicitly define which facilities are required to be licensed and to further clarify requirements for licensure.

Comment Procedures: Written comments should be submitted to Jackie R. Shepard, Rule-making Coordinator, Division of Facility Services, 2701 Mail Service Center, Raleigh, NC 27699-2701. Telephone: (919)733-2342.

TITLE 11 - DEPARTMENT OF INSURANCE

CHAPTER 10 - PROPERTY AND CASUALTY DIVISION

CHAPTER 16 - ACTUARIAL SERVICES DIVISION

Notice of Rule-making Proceedings is hereby given by the N.C. Department of Insurance 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: 11 NCAC 10 .0700; 11 NCAC 16 .0300 - Other rules may be proposed in the course of the rule-making process.

Authority for the rule-making: G.S. 58-2-40; 58-21-15; 58-

21-35; 58-50-130

Statement of the Subject Matter: Surplus lines insurance and small employer group health insurance.

Reason for Proposed Action: Changes in surplus lines rules to reflect changes in statutes; and repeal of obsolete rules for small employer group health insurance.

Comment Procedures: Written comments should be sent to Ellen K. Sprenkel, N.C. Department of Insurance, P.O. Box 26387, Raleigh, NC 27611.

TITLE 13 - DEPARTMENT OF LABOR

CHAPTER 7 - OSHA

Notice of Rule-making Proceedings is hereby given by the N.C. Department of Labor 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: 13 NCAC 7F.0101, .0201, 0401 - Other rules may be proposed in the course of the rule-making process.

Authority for the rule-making: G.S. 95-4; 95-131; 95-133;

Statement of the Subject Matter: The N.C. Division of Occupational Safety and Health (OSHNC) is presently developing rules to protect workers during the construction, erection, installation, operation, maintenance, and disassembly of communication towers. It is the goal of the Department to amend existing rules relating to the safe installation, operation, maintenance, rearrangement and removal of equipment, including, but not limited, to conductors used for signal or communication service or relating to support structures and containing structures.

Reason for Proposed Action: Changes in technology and equipment in recent years have brought about a significant increase in the number of communication towers. Injuries involving falls from communication towers are serious, if not fatal. Communication towers are not adequately addressed in the Federal Occupational Safety and Health Standards for General Industry, for the Construction Industry or in the North Carolina Standards for Shops Fabricating Structural Steel and

Steel Plate, as adopted verbatim or amended by the N.C. Department of Labor's Occupational Safety and Health Division. North Carolina's Occupational Safety and Health Standards are being amended to clarify employer responsibilities in regard to matters such as, but not limited to, personal protective equipment (PPE) for workers during construction of and work on and around communication towers.

Comment Procedures: Written comments must be submitted to Angela S. Waldorf, N.C. Department of Labor, 4 W. Edenton Street, Raleigh, NC 27601.

TITLE 19A - DEPARTMENT OF TRANSPORTATION

CHAPTER 3 - DIVISION OF MOTOR VEHICLES

Totice of Rule-making Proceedings is hereby given by the NDivision of Motor Vehicles 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: 19A NCAC 03D .0519 - Other rules may be proposed in the course of the rule-making process.

Authority for the rule-making: G.S. 20-2; 20-39; 20-183.4; 183.8A

Statement of the Subject Matter: Rules state conditions under which licensed emissions inspection stations conduct vehicle inspections.

Reason for Proposed Action: Federal Register 40 CFR, Part 51.361(a) requires states to enforce a registration denial program which refuses renewal if a vehicle is not in compliance with emissions inspection requirements. G.S. 120-183.8A requires N.C. DMV to assess a civil penalty if a vehicle is not inspected within 4 months of sticker expiration. Amendments to this Rule set software requirements for stations to transfer information to and receive emissions confirmation from DMV by telephone. Two telephone calls per transaction are required. Amendments to this Rule require that the emission stations pay charges directly to the telephone contractor.

Comment Procedures: Any interested person may submit written comments on the proposed rule by mailing the comments to Emily Lee, N.C. DOT, 1501 Mail Service Center, Raleigh, NC 27699-1501 by September 15, 2000.

TITLE 21 - OCCUPATIONAL LICENSING BOARDS

CHAPTER 16 - NORTH CAROLINA STATE BOARD OF DENTAL EXAMINERS

Totice of Rule-making Proceedings is hereby given by the **V** N.C. State Board of Dental 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 16B .0306; 16I .0101-.0109; 16R .0101-.0105; 16Q .0101, .0202-.0205, .0301-.0303, .0401-.0403, .0501-.0502, .0601 - Other rules may be proposed in the course of the rulemaking process.

Authority for the rule-making: G.S. 90-28; 90-29; 90-30; 90-30.1: 90-48: 90-222: 90-225.1

Statement of the Subject Matter: Notice is hereby given in accordance with G.S. 150B-21.2 that the North Carolina State Board of Dental Examiners (Board) will consider adopting rules, repealing rules. or amending rules addressing foreign graduates applying as candidates for examination, management arrangements, continuing education reporting requirements for dentists and dental hygienists, and general anesthesia and sedation requirements.

Reason for Proposed Action: To revise requirements for foreign graduates applying as candidates for examination; to set out requirements for management arrangements; to revise continuing education reporting requirements for dentist and dental hygienists; to revise general anesthesia and sedation requirements.

Comment Procedures: Written comments may be submitted on the subject matter of the proposed rule-making to Christine H. Lockwood, Executive Director of the Board at the Board's office. The Board's address is P.O. Box 32270, Raleigh, NC 27622-2270.

TITLE 26 - OFFICE OF ADMINISTRATIVE HEARINGS

CHAPTER 26 - HEARINGS DIVISION

Totice of Rule-making Proceedings is hereby given by the V Office of Administrative Hearings 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: 26 NCAC 3 - Other rules may be proposed in the course of the rule-making process.

RULE-MAKING PROCEEDINGS

Authority for the rule-making: G.S. 7A-751

Statement of the Subject Matter: To adopt or amend rules related to Administrative Law Judge and mediation settlement conferences; and the use of interpreters in the hearing process.

Reason for Proposed Action: The contested case mediation and Administrative Law Judge settlement conference rules are in need of conformity with the current procedures and rules adopted for the superior courts by the Dispute Resolution Commission and approved by the Supreme Court. OAH also will adopt rules governing the use of sign language interpreters to accommodate persons who are hearing impaired to conform with current state and federal rules, and to adopt other rules governing the use of foreign language interpreters in the contested case process.

Comment Procedures: Comments should be addressed to Joey Propst, OAH, 6714 Mail Service Center, Raleigh, NC 27699-6714.

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 2 - DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Notice is hereby given in accordance with G.S. 150B-21.2 that the N.C. Structural Pest Control Committee intends to amend rules cited as 2 NCAC 34.0505-.0506. Notice of Rulemaking Proceedings was published in the Register on April 3, 2000.

Proposed Effective Date: March 1, 2001

Instructions on How to Demand a Public Hearing (must be requested in writing within 15 days of notice): Any person may request a public hearing on the proposed rules by submitting a request in writing no later than June 16, 2000, to Carl Falco, Secretary, N.C. Structural Pest Control Committee, P.O. Box 27647, Raleigh, NC 27611.

Reason for Proposed Action: This action was initiated as a result of a petition submitted by Ron Schwalb, Nisus Corporation.

Comment Procedures: Written comments may be submitted no later than July 3, 2000, to Carl Falco, Secretary, N.C. Structural Pest Control Committee, P.O. Box 27647, Raleigh, NC 27611.

Fiscal Impact
State Local Sub. None

CHAPTER 34 - STRUCTURAL PEST CONTROL DIVISION

SECTION .0500 - WOOD-DESTROYING INSECTS

.0505 SUBTERRANEAN TERMITE PREVENTION/RES BLDGS UNDER CONST

- (a) All treatments performed pursuant to this Rule shall be performed at the label recommended rate and concentration only.
 - (b) Basement or Crawl Space Construction
 - (1) Establish a vertical barrier in the soil by trenching or trenching and rodding along inside of the main foundation wall; the entire perimeter of all multiple masonry chimney bases, pillars, pilasters, and piers; and both sides of partition or inner walls with a termiticide from the top of the grade to the top of the footing or to a minimum depth of 30 inches, whichever is less. Where footings are exposed, treatment shall be performed adjacent to the footing but not below the bottom of the footing. Trench shall be no less than six inches in depth or to the top of the

- footing, whichever is less. Where drain tile, french drains, or other foundation drainage systems present a hazard of contamination outside the treatment zone, treatment shall be performed in a manner that will not introduce termiticide into the drainage system.
- After a building or structure has been completed and the excavation filled and leveled, so that the final grade has been reached along the outside of the main foundation wall, including any landscaping to be completed by the builder, establish a vertical barrier in the soil by trenching or trenching and rodding adjacent to the outside of the main foundation wall with a termiticide from the top of the grade to the bottom of the footing or to a minimum depth of 30 inches, whichever is less. Where footings are exposed, treatment shall be performed adjacent to the footing and not below the bottom of the footing. Trench shall be no less than six inches in depth or to the bottom of the footing, whichever is less. Where drain tile, french drains, or other foundation drainage systems present a hazard of contamination outside the treatment zone, treatment shall be performed in a manner that will not introduce termiticide into the drainage system.
- (3) Establish a horizontal termiticide barrier in the soil within three feet of the main foundation, under slabs, such as patios, walkways, driveways, terraces, gutters, etc., attached to the building. Treatment shall be performed before slab is poured, but after fill material or fill dirt has been spread.
- (4) Establish a horizontal termiticide barrier in the soil under the entire surface of floor slabs, such as basements, porches, entrance platforms, garages, carports, breezeways, sun rooms, etc. The treatment shall be performed before slab is poured but after fill material or fill dirt has been spread.
- (5) Establish a vertical termiticide barrier in the soil around all critical areas, such as expansion and construction joints and plumbing and utility conduits, at their point of penetration of the slab or floor or, for crawl space construction, at the point of contact with the soil.
- (6) If concrete slabs are poured prior to treatment, treatment of slabs shall be performed as required by 2 NCAC 34 .0503(a) or (b): Except that; the buyer of the property and/or his authorized agent may release the licensee from further treatment of slab areas under this Rule provided such release is obtained in writing on the form prescribed by the Division. This form may be obtained by writing the North Carolina Department of Agriculture and Consumer Services,

Structural Pest Control Division, PO Box 27647, Raleigh, NC 27611 or by calling (919) 733-6100.

- (c) Slab-on-Ground Construction. All parts of Paragraph (a) of this Rule shall be followed, if applicable, in treating slab-on-ground construction.
- (d) All treating requirements specified in this Rule shall be completed within 60 days following the completion of the structure, as described in Subparagraph (b)(2) of this Rule.
- (e) Paragraphs (b) and (c) of this Rule shall not apply to subterranean termite treatment performed using termite bait(s) labeled for protection of the entire structure when the licensee provides a warranty for the control of subterranean termites on the entire structure.
- (f) Paragraphs (b) and (c) of this Rule shall not apply to subterranean termite treatment performed using EPA registered topically applied wood treatment termiticides labeled for the protection of the entire structure when the licensee applies the material according to labeled directions and provides a warranty for the control of subterranean termites on the entire structure.

Authority G.S. 106-65.29.

.0506 MIN REQUIRE/SUBTERRANEAN TERMITE PREV/COMMERCIAL BLDGS UNDER CONST

- (a) All treatments performed pursuant to this Rule shall be performed at the label recommended rate and concentration only.
 - (b) Minimum Treatment Requirements:
 - (1) Establish a vertical barrier in the soil by trenching or trenching and rodding along inside of the main foundation wall; the entire perimeter of all multiple masonry chimney bases, pillars, pilasters, and piers; and both sides of partition or inner walls with a termiticide from the top of the grade to the bottom of the footing or a minimum depth of 30 inches, whichever is less. Where footings are exposed, treatment shall be performed adjacent to the footing but not below the bottom of the footing. Trench shall be no less than six inches in depth or to the bottom of the footing, whichever is less. Where drain tile, french drains, or other foundation drainage systems present a hazard of contamination outside the treatment zone, treatment shall be performed in a manner that will not introduce termiticide into the drainage system.
 - (2) After a building or structure has been completed and the excavation filled and leveled, so that the final grade has been reached along the outside of the main foundation wall, including any landscaping to be completed by the builder, establish a vertical barrier in the soil adjacent to the outside of the main foundation wall by trenching or trenching and rodding with a termiticide from the top of the grade to the top of the footing or to a minimum depth of 30 inches, whichever is less. Where footings are exposed, treatment shall be performed adjacent to the footing and not below the bottom of the footing. Trench shall be no less than six inches in depth or to the bottom of the footing, whichever is less. Where drain tile,

- french drains, or other foundation drainage systems present a hazard of contamination outside the treatment zone, treatment shall be performed in a manner that will not introduce termiticide into the drainage system.
- (3) Establish a horizontal termiticide barrier in the soil within three feet of the main foundation, under slabs, such as patios, walkways, driveways, terraces, gutters, etc. Treatment shall be performed before slab is poured but after fill material or fill dirt has been spread.
- (4) Establish a vertical termiticide barrier in the soil around all critical areas, such as expansion and construction joints and plumbing and utility conduits, at their point of penetration of the slab of floor, or for crawl space construction, at the point of contact with the soil.
- (5) If concrete slabs are poured prior to treatment, treatment of slabs shall be performed as required by 2 NCAC 34 .0503(a) or (b).
- (c) Paragraph (b) of this Rule shall not apply to subterranean termite treatment performed using termite bait(s) labeled for protection of the entire structure when the licensee provides a warranty for the control of subterranean termites on the entire structure.
- (d) Paragraph (b) of this Rule shall not apply to subterranean termite treatments using EPA registered topically applied wood treatment termiticides labeled for the protection of the entire structure and the licensee applies the material according to labeled directions and provides a warranty for the control of subterranean termites on the entire structure. When foundation areas contain no wood or cellulose components and the wood treatment termiticide cannot be applied according to label directions then applications specified in Paragraph (b) or (c) of this Rule would be required.

Authority G.S. 106-65.29.

Notice is hereby given in accordance with G.S. 150B-21.2 that the North Carolina Board of Agriculture intends to amend rules cited as 2 NCAC 52B.0208-.0209. Notice of Rulemaking Proceedings was published in the Register on April 3, 2000.

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Proposed Effective Date: March 1, 2001

Instructions on How to Demand a Public Hearing (must be requested in writing within 15 days of notice): Any person may request a public hearing on the proposed rules by submitting a request in writing no later than June 16, 2000, to David S. McLeod, Secretary, North Carolina Board of Agriculture, PO Box 27647, Raleigh, NC 27611.

Reason for Proposed Action: Brucellosis and tuberculosis is known to exist in goat and sheep herds in other states. The

proposed change is necessary to prevent the introduction and spread of these diseases in North Carolina.

Comment Procedures: Written comments may be submitted no later than July 3, 2000, to David S. McLeod, Secretary, North Carolina Board of Agriculture, PO Box 27647, Raleigh, NC 27611.

Fiscal Impact
State Local

Sub. None

CHAPTER 52 - VETERINARY DIVISION

SUBCHAPTER 52B - ANIMAL DISEASE

SECTION .0200 - ADMISSION OF LIVESTOCK TO NORTH CAROLINA

.0208 IMPORTATION REQUIREMENTS: GOATS

Goats All goats entering the state for dairy, breeding except those consigned to a federal or exhibition purposes stateinspected slaughtering establishment shall be accompanied by an official health certificate from the state of origin. The health certificate shall state that the goats were clinically free of any infectious or communicable disease. The health certificate shall include a description of each animal, the age, sex, breed and color or marking shall be given. No health certificate is required for goats consigned to a slaughtering establishment under state or federal inspection. Goats over six months of age and sexually intact imported from out-of-state shall have a negative brucellosis test within 30 days prior to import, and all imports over six months of age must have a negative tuberculosis test within 60 days prior to import unless they originate from a certified and accredited herd or unless they are consigned to a slaughtering establishment under state or federal inspection.

Authority G.S. 106-307.5; 106-396.

.0209 IMPORTATION REQUIREMENTS: SHEEP

- (a) The health certificate covering the importation of sheep shall include a report of inspection by a veterinarian approved by the chief livestock sanitary official of the state of origin indicating the sheep are not under quarantine and are free from signs of any infectious or communicable disease. The health certificate shall contain a statement that the flock of origin has not had scrapie diagnosed within the past 42 months.
- (b) Sheep which have not been handled in stockyards, stock pens or on premises in public use for livestock may be imported without dipping, from a state or area designated as scabies-free by the United States Department of Agriculture.
- (c) Unless waived by the State Veterinarian, sheep for purposes other than immediate slaughter that have not been dipped in accordance with the regulations of the Animal and Plant Health Inspection Service, Veterinary Services, United States Department of Agriculture may not be imported into the state. While in transit they shall be accompanied by a certificate of such dipping. The requirements for dipping will be waived

when it can be determined that the sheep will be isolated from other animals at the North Carolina destination until dipped.

- (d) Sheep consigned for the purpose of immediate slaughter to a recognized stockyard, or to a slaughtering establishment with state or federal inspection may be imported without a health certificate. A waybill or certificate marked for immediate slaughter must accompany such shipments.
- (e) Sheep over six months of age and sexually intact imported from out-of-state shall have a negative brucellosis test within 30 days prior to import, and all imports must have a negative tuberculosis test within 60 days prior to import unless they originate from a certified and accredited herd unless they are consigned to a slaughtering establishment under state or federal inspection.

Authority G.S. 106-307.5.

Notice is hereby given in accordance with G.S. 150B-21.2 that the N.C. Department of Agriculture and Consumer Services intends to adopt rules cited as 2 NCAC 55.0101-.0104; .0201-.0203; .0301-.0303; .0401-.0403; .0501-.0503. Notice of Rule-making Proceedings was published in the Register on March 1, 2000.

Proposed Effective Date: March 1, 2001

Instructions on How to Demand a Public Hearing (must be requested in writing within 15 days of notice): Any person may request a public hearing on the proposed rules by submitting a request in writing no later than June 16, 2000, to David S. McLeod, APA Coordinator, N.C. Department of Agriculture and Consumer Services, Legal Affairs Office, PO Box 27647, Raleigh, NC 27611.

Reason for Proposed Action: The proposed rules implement Hurricane Floyd recovery assistance programs for agriculture, pursuant to the Hurricane Floyd Recovery Act of 1999, S.L. 1999-463.

Comment Procedures: Written comments may be submitted no later than July 3, 2000, to David S. McLeod, APA Coordinator, N.C. Department of Agriculture and Consumer Services, Legal Affairs Office, PO Box 27647, Raleigh, NC 27611.

Fiscal Impact

State Local

Sub. None

CHAPTER 55 - HURRICANE FLOYD RECOVERY PROGRAMS FOR AGRICULTURE

SECTION .0100 - PURPOSE; AVAILABILITY OF FUNDS; DEFINITIONS; EXPIRATION

.0101 PURPOSE

The purpose of this Chapter is to establish guidelines for the

implementation of disaster assistance programs for farmers who suffered losses as a result of Hurricane Floyd. The assistance provided under this Chapter is intended to supplement federal disaster assistance programs. This program is authorized by the Hurricane Floyd Recovery Act, Session Law 1999-463 of the 1999 Extra Session of the General Assembly.

Authority S.L. 1999-463, s. 4.

.0102 AVAILABILITY OF FUNDS

The assistance programs described in this Chapter are subject to the availability of funds from the Hurricane Floyd Reserve Fund in the Office of State Budget and Management, or from other sources. This program shall be administered in accordance with the Hurricane Floyd Recovery Act and the requirements of the Office of State Budget and Management.

Authority S.L. 1999-463, s. 4.

.0103 DEFINITIONS

As used in this Chapter:

- (1) "Commissioner" means the Commissioner of Agriculture.
- (2) "Department" means the Department of Agriculture and Consumer Services.
- (3) "Disaster area" means the counties that were declared a disaster by the President of the United States as a result of Hurricane Floyd.
- (4) "FSA" means the Farm Service Agency of the United States Department of Agriculture.
- (5) "USDA" means the United States Department of Agriculture.

Authority S.L. 1999-463, s. 4.

.0104 EXPIRATION

This Chapter shall expire on December 31, 2000.

Authority S.L. 1999-463, s. 4.

SECTION .0200 - CROP LOSS AND LIVESTOCK ASSISTANCE

.0201 ELIGIBILITY FOR ASSISTANCE

A producer who is eligible for crop or livestock disaster assistance from USDA-FSA shall be eligible for assistance under this program. In addition, a producer who is not eligible for federal assistance may be eligible for assistance under this program if he or she has a loss documented by USDA-FSA. A "swine operation integrator," as defined in G.S. 143-215.10H, shall not be eligible for livestock loss assistance.

Authority S.L. 1999-463, s. 4.

.0202 APPLICATION PROCEDURES

Assistance under this program shall be based on information provided to the Department by USDA-FSA. No additional application shall be required.

Authority S.L. 1999-463, s. 4.

.0203 MAXIMUM LEVEL OF ASSISTANCE

Subject to availability of funds, assistance may be provided in amounts not to exceed:

- (1) 17 percent of a producer's crop loss as documented by USDA-FSA; and
- (2) <u>30 percent of a producer's livestock loss as documented by USDA-FSA.</u>

Authority S.L. 1999-463, s. 4.

SECTION .0300 - STRUCTURES AND EQUIPMENT LOSS ASSISTANCE

.0301 ELIGIBILITY FOR ASSISTANCE

A farm owner or operator whose uninsured farm structures, farm roads or farm equipment were damaged or destroyed as a result of Hurricane Floyd may submit an application for assistance under this program to the USDA-FSA county office on a form provided by the Department. "Structures" shall not include lagoons, as defined in G.S. 106-802. Applications must be received in the USDA-FSA county office by March 15, 2000.

Authority S.L. 1999-463, s. 4.

.0302 APPLICATION PROCEDURES

Applications shall be forwarded by USDA-FSA to the Department. The Department shall determine eligibility for assistance based on information provided by the farm owner or operator in the application. The application shall include:

- (1) <u>a copy of an invoice or estimate for repairs, not to exceed fair market value prior to Hurricane Floyd; or</u>
- (2) in the case of a total loss, a copy of an appraisal of the fair market value prior to Hurricane Floyd.

The invoice, estimate, appraisal or other supporting information must have been prepared by a person who is known to be competent to prepare such estimates or appraisals and who has no financial interest in the applicant's farm operations.

Authority S.L. 1999-463, s. 4.

.0303 MAXIMUM LEVEL OF ASSISTANCE

Subject to availability of funds, assistance may be provided in amounts not to exceed 40 percent of uninsured structure or equipment loss, or 50 percent of farm road restoration cost.

Authority S.L. 1999-463, s. 4.

SECTION .0400 - EMERGENCY CONSERVATION PROGRAM COST SHARE BUY DOWN

.0401 ELIGIBILITY FOR ASSISTANCE

A producer who is eligible for assistance under the USDA-FSA Emergency Conservation Program shall be eligible for the cost share buy down assistance program.

Authority S.L. 1999-463, s. 4.

.0402 APPLICATION PROCEDURES

Assistance under this program shall be based on information provided to the Department by USDA-FSA from the producer's application for assistance from USDA-FSA under the Emergency Conservation Program. No additional application shall be required.

Authority S.L. 1999-463, s. 4.

.0403 MAXIMUM LEVEL OF ASSISTANCE

Subject to availability of funds, assistance may be provided in amounts not to exceed 18 percent of the total cost of the practice approved by USDA-FSA. Assistance provided under this Section may not be used to repair or rebuild a "lagoon," as defined in G.S. 106-802.

Authority S.L. 1999-463, s. 4.

SECTION .0500 - COMMODITY ASSOCIATIONS AND COOPERATIVES ASSISTANCE

.0501 APPLICATIONS FOR ASSISTANCE

Commodity associations and cooperatives may submit an application for assistance to the Commissioner of Agriculture on a form provided by the Department.

Authority S.L. 1999-463, s. 4.

.0502 ELIGIBILITY FOR ASSISTANCE

A commodity association or cooperative shall provide documentation of losses suffered due to Hurricane Floyd.

Authority S.L. 1999-463, s. 4.

.0503 LEVEL OF ASSISTANCE

Subject to availability of funds, the Commissioner of Agriculture may provide assistance to commodity associations or cooperatives on a pro rata basis for losses suffered due to Hurricane Floyd.

Authority S.L. 1999-463, s. 4.

TITLE 13 - DEPARTMENT OF LABOR

Notice is hereby given in accordance with G.S. 150B-21.2 that the North Carolina Department of Labor intends to amend rules cited as 13 NCAC 1B .0101 - .0103; and repeal rules cited as 13A NCAC 1A .0101 - .0104, .0201; 1B .0202 - .0203, .0301 - .0307, .0404 - .0405, .0501 - .0502, .0602, .0605 - .0608; 1C .0101 - .0103, .0106, .0201 - .0205. Notice of Rulemaking Proceedings was published in the Register on October 1, 1999.

Proposed Effective Date: March 15, 2001

Instructions on How to Demand a Public Hearing (must be requested in writing within 15 days of notice): Written requests for a public hearing on this proposed action must be directed to Angela S. Waldorf, NC Department of Labor, 4 West Edenton St., Raleigh, N.C. 27601 on or before June 16, 2000.

Reason for Proposed Action: In the years since the rules were last revised, there have been many changes in the Department, the Administrative Procedures Act and other laws affecting the work of the Department. The purpose of this rule-making is to update the rules, e.g. by repealing rules which amount to little more than a restatement of personnel law and regulations.

Comment Procedures: Written comments must be directed to Angela S. Waldorf, N.C. Department of Labor, 4 W. Edenton St., Raleigh, NC 27601. Comments will be received through July 3, 2000

Fiscal Impact

State Local

Sub. None

CHAPTER 1 - DEPARTMENTAL RULES

SUBCHAPTER 1A - GENERAL PROVISIONS AND ORGANIZATION

SECTION .0100 - GENERAL PROVISIONS

.0101 NAME: ADDRESS: HOURS

The central office of the North Carolina Department of Labor is located in Raleigh. The mailing address of the department is: North Carolina Department of Labor, Raleigh, North Carolina. The business hours of the department are from 8 a.m. to 5 p.m. Monday through Friday, except official state holidays.

Authority G.S. 95-1; 95-4; 143A-67.

.0102 PURPOSE

The department is responsible for promoting the safety, health and general well-being of the industrial population of the state. The department administers and enforces safety regulations, wage and hour laws, apprenticeship regulations, mine and quarry regulations, elevator regulations, boiler and pressure vessel regulations, and regulations for private employment agencies. In addition, the department offers arbitration and mediation services for labor-management disputes through its conciliation and arbitration division:

Authority G.S. 95-4; 95-11.

.0103 COMMISSIONER

The Commissioner of Labor, who is elected by the people for a term of four years, is the executive and administrative head of the department. The commissioner supervises the administration and enforcement of labor laws, regulations, and programs.

Authority G.S. 95-2; 95-4; 143A-68.

.0104 DEPUTY COMMISSIONER: ASSISTANT TO THE COMMISSIONER

The commissioner will appoint a deputy commissioner and an assistant to the commissioner. The deputy commissioner will be responsible for daily administration and operation of departmental programs. The assistant to the commissioner will serve as a special assistant performing such duties and projects as may be designated by the commissioner.

Authority G.S. 95-4.

SECTION .0200 - ORGANIZATION

.0201 DIVISIONS

The Department of Labor is organized into nine major divisions:

- (1) administration division,
- (2) apprenticeship and training division,
- (3) boiler and pressure vessel division,
- (4) conciliation and arbitration division,
- (5) elevator inspection division,
- (6) mine and quarry division,
- (7) occupational safety and health division,
- (8) state inspections and services division,
- (9) statistics division.

Authority G.S. 74-24.19; 94-4; 95-4; 95-11; 95-12; 95-35; 95-36.3; 95-47.9; 95-69.12; 95-133; 143A-69.

SUBCHAPTER 1B - RULE-MAKING AND ADMINISTRATIVE HEARING PROCEDURES

SECTION .0100 - PETITIONS FOR RULES

.0101 PETITION FOR RULE-MAKING HEARINGS

Any person wishing to submit a petition requesting the adoption, amendment or repeal of a rule by the Commissioner of Labor shall address submit the a petition in writing to: Commissioner of Labor, Rule-making Coordinator, N.C. Department of Labor 4 West Edenton Street, Raleigh, North Carolina 27601. 27601-1092. The exterior of the envelope or container of the petition should shall clearly bear the notation: RULE-MAKING PETITION. RE and then the subject area or an indication of any other area over which the Commissioner of Labor may have rule-making authority.

Authority G.S. 95-4(2).

.0102 CONTENTS OF PETITION

The petition should shall include the following information: following:

- (1) an indication of the subject area to which the petition is directed; directed and, if known the number of the North Carolina Administrative Code to which the new proposed rule is proposed to be added;
- (2) either a draft of the proposed rule or a summary of its contents; a printed copy of the text of the proposed amendment or rule and a computer disk containing the

proposed text in WordPerfect or MSWORD or other word-processing program convertible to WordPerfect or MSWORD. The requirement for a computer disk shall be waived upon a showing of lack of access to such a word-processing program;

- (3) reasons for the proposal;
- (4) the effect of the proposed amendment or rule including; on existing rules or orders;
 - (a) The on the existing rules;
 - (b) The effect on local government, if any, as described in G.S. 150B-21(c) and 150B-21.4(b);
 - (c) Whether the proposed amendment or rule would have a substantial economic impact as defined in G.S. 150B-21.4(b1) and an estimation of such impact and how the estimate was derived:
 - (d) The primary types of employees, businesses or other entities on which there would be an effect.
 - any supporting data or other materials such as examples and research; supporting the proposal;
- (6) effect of the proposed rule on existing practices in the area—involved, including—cost—factors; names, telephone and facsimile numbers and address(es) including e-mail address(es) of the petitioner(s). If petitioner(s) represent organizations or entities, the name(s) and addresses of the represented organizations shall also be provided;
- (7) names of those most likely to be affected by the proposed rule, with addresses if reasonably known;
- (8) name(s) and address(es) of petitioner(s).

Authority G.S. 95-4(2); 150B-16.

.0103 DISPOSITION OF PETITIONS

- (a) The rule-making coordinator designated under G.S. 150B-21 or the commissioner's designate designee shall will determine whether the public interest will be served by granting review the request. If the requirements of 13 NCAC 1B .0102 regarding the contents of the petition are not met, the petition shall not be accepted and shall be returned to the petitioner(s) with the deficiencies noted. Prior to making this determination, the commissioner's designate may request additional information maybe requested from the petitioner(s). petitioner(s), he may contact interested persons or persons likely to be affected by the proposed rule and request comments; he may use any other appropriate method for obtaining information on which to base his determination. He will consider all of the contents of the petition submitted plus any other information obtained by the means described herein.
- (b) The designated officer will make a recommendation to the commissioner for the institution of rule-making proceedings or for the denial of the petition, as the case may be. Complete petition(s) and accompanying materials shall be reviewed to determine whether the petition(s) will be granted or denied. Review of a petition may include additional information

gathered by the department. Petitioner(s) shall be notified of the decision of the department in accordance with G.S. 150B-20.

(c) Within 30 days of submission of the petition, a final decision will be rendered by the commissioner. If the decision is to deny the petition, the commissioner will notify the petitioner in writing, stating the reasons therefor. If the decision is to grant the petition, the commissioner, within 30 days of submission, will initiate a rule-making proceeding by issuing a rule-making notice, as provided in these rules.

Authority G.S. 95-4(2); 150B-16.

SECTION .0200 - NOTICE OF RULE-MAKING HEARINGS

.0202 NOTICE MAILING LIST

Any person or agency desiring to be placed on the mailing list for Department of Labor rule-making notices, may file such request in writing, furnishing his name and mailing address to: Commissioner of Labor, 4 West Edenton Street, Raleigh, North Carolina 27601. The letter of request should state those subject areas within the authority of the commissioner for which he wants notice. The commissioner may require reasonable postage and stationery costs to be paid by persons receiving such notices:

Authority G.S. 95-4; 150B-12.

.0203 ADDITIONAL INFORMATION

Persons desiring information in addition to that provided in an individual rule-making notice may contact: The Commissioner of Labor, 4 West Edenton Street, Raleigh, North Carolina 27601. Any written communication should clearly indicate the rule-making proceeding which is the subject of the inquiry.

Authority G.S. 95-4; 150B-12.

SECTION .0300 - RULE-MAKING HEARINGS

.0301 REQUEST TO PARTICIPATE

Any person desiring to present oral data, views, or arguments on the proposed rule must, at least five days prior to the hearing, file a notice with the Department of Labor. Notice of desire to appear may be waived, or failure to give notice may be excused, by the presiding officer, in his discretion. Any person permitted to make an oral presentation is encouraged to submit a written copy of the presentation to the commissioner or his designate prior to or at the hearing.

Authority G.S. 95-4; 150B-12.

.0302 CONTENTS OF REQUEST: GENERAL TIME LIMITATIONS

A request to make an oral presentation should contain a clear reference to the proposed rule, a brief summary of the individual's views in respect thereto, and how long the individual desires to speak. Presentations shall be limited to 15 minutes unless the commissioner prescribes some other time limit.

Authority G.S. 95-4; 150B-12.

.0303 RECEIPT OF REQUEST: SPECIFIC TIME LIMITS

Upon receipt of notice of a person's desire to present his views orally, the commissioner will acknowledge receipt of the request and inform the person of the imposition of any limitations deemed necessary to the end of a full and effective public hearing on the proposed rule.

Authority G.S. 95-4; 150B-12.

.0304 WRITTEN SUBMISSIONS

- (a) Any person may file a written submission containing data, comments or arguments, after publication of a rule-making notice and within 10 days after the hearing, unless a different period has been prescribed in the notice or granted upon request. These written comments should be sent to the Commissioner of Labor, 4 West Edenton Street, Raleigh, North Carolina 27601. They should clearly state the rule(s) or proposed rule(s) the comments are addressed to.
- (b) Upon receipt of written comments, acknowledgement will be made with an assurance that the comments therein will be considered fully by the Commissioner of Labor.

Authority G.S. 95-4; 150B-12.

.0305 PRESIDING OFFICER: POWERS AND DUTIES

The presiding officer at the hearing shall have complete control of the proceedings, including: extensions of any time requirements, recognition of speakers, time allotments for presentations, the right to question speakers, direction of the discussion, and management of the hearing. The presiding officer, at all times, will take care that each person participating in the hearing is given a fair opportunity to present views, data and comments.

Authority G.S. 95-4; 150B-12.

.0306 STATEMENT OF REASONS FOR DECISION

- (a) Any interested person desiring a concise statement of the principal reasons for and against the adoption of a rule by the commissioner and the factors that led to overruling the considerations urged against its adoption, may submit a request to the Commissioner of Labor, 4 West Edenton Street, Raleigh, North Carolina 27601.
- (b) For purposes of Subsection (a) of this Rule, an "interested person" shall be any person(s) whose rights, duties, or privileges might be affected by the adoption of the rule in question, or any group or organization of persons whose rights, duties or privileges might be affected by the rule.
- (c) The request must be made in writing and submitted prior to adoption of the rule or within 30 days thereafter.

Authority G.S. 95-4; 150B-12.

.0307 RECORD OF PROCEEDINGS

A record of all rule-making proceedings will be maintained in

the Commissioner of Labor's office for as long as the rule is in effect, and for five years thereafter, following filing with the Office of Administrative Hearings. This record will contain: the original petition, the notice, all written memoranda and information submitted, and a record or summary of oral presentation, if any. Records of rule-making proceedings will be available for public inspection during the regular office hours of the Department of Labor.

Authority G.S. 95-4; 150B-12.

SECTION .0400 - DECLARATORY RULINGS

.0401 SUBJECTS OF DECLARATORY RULINGS

Any person substantially affected by a statute administered or rule promulgated by the Commissioner of Labor, may request a declaratory ruling as to either the manner in which a statute or rule applies to a given factual situation, if at all, or whether a particular agency rule is valid.

Authority G.S. 95-4; 150B-17.

.0402 SUBMISSION OF REQUEST FOR RULING

All requests for declaratory rulings shall be written and mailed to the Commissioner of Labor, 4 West Edenton Street, Raleigh, North Carolina 27601. The container of the request should bear the notation: REQUEST FOR DECLARATORY RULING. The request must include the following information:

- (1) name and address of petitioner;
- (2) statute or rule to which petition relates;
- (3) concise statement of the manner in which petitioner is aggrieved by the rule of statute or its potential application to him;
- (4) a statement of whether an oral hearing is desired, and if so, the reason therefor.

Authority G.S. 95-4; 150B-17.

.0403 DISPOSITION OF REQUESTS

- (a) When the Commissioner of Labor deems it appropriate to issue a declaratory ruling he shall issue such declaratory ruling within 60 days of receipt of the petition.
- (b) A declaratory ruling proceeding may consist of written submissions, an oral hearing, or other procedure as may be appropriate in the circumstances of the particular request.
- (c) Whenever the commissioner believes "for good cause" that the issuance of a declaratory ruling is undesirable, he may refuse to issue such ruling. When good cause is deemed to exist, he will notify the petitioner of his decision in writing, stating the reasons for the denial of the declaratory ruling.
- (d) For purposes of Subpart (c) of this Rule, the Commissioner of Labor ordinarily refuses to issue a declaratory ruling:
 - unless the petitioner shows that the circumstances are so changed since the adoption of the rule that such a ruling would be warranted;
 - (2) unless the petitioner shows that the agency did not give to the factors specified in the request for a

- declaratory ruling a full consideration at the time the rule was issued:
- (3) where there has been a similar controlling factual determination in a contested case, or where the factual context being raised for a declaratory ruling was specifically considered upon the adoption of the rule or directive being questioned, as evidenced by the rule-making record;
- (4) where the subject matter of the request is involved in pending litigation in any state or federal court in North Carolina

Authority G.S. 95-4; 150B-17.

.0404 RECORD OF DECISION

A record of all declaratory rule-making proceedings will be maintained in the Department of Labor for as long as the ruling is in effect and for five years thereafter. This record will contain: the petition, the notice, all written submissions filed in the request, whether filed by the petitioner or any other persons, and a record or summary of oral presentations, if any. Records of rule-making proceedings will be available for public inspection during the regular office hours of the Department of Labor.

Authority G.S. 95-4; 150B-17.

.0405 DEFINITION

For purposes of Rule .0404 of this Section, a declaratory ruling shall be deemed to be "in effect": until the statute or rule interpreted by the declaratory ruling is amended, altered or repealed; until the Department of Labor changes the declaratory ruling prospectively for good reasons; or until any court sets aside the ruling in litigation between the Department of Labor and the party requesting the rule; or until any court of the Appellate Division of the General Court of Justice shall construe the statute or rule which is the subject of the declaratory ruling in a manner plainly irreconcilable with the declaratory ruling.

Authority G.S. 95-4; 150B-17.

SECTION .0500 - ADMINISTRATIVE HEARING PROCEDURES

.0501 RIGHT TO HEARING

When the Commissioner of Labor, by his official action, acts or proposes to act in a manner which will affect the rights, duties, privileges or a license of a specific, identifiable person or persons, those persons have a right to an administrative hearing. When the commissioner proposes to act in such manner, he shall give to any such person or persons notice of their right to a hearing by mailing by certified mail to such person at his last known address a notice of the proposed action and a notice of a right to a hearing. Such person or persons may assert his or their right to a hearing by mailing to the commissioner by certified mail a request for a hearing as provided in Rule .0502(c) of this Section, except that attempts at informal resolution are not required, and a hearing will be granted provided that the

container of the request bears a postmark dated prior to the date on which the commissioner proposed to act.

Authority G.S. 95-4; 150B-23.

.0502 PETITION FOR HEARING

- (a) Any time an individual believes his rights, duties or privileges have been affected by the commissioner's administrative action, but has not received notice of a right to an administrative hearing, that individual may file a formal request for a hearing:
- (b) Before an individual may file a request he must first exhaust all reasonable efforts to resolve the issue informally with the commissioner's office. This requirement will be satisfied by decision of the matter by the Deputy Commissioner of Labor.
- (c) Subsequent to such informal action, if still dissatisfied, the individual should file a petition for a hearing with the Office of Administrative Hearings in accordance with Article 3 of Chapter 150B of the General Statutes.

Authority G.S. 95-4.

SECTION .0600 - ADMINISTRATIVE HEARINGS: DECISIONS: RELATED RIGHTS AND PROCEDURES

.0602 SIMPLIFICATION OF ISSUES

Except as prohibited by statute, the parties to a contested case, specifically including the commissioner, may agree in advance to simplify the hearing by: decreasing the number of the issues to be contested at the hearing, accepting the validity of certain proposed evidence, accepting the findings in some other case with relevance to the case at hand, or agreeing to such other matters as may expedite the hearing.

Authority G.S. 95-4; 150B-33.

.0605 REQUEST FOR DEPARTMENT RECORDS

- (a) Any party may request to examine any identifiable records of the department which are relevant to the material facts of a contested case. Such requests shall be made in writing to the director of the appropriate division and shall specify, as precisely as possible, the records being sought, and the reasons therefor.
- (b) After receiving the request, the director will allow the party to inspect the requested records and may, after charging reasonable fees, supply the party with copies of the requested records.
- (c) Where the request concerns records related solely to the internal procedures of the department or which are exempt from disclosureby law, the director may refuse the request, stating his reasons therefor in writing:

Authority G.S. 95-4(2); 150B-28(b).

.0606 ASSISTANCE OF COUNSEL

A party may, but under no circumstances is required to, have the assistance of counsel at the hearing.

Authority G.S. 95-4(2).

.0607 FINAL DECISIONS IN ADMINISTRATIVE HEARINGS

The Commissioner of Labor will issue the final decision in all contested cases. His decision is the prerequisite "final agency decision" for the right to judicial review.

Authority G.S. 95-4; 150B-36.

.0608 APPLICABILITY

All rules of procedure for administrative hearings as outlined in Sections .0500 and .0600 of this Subchapter are applicable to all divisions of the department except the division of occupational health and safety administration. The rules governing administrative hearings in that division are set forth in Subchapter 7B of Title 13 of the North Carolina Administrative Code.

Authority G.S. 150B-2(2); 150B-23(a).

SUBCHAPTER 1C - PERSONNEL RULES

SECTION .0100 - AFFIRMATIVE ACTION POLICY

.0101 GENERAL PROVISIONS

It is the policy of this department to provide equal employment opportunities to all applicants for state employment and to provide for training, compensation, promotion, and all other attributes of employment to employees without regard to race, religion, national origin, sex, age or physical handicap, except where sex, age or physical requirements are essential, bona fide, occupational qualifications. This department's commitment to equal career opportunity requires a continuing program of affirmative action in order to assure that all personnel policies and practices relevant to total employment will guarantee equal opportunities for all persons of the state. Through planning and instruction positive steps will be taken to implement an affirmative action program designed to meet the needs of the department.

Authority G.S. 95-4(2).

.0102 ASSIGNMENT OF RESPONSIBILITY

The personnel officer for the department is designated as the equal employment opportunities (EEO) officer. The EEO officer is responsible for the development and implementation of the department's affirmative action program. The EEO officer is also responsible for the preparation of all reports and surveys concerning the employment of minorities, women and the handicapped as may be required by the Office of State Personnel or other governmental agencies:

Authority G.S. 95-4(2).

.0103 JOB STRUCTURING

Positions in the department are reviewed by the position management division in the Office of State Personnel, as to job

content, experience and educational requirements to insure that unnecessary restrictions do not bar minority, female or handicapped applicants from securing employment or being eligible for promotions.

Authority G.S. 95-4(2).

.0106 DISCRIMINATION COMPLAINTS

- (a) Applicants or employees that feel they have been discriminated against in recruiting, hiring, promotion, training, or salary administration may appeal directly to the State Personnel Commission for redress of grievances.
- —(b) Any person wishing to file a complaint should contact the Employee Relations Division, Office of State Personnel, Administration Building, Raleigh, North Carolina, 919/829-7112.

Authority G.S. 95-4(2).

SECTION .0200 - EMPLOYMENT POLICY

.0201 GENERAL PROVISIONS

It is the policy of the North Carolina Department of Labor to provide equal employment opportunities to all applicants for state employment without regard to race, religion, national origin, sex, age or physical handicap. Therefore, the following employment policy is hereby established in accordance with the department's policy of affirmative action.

Authority G.S. 95-4(2).

.0202 APPLICATION PROCEDURE

- (a) Applications for employment with the Department of Labor will be directed to the personnel officer. Any person wishing to make referrals should instruct the individual to complete a state application form (PD 107) and forward to the personnel officer. Application forms will be available at the receptionist's desk and from the personnel office.
- (b) Walk-in applicants should not be referred to the personnel officer. They may be given an application form by the receptionist which should be completed and forwarded to the personnel office.
- (c) All applications will be maintained on file for a period of two years.
- (d) If appropriate vacancies exist, the personnel officer will contact all qualified applicants to schedule initial interviews. The merit system will be explained for those jobs which require testing, and applicants will be instructed on the proper test, test procedures, and schedules.
- (e) If no appropriate vacancies exist, the personnel officer will acknowledge receipt of all applications by letter and file applications for future consideration.

Authority G.S. 95-4(2).

.0203 JOB VACANCY ANNOUNCEMENTS

(a) When a job vacancy occurs, the personnel officer will publicly announce the job vacancy through normal recruitment

channels. These sources include colleges and universities, minority organizations, women's organizations, trade groups, Office of State Personnel, and Employment Security Commission. All applications on file will also be reviewed and qualified applicants contacted to schedule interviews. For positions under the merit system, competitive services procedures will be followed as required by the Office of State Personnel.

(b) Job vacancy announcements will also be posted on departmental bulletin boards, and any employee wishing to apply for the vacant position may do so by filing an application with the personnel office not later than seven calendar days following the date of the announcement. Division directors and the personnel officer will consider all qualified employees for promotional opportunities within the department.

Authority G.S. 95-4(2).

.0204 INTERVIEW PROCEDURES

- (a) The first interview for an applicant with the personnel officer will be general in nature, concerning the applicant's education, experience, aptitude, interest and general job information. Information concerning benefits of state employment and the work of the Department of Labor will be described:
- (b) Following initial interviews, qualified applicants will be recommended to the appropriate division director for consideration. It will be the responsibility of the director to schedule interviews with all applicants recommended at his convenience.
- (c) The second interview will be with the division director, assistant director or immediate supervisor. A thorough review of the applicant's qualifications should be made and references checked. Information regarding the division's work and the job available should be discussed with each applicant.

Authority G.S. 95-4(2).

.0205 HIRING PROCEDURES

- (a) The division director shall recommend a qualified applicant for employment from those referred by the personnel officer and notify the personnel office of his recommendation using the form DOL-PD-1. This form is used to refer applicants to division directors and includes the applicant's name, position applied for, interview date, and interviewing official. The form also provides a section to record the disposition of the applicant (i.e. if he qualified for the position, if he does not qualify, if the division wishes to offer employment, or if the division does not wish to offer employment). The interviewing official must record a specific reason if he does not wish to offer employment to a qualified applicant:
- (b) With the approval of the deputy commissioner, a letter of intent to the applicant will then be sent by the personnel officer outlining the position class offered, starting salary, salary grade and step, status of position, and effective date of employment.
- (c) The applicant should respond by letter, accepting or refusing the position.
 - (d) All applicants not selected for employment will receive

written notice from the personnel officer. Their applications will be filed for future consideration when vacancies occur.

Authority G.S. 95-4(2).

Notice is hereby given in accordance with G.S. 150B-21.2 that the N.C. Department of Labor intends to amend the rule cited as 13 NCAC 15 .0201. Notice of Rule-making Proceedings was published in the Register on January 14, 2000.

Proposed Effective Date: March 15, 2001

Instructions on How to Demand a Public Hearing (must be requested in writing within 15 days of notice): Written requests for Public Hearing must be directed to Angela S. Waldorf, General Counsel, N.C. Department of Labor Legal Affairs Division, 4 W. Edenton St., Raleigh, NC 27601 on or before June 16, 2000.

Reason for Proposed Action: Adoption of this amendment makes permanent the Temporary Rule adopted December 21, 1999. The rule adopts and incorporates by reference the new American National Standard Safety Code for Platform Lifts and Stairway Chairlifts, A18.1-1999, which became effective January 1, 2000. Additionally, the rule adopts a minor change to the standards on inclined stairway chairlifts and inclined and vertical wheelchair lifts. The change adds flexibility by permitting the use of an alternative signaling device. In addition to use of a bell with stop switch, the use of a means of 2-way communication will also be permitted.

Comment Procedures: All interested parties are invited to submit written comments to Angela S. Waldorf at N.C. Department of Labor, 4 W. Edenton St., Raleigh, NC 27601. Comments will be received through July 3, 2000.

Fiscal Impact

State Local

Sub. None

CHAPTER 15 - ELEVATOR AND AMUSEMENT DEVICE DIVISION

SECTION .0200 - CODES AND STANDARDS

.0201 ELEVATOR SAFETY CODE

- (a) The design, construction, installation, alteration, repair, replacement, inspection, maintenance and operation of all new installations of:
 - (1) Elevators, dumbwaiters, escalators, <u>and</u> moving walks, inclined stairway chairlifts, and inclined and vertical wheelchair lifts shall conform to these Rules and the American National Standard Safety Code for Elevators and Escalators, A17.1-1990 which is incorporated by reference subject to the modifications provided in Paragraph (b) of this Rule. This

- incorporation includes subsequent amendments and editions of the Code.
- (2) The design, construction, installation, alteration, repair, replacement, inspection, maintenance and operation of all new installations of inclined stairway chairlifts, and inclined and vertical wheelchair lifts shall conform to these Rules and the American National Standard Safety Code for Platform Lifts and Stairway Chairlifts, A18.1-1999 which is incorporated by reference subject to the modifications provided in Paragraph (b) of this Rule. This incorporation includes subsequent amendments and editions of this Code.
- (b) The provisions of the American National Standard Safety Code for Elevators and Escalators, A17.1 shall be subject to the following modifications:
 - (1) Rule 100.1c(2) Observations Elevators Not Fully Enclosed. Change the rule to read as follows:

 For observation elevators which are not fully enclosed, protection at landings shall be provided as follows:
 - (A) An enclosure shall be provided which shall extend a minimum of ten feet above the floor.
 - (B) The enclosure shall be constructed of unperforated material.
 - (C) Enclosures shall be located in the general line of the hoistway. Horizontal clearance shall be the same as stated in Section 108.
 - (2) Rule 111.10 Access to Hoistways for Emergency Purposes. In the first sentence change the word "may" to "shall."
 - (3) Rule 204.2d Side Emergency Exits. Side Emergency exits shall not be permitted in elevator cars.
- (c) The rules of this Chapter shall control when any conflict between these rules and the ANSI Code exists.
- (d) Copies of the American National Standard Safety Code for Elevators and Escalators are available for public inspection in the office of the Division, and may be obtained from the American Society of Mechanical Engineers, United Engineering Center, 345 East 47th Street, New York, New York 10017. The cost is ninety-six dollars (\$96.00) per copy.

Authority G.S. 95-110.5.

TITLE 21 - OCCUPATIONAL LICENSING BOARDS

CHAPTER 4 - COMMISSION FOR AUCTIONEERS

Notice is hereby given in accordance with G.S. 150B-21.2 that the North Carolina Auctioneer Licensing Board intends to adopt rules cited as 21 NCAC 4B .0801-.0819 and amend rules cited as 21 NCAC 4B .0103, .0201-.0202, .0302, .0401-.0405, .0501-.0502, .0601-.0602, .0605. Notice of Rulemaking Proceedings was published in the Register on January 4, 2000.

Proposed Effective Date: April 1, 2001

A Public Hearing will be conducted at 3:30 p.m. on June 17, 2000 at the Meadowbrook Inn, Blowing Rock, North Carolina.

Reason for Proposed Action: The Auctioneer Licensing Board proposes this action that will address both the Legislation enacted in the last General Assembly session and needed technical changes. Changes that are a direct result of the new Legislation include: the requirements of fingerprint cards and consent forms for background checks, the increase of fees to offset the cost of continuing education programs, the requirements of continuing education, and the ability of the Board to assess a civil penalty for rule violations. Some of the changes that are of a technical nature include: broadening the definition of auctioneering, defining principal(s), clarifying applicant's requirements, requiring an auction firm applicant to be a principal within the firm, inserting fingerprint background check fees, allowing an apprentice auctioneer to be sponsored by more than one Board approved licensed auctioneer, distinguishing between applications and investigations, requiring a board approved application form for schools of auctioneering, requiring a minimum of 2 hours instruction in North Carolina Auctioneer Law and Rules at accredited schools of auctioneering, and the addition of an advertising violation.

Comment Procedures: Interested persons may present oral or written comments at the Rule-Making Hearing. In addition, the record will be open for receipt of written comments from June 1, 2000 to July 17, 2000. Written comments not presented at the hearing should be directed to Robert Hamilton. The proposed rules are available for public inspection and copies may be obtained at the Board's offices at 1001 Navaho Dr., Suite 105, Raleigh, NC 27609,

Fiscal Impact

State Local Sub. None

✓ 21 NCAC 04B .0103, .0201 - .0202, .0302, .0401-.0404, .0405, .0501-.0502, .0601 - .0602, .0605, .0801 - .0819. 21 NCAC 04B .0404

SUBCHAPTER 4B - AUCTIONEER LICENSING BOARD

SECTION .0100 - ORGANIZATION AND GENERAL PROVISIONS

.0103 DEFINITIONS

Whenever used in this Chapter:

- (1) "Auctioneers Law" or "licensing law" shall refer to G.S. 85B:
- (2) "Auctioneering" or "conduct of auction" or "conduct of business" shall mean, in addition to the actual calling of bids, any of the following:
 - (a) contracting for an auction or auctions,

- (b) accepting consignments of items for sale at auction.
- (c) advertising an auction,
- (d) offering items for sale at auction,
- (e) accepting payment and disbursing monies for items sold at auction, or
- (f) otherwise <u>soliciting</u>, arranging, sponsoring, or managing an auction or auctions <u>or holding</u> oneself out as an auctioneer;
- (3) "Board" shall mean the North Carolina Auctioneers Commission;
- (4) "Minimum Bid" as used in auctions shall mean minimum opening bids: bids;
- (5) "Principal(s)" as it pertains to auction firms shall mean director(s), officer(s) and/or partner(s).

Authority G.S. 85B-1; 85B-3(f).

SECTION .0200 - APPLICATION FOR LICENSE

.0201 APPLICATION FORMS

- (a) Auctioneer. Each applicant for an auctioneer license shall complete an application form provided by the Board. This form shall be submitted to the Executive Director and shall be accompanied by:
 - (1) one recent passport-type photograph for identification;
 - (2) statements of the results of a local criminal history records search by the clerk of superior court (or equivalent official in other states) in each county where the applicant has resided and maintained a business within the immediate preceding 60 months (five years);
 - (3) the completed fingerprint cards provided by the Board and the form signed by the applicant consenting to the check of the criminal history and to the use of fingerprints and other identifying information;
 - (4) <u>a copy of the applicant's high school diploma or proof</u> <u>of equivalency;</u>
- (3)(5) the proper fees, as required by 21 NCAC 4B .0202;
- (4)(6) documentation of required <u>auctioneer</u> schooling or <u>auctioneer</u> experience, as follows:
 - Applicants who base their application upon their successful completion of an approved school of auctioneering shall submit a photostatic copy of their diploma or certificate of successful completion. Applicants who base their application upon their successful completion of an approved school of auctioneering shall have successfully completed this school within the previous five years, or if completed more than five years before, the applicant An applicant shall have successfully completed this school within the five years preceding the date of application or if the applicant has successfully completed this school more than the five years preceding the date of their application, shall submit

- documentation verifying the applicant's active lawful participation in auctions within the two years preceding the date of application. The above referenced participation in auctions is defined as "Auctioneering" as set forth in Subparagraph .0103(2) of this Subchapter.
- Applicants who base their application upon their successful completion of an apprenticeship shall submit a log which was maintained and completed during the apprenticeship period which details the exact hours and dates on which they obtained apprenticeship experience, with each entry being verified and signed by their supervising auctioneer. A minimum of 100 hours of experience during the apprenticeship two-year period shall be obtained. Not less than 25 of the total hours accumulated must be attributable to bid calling and not less than 50 hours shall be attributable to working as a ring person, drafting and negotiating contracts, appraising merchandise, advertising, clerking and cashiering, with not less than five hours of accumulated experience documented for each category. An apprentice who applies for an auctioneer license under this Part shall submit his application and supporting documentation and obtain a passing score on the auctioneer exam prior to the expiration of his apprentice auctioneer license; and
- (5)(7) Non-resident applicants shall also submit a properly completed "Designation of Agent for Service of Process Form" with notarized signature and notarial seal affixed.
- (b) Non-Resident Reciprocal Auctioneer. Each non-resident applicant for auctioneer license, who applies for a North Carolina license pursuant to G.S. 85B-5 shall complete an application form provided by the Board. This form shall be submitted to the Executive Director and shall be accompanied by:
 - (1) one recent passport-type photograph for identification;
 - (2) statements of the results of a local criminal history records search by the clerk of superior court (or equivalent official) in each county where the applicant has resided and maintained a business within the immediate preceding 60 months (five years);
 - (3) the completed fingerprint cards provided by the Board and the form signed by the applicant consenting to the check of the criminal history and to the use of fingerprints and other identifying information;
 - (4) a copy of the applicant's high school diploma or proof of equivalency;
- (3)(5) the proper fees, as required by 21 NCAC 4B .0202;
- (4)(6) a statement of good standing from the licensing board or Commission of each and every jurisdiction where the applicant holds an auctioneer, apprentice auctioneer or auction firm license; and

- (5)(7) a properly completed "Designation of Agent for Service of Process Form" with notarized signature and notarial seal affixed.
- (c) Apprentice Auctioneer. Each applicant for an apprentice auctioneer license shall complete an application form provided by the Board. This form shall be submitted to the Executive Director and shall be accompanied by:
 - (1) one recent passport-type photograph for identification;
 - (2) statements of the results of a local criminal history records search by the clerk of superior court (or equivalent official) in each county where the applicant has resided and maintained a business within the immediate preceding 60 months (five years);
 - (3) the completed fingerprint cards provided by the Board and the form signed by the applicant consenting to the check of the criminal history and to the use of fingerprints and other identifying information;
 - (4) <u>a copy of the applicant's high school diploma or proof</u> of equivalency;
- (3)(5) the proper fees, as required by 21 NCAC 4B .0202;
- (4)(6) the signature, as designated on the applicant form, of the licensed auctioneer who will be supervising the apprentice auctioneer:
- (5)(7) a written statement of the proposed supervisor's background and experience in the auction profession to include the number and types of auctions conducted or participated in annually; and
- (6)(8) if applicant is a non-resident, a properly completed "Designation of Agent for Service of Process Form" with notarized signature and notarial seal affixed.
- (d) Auction Firms. An applicant for an auction firm shall be a principal within the firm. Each applicant for an auction firm license shall complete an application form provided by the Board. This form shall be submitted to the Executive Director and shall be accompanied by:
 - (1) statements of the results of a local criminal history records search by the clerk of superior court (or equivalent official) in each county where any principal and designated person of the auction firm has resided and maintained a business within the immediate preceding 60 months (five years);
 - (2) the completed fingerprint cards provided by the Board and the form signed by the applicant, any principal and designated person of the auction firm each of the principal's and designated person's of the auction firm completed fingerprint cards provided by the Board and the form signed by each consenting to the check of the criminal history and to the use of fingerprints and other identifying information;
 - (3) a copy of each principal's and designated person's high school diploma or proof of equivalency;
- (2)(4) the proper fees, as required by 21 NCAC 4B .0202;
- (3)(5) a certified copy of any applicable Articles of Incorporation, Partnership Agreement, and Assumed Name Certificate;
- (4)(6) a statement of good standing from the licensing board or Commission of each jurisdiction where the

applicant firm and any principal and designated person of such firm holds an auctioneer license of any type; and

(5)(7) if applicant firm is a non-resident, a properly completed "Designation of Agent for Service of Process Form" (one each for the auction firm and for each principal and designated person of the firm) with notarized signature and notarial seal affixed and, if a corporation, the corporate seal and corporate secretary's signature affixed.

Authority G.S. 85B-3(f); 85B-4; 85B-4(d); 85B-5.

.0202 FILING AND FEES

- (a) Properly completed applications must be filed (received, not postmarked) in the Board office at least seven days prior to an established Board meeting date, or in the case of an application for auctioneer examination, at least 10 days prior to a scheduled examination and must be accompanied by all required documents.
 - (b) License fees are as follows:
 - (1) New auctioneer license for an applicant who did not serve an apprenticeship \$175.00\\$250.00

 This includes a \\$100.00 \\$150.00 annual license fee; \\$50.00 \\$50.00 application fee; and \\$25.00 \\$50.00 examination fee.
 - (2) New auctioneer license for an apprentice auctioneer \$125.00\\$200.00
 This includes a \\$100.00 \\$150.00 annual license fee; and \\$25.00 \\$50.00 examination fee.
 - (3) Renewal of auctioneer license \$\frac{\$100.00}{\$150.00}
 - (4) New apprentice auctioneer license \$\frac{\$100.00}{\$150.00}\$

 This includes a \$\frac{\$50.00}{\$100.00}\$ license fee and a \$\frac{\$50.00}{\$50.00}\$ application fee.
 - (5) Renewal of apprentice auctioneer license \$50.00\\$100.00
 - (6) New auction firm license (no examination) \$150.00\\$200.00

 This includes a \\$100.00 \\$150.00 annual license fee; and \\$50.00 \\$50.00 application fee.
 - (7) New auction firm license (examination) \$\frac{\$175.00\\$250.00}{\$150.00}\$ annual license fee; \$\frac{\$50.00}{\$50.00}\$ application fee; and \$\frac{\$25.00}{\$50.00}\$ examination fee.
 - (8) Renewal of an auction firm license \$100.00\$150.00
 - (9) Application and processing fee for conversion of nonresident reciprocal license to in state license \$25.00\\$50.00
 - (10) Reinstatement of lapsed license fee or late fee \$25.00\$50.00
 - (11) Resident fingerprint card background
 check fee \$14.00
 Applicants who have been continuous residents of
 North Carolina for the five years preceding
 the date of application shall only be required to have
 a State background check.
 - (12) Non-resident fingerprint card background

check fee \$38.00
Applicants who have not been continuous residents of
North Carolina for the five years preceding
the date of application shall be required to have both
a State and Federal background check.

(c) The renewal fee for a non-resident reciprocal licensee under G.S. 85B-5 shall be calculated in the same manner as the initial application fee pursuant to G.S. 85B-6.

(c)(d) Fees may be paid in the form of a cashier's check, certified check or money order made payable to the North Carolina Auctioneer Licensing Board. Checks drawn on escrow or trust accounts shall not be accepted. Personal checks may be accepted for payment of renewal fees.

Authority G.S. 85B-4.1; 85B-6.

SECTION .0300 - EXAMINATIONS

.0302 RE-EXAMINATION/REFUND OF FEES

If the applicant does not appear at the initial examination for which he has been scheduled or fails to pass such examination, he will be re-scheduled for the next scheduled examination. If the applicant again does not appear or fails to pass this examination, a refund of the annual auctioneer or apprentice license fee will be made and a refund of any Auctioneer Recovery Fund contribution will be made. No refund of the application or examination application, examination or fingerprint and criminal history check fee is allowed. A complete new application and proper fees are required if the person wishes to reapply.

Authority G.S. 85B-4; 85B-6.

SECTION .0400 - LICENSING

.0401 LICENSE NUMBER: DISPLAY OF LICENSE AND POCKET CARD

- (a) When being licensed each individual or firm shall be issued a license number which remains solely his. Should that number be retired for any reason (such as death, failure to continue in the auction business, failure to renew his license, or any other reason) that number will not be reissued back to the individual or the firm or to any other individual or firm.
- (b) A pocket card will be issued by the Executive Director giving the auctioneer, apprentice auctioneer or auction firm's name, license number and date of expiration. The pocket card must be carried by the licensee, and in the case of auction firms the designated person(s), at all times when auctioneering activities are being conducted and shall be available for inspection by the Executive Director or designated agent of the Board. An auction firm shall display its license in a prominent place upon its premises, so as to be visible for inspection by patrons of the firm.

Authority G.S. 85B-3(f); 85B-4.

.0402 LICENSE RENEWAL

(a) Any licensee desiring the renewal of a license which is in

good standing shall apply for same and shall submit the required fees and such records or documentation requested by the Executive Director to verify the licensee's compliance with G.S. 85B and the rules promulgated in this Chapter. All licenses expire on June 30 each year.

- (b) Applications for renewal of licenses will only be processed by the Board upon receipt of the required fee and any records, documents, or information, requested pursuant to Paragraph (a) of this Rule.
- (c) Any person or entity who engages in any auctioneering activities governed by the auctioneers law while the license is lapsed will be subject to the penalties prescribed in the law pursuant to G.S. 85B-9.
- (d) Licenses lapsed or suspended in excess of 24 months shall not be renewable. Persons or firms whose license has been lapsed or suspended in excess of 24 months and who desire to be licensed shall apply for a new license and shall meet all the requirements then existing. Persons or firms whose license has been lapsed or suspended in excess of 24 months and who desire to be licensed are exempt from the auctioneer school or the apprenticeship requirements should the continuing education requirements be met for all lapsed, suspended and/or inactive years.

Authority G.S. 85B-3(f); 85B-4.

.0403 APPRENTICE AUCTIONEER LICENSE

- (a) An apprentice auctioneer's license is valid only while he is associated with and supervised by a licensed auctioneer assigned by the Board. In order to be assigned by the Board as a supervisor, the Board must receive a written notice, signed by the prospective supervisor and the apprentice, requesting that the licensed auctioneer be assigned as a supervisor for the apprentice. Upon receipt of such a request, the Board shall evaluate the requested assignment and such requested assignment may be denied by the Board if the prospective supervisor fails to possess a minimum of five years of active experience in the auctioneering profession or an equivalent combination of training and experience or has committed any act which constitutes grounds for license suspension or revocation under the rules of this Subchapter or under G.S. 85B. Upon termination of the association between the supervisor and the apprentice, the supervisor shall immediately notify the Board in writing, showing the date and cause of termination.
- (b) The supervising auctioneer shall be on the premises of the sale location and supervise the apprentice auctioneer at any and all times that an apprentice auctioneer is engaged in bid calling. Additionally, the supervising auctioneer shall supervise the apprentice on a regular basis and ensure that the apprentice auctioneer conforms with the auctioneer law and Rules adopted by the Board.
- (c) Any licensed auctioneer who undertakes the sponsorship of an apprentice auctioneer shall ensure that the apprentice receives training, supervision, and guidance in the following:
 - (1) A practical and working knowledge of the auction business including fundamentals of auctioneering, contract drafting, bid calling, basic mathematical computations, advertising, and settlement statements;

- (2) The provisions of the licensing law;
- (3) The Rules of the Board; and
- (4) The preparation and maintenance of written agreements, record books, and other sales records as required by law.
- (d) Apprentices are prohibited from conducting or contracting to conduct any auction without the prior express written consent of the sponsor. No sponsor shall authorize an apprentice to conduct or contract to conduct an auction, to act as principal auctioneer or handle any funds related to an auction unless the sponsor has determined that the apprentice has received adequate training to do so. An apprentice auctioneer may work under only one licensed auctioneer at any given time. An apprentice auctioneer may work under more than one Board approved licensed auctioneer at any given time.
- (e) The sponsor shall ensure that the apprentice complies with all of the laws and Rules as they apply to any auction related transaction approved by the sponsor.
- (f) An apprentice auctioneer shall notify the Board, in writing, immediately upon termination of his association with his supervising auctioneer, at which time his license shall be immediately held in an inactive invalid status. If an apprentice auctioneer's supervising auctioneer's license has been suspended, revoked, or placed on probation the apprentice auctioneer's license shall be immediately held in an inactive invalid status. Once in an inactive invalid status, an apprentice auctioneer shall not conduct or contract to conduct any auction. An apprentice auctioneer may only remain in this inactive status for a maximum of 90 days. If the apprentice auctioneer retains another sponsor approved by the Board within this 90 day period, the apprentice auctioneer's license shall not be deemed to have lapsed under 21 NCAC 4B .0402(d). If an apprentice's license is invalid greater than 90 days due to a lack of an approved sponsor, the apprentice upon securing an approved sponsor shall be required to submit a late fee set forth in Subparagraph .0202(b)(10).

Authority G.S. 85B-3(f); 85B-4.

.0404 GROUNDS FOR LICENSE DENIAL OR DISCIPLINE

- (a) The Board may <u>assess a civil penalty in accordance with G.S. 85B-3.1(b) or</u> deny, suspend, or revoke a license, or issue a letter of reprimand to a licensee, upon any of the following grounds:
 - (I) violation of any provision of G.S. 85B;
 - (2) violation of any provision of the Rules under 21 NCAC, Subchapter 4B;
 - (3) a check given to the Board in payment of required fees which is returned unpaid;
 - (4) allowing an unlicensed person (auctioneer) to call a bid at a sale;
 - (5) calling a bid auctioneering at an unlicensed auction firm sale;
 - (6) failure to properly, completely and fully complete an application or making any false statement or giving any false information in connection with an application for a license, renewal or reinstatement of

- a license or any investigation by the Board or the Board's designee;
- (A) <u>failure to properly, completely cooperate with</u> <u>any investigation; or</u>
- (B) for making any false statement or giving any false information in connection with any investigation by the Board or the Board's designee;
- (7) been adjudicated mentally incompetent by a court;
- (8) committed a crime the circumstances of which substantially relate to the auctioneering profession;
- (9) violated any federal or state statute or rule which relates to the auctioneering profession;
- (10) practiced the profession for which the holder has a license while the holder's ability to practice was impaired by alcohol or other drugs or physical or mental disability or disease;
- (11) been incompetent in practice. A licensee has been incompetent in practice if the licensee engaged in conduct which evidences a lack of ability, fitness or knowledge to apply principles or skills of the auctioneering profession;
- (12) engaged in unprofessional conduct. In this Paragraph "unprofessional conduct" means the violation of any standard of professional behavior which through professional experience has become established in the auctioneering profession;
- (13) obtained or attempted to obtain compensation by fraud or deceit;
- (14) violated any order of the Auctioneer Licensing Board;
- (15) failure to possess truth, honesty and integrity sufficient to be entitled to the high regard and confidence of the public; or
- (16) failure to properly make the disclosures required by 21 NCAC 4B .0405.
- (b) When applying the requirements of Rule .0404(a) to auction firms or their applications, the requirements shall apply to the firm, the applicant for the license, and all the principals, officers and all of the designated person persons of the firm.

Authority G.S. 85B-3(f); 85B-8(a)(1).

.0405 INVOLVEMENT IN COURT ACTION OR ADMINISTRATIVE HEARING

- (a) All auctioneers, apprentice auctioneers and auction firms, including their principals, principals and designated person(s), and officers, are under a continuing duty to report to the Board any and all criminal arrests for, charges of or convictions of a misdemeanor that has as an essential element dishonesty, deceit, fraud or misrepresentations, or any arrests, charges or convictions of any felony. Convictions include findings of guilt, guilty pleas, and pleas of nolo contendere. The Board must receive written notice of any such arrest, charge or criminal conviction within 30 days of the occurrence of any or all of these events.
- (b) All auctioneers, apprentice auctioneers and auction firms, including their principals, principals and designated person(s), and officers, are under a continuing duty to report to the Board

any and all civil suits involving them that are based upon any allegation of gross negligence, dishonesty, fraud, misrepresentation or incompetency, or that in any way involve an auction sale or a transaction related to an auction matter or auctioneering. The Board must receive written notice of any such civil suit within 30 days of the date the complaint in the suit is served on the defendant in the action, or the date a pleading containing one or more of these allegations is served on a party.

(c) All auctioneers, apprentice auctioneers and auction firms, including their principals, principals and designated person(s) and, officers, person(s), are under a continuing duty to report to the Board any and all administrative proceedings which are commenced against them which involve any potential revocation or suspension of, or other disciplinary action against, any auction license or auctioneer license that they hold in another state. The Board must receive written notice of any such administrative proceeding within 30 days of the date the auctioneer, apprentice auctioneer or auction firm, including its principals and officers, designated person(s), is notified of the administrative proceeding.

Authority G.S. 85B-3(f); 85B-4.

SECTION .0500 - SCHOOLS OF AUCTIONEERING

.0501 APPLICATION FOR COURSE APPROVAL

- (a) Schools of auctioneering seeking approval of their course shall file an application with the Board on the official school stationery. The application shall include the following information: accreditation by the Board shall complete a Board approved application form.
 - (1) name, mailing address and telephone number of the school;
 - (2) name, mailing address and telephone number of the school owner, manager and any other person responsible for conducting the overall operation of the school:
 - (3) physical-location, including street address, of the place where classes will be conducted;
 - (4) a list of all subjects to be taught and the number of hours of instruction devoted to each subject;
 - (5) lesson outlines and accompanying handouts for each subject to be taught; and
 - (6) the minimum standards for instructors and verification for each prospective instructor showing compliance with the established standards as set forth in 21 NCAC 4B .0502(d).
- (b) The school shall notify the Board within 30 days of any change in the information required in Paragraph (a) of this Rule and this requirement shall continue as long as the school remains approved by the Board. by the above application form. This requirement shall continue as long as the school remains approved by the Board.

Authority G.S. 85B-3(f); 85B-4(d).

.0502 REQUIREMENTS FOR APPROVAL/MINIMUM STANDARDS

- (a) In order to be accepted as an approved school, and in order to remain approved, the course curriculum must contain classroom instruction in the following subjects for the minimum number of hours shown:
 - (1) Essential Core Curriculum (minimum 50 hours);
 - 16 Hours Bid Calling, Voice Control, Proper Breathing Techniques,

and Use and Sequence of Numbers;

4 Hours - Advertising;

8 Hours - Auctioneers Law and Rules and Regulations;

2 Hours - Uniform Commercial Code and Bulk Transfers:

2 Hours - Drafting and Negotiating Contracts;

2 Hours - Closing Statements and Settlements;

8 Hours - Accounting and Mathematics;

1 Hour - Auctioneering Ethics;

2 Hours - Handling Sale Proceeds and Escrow Accounts;

2 Hours - Auction Preparation and Setup;

3 Hours - Review and Testing (End of Course).

- (A) Courses that include students that will become North Carolina applicants must provide a minimum of two hours of instruction on the North Carolina Auctioneers Law and Rules, G.S. 85B and 21 NCAC 4B; and
- (B) a minimum of two hours of instruction as such will be included within the minimum required 8 hours instruction of Auctioneers Law and Rules and Regulations.
- (2) Supplemental Instruction Areas (min. 30 hours):

Antiques Heavy Equipment
Real Estate Automobiles

Tobacco Cattle and Livestock
Environmental Issues Public Speaking
Computers Estate Sales
Firearms Appraising

Foreclosure & Bankruptcy

Sales Sales Tax Requirements
Art, Rugs, Jewelry Hygiene & Personal

Appearance

Body Language Ring Work

Farm Machinery Consignment Auctions

Minimum hours are not required in individual supplemental subjects, however, all topics must be addressed in the school.

- (b) Students attending an approved course must attend and successfully complete a minimum of 80 hours of classroom instruction according to the list of subjects and minimum hours of instruction in each subject specified in Paragraph (a) of this Rule. An hour of creditable instruction is defined as 50 minutes of classroom instruction or practical exercise accompanied by a 10 minute break.
- (c) Each course offered must include instruction by a minimum of five different instructors, at least two of whom must be professional auctioneers. Regardless of the total number of hours taught by any given instructor, no more than 20 hours of an individual's instruction may be counted to satisfy the

requirements of Paragraph (a) of this Rule.

- (d) The school shall establish standards for all persons who instruct in an approved school with minimum training or experience, or a combination thereof, in the particular field in which they are instructing. In addition to the initial filing for approval set forth in 21 NCAC 4B .0501(a)(6), the school shall annually file with the Board the school's established minimum standards and verification for each instructor who has taught during the preceding year showing compliance with the standards.
- (e) The school shall provide or make available suitable facilities, equipment, materials and supplies necessary for the course, specifically including:
 - (1) a comfortable, well-lighted and ventilated classroom with a seating capacity sufficient to accommodate all students; and
- (2) audio-visual equipment and other instructional devices and aids necessary and beneficial to the delivery of effective training.

Authority G.S. 85B-3(f); 85B-4(d).

SECTION .0600 - GENERAL AUCTIONEERING

.0601 CHANGE OF ADDRESS OR BUSINESS NAME OR OWNERSHIP

- (a) All licensees shall notify the Board in writing of each change or addition of residence or business address (including mailing address) and change of trade name, assumed name, or combination of names under which the licensee conducts business related to auctions.
- (b) In the case of a corporate licensee, license, said licensee shall immediately notify the Executive Director of any change in the directors or officers of the corporation and such new director(s) or officer(s) shall comply with the provisions of Subparagraphs (d)(1), (4) and (5) (d)(1), (2), (3), (5), (6) and (7) in Rule .0201 of this Subchapter. If the new directors or officers have a 51% or greater controlling interest in the corporation, the firm license shall be retired and the firm shall apply for a new license.
- (c) In the case of a partnership license, said licensee shall immediately notify the Executive Director of any change in partners and such new partners shall comply with the provisions of Subparagraphs (d)(1), (4) and (5) (d)(1), (2), (3), (5), (6) and (7) in Rule .0201 of this Subchapter.
- (d) In the case of an auction firm license, the licensee shall immediately notify the Executive Director of any change in designated person(s) and such designated persons shall comply with the provisions of Subparagraphs (d)(1), (4) and (5) in Rule .0201 of this Subchapter. In the case of an auction firm license, the licensee shall immediately notify the Executive Director of any change in a designated person(s). If the designated person is a currently licensed auctioneer under G.S. 85B, the designated person shall be required to comply with the provisions of Subparagraphs (d)(1), (6) and (7) in Rule .0201 of this Subchapter. If the designated person is not a currently licensed auctioneer under G.S. 85B, the designated person shall be required to comply with the provisions of Subparagraphs (d)(1).

(2), (3), (6) and (7) in Rule .0201 of this Subchapter.

(e) Any change in address, business name or ownership required by these Rules shall be reported within 10 days of the occurrence of such change.

Authority G.S. 85B-3(f).

.0602 ADVERTISING

- (a) In all advertisements relating to an auction, the auctioneer's, apprentice auctioneer's or auction firm's name and license number shall be clearly given. If an auctioneer is working for or in conjunction with an auction firm, such relationships shall be disclosed and both license numbers shall be clearly given. A general advertisement which does not concern a specific sale(s) and which does not list sale dates, times or locations, generally referred to as trolling or holding advertisements, shall not be subject to any identification requirement. A licensee may advertise under a name, assumed name, trade name, or combination of names, only if written notice has been previously filed with the Board. The licensee shall also notify the Board of all certificates filed with any county register of deeds in compliance with G.S. 66-68.
- (b) Any licensee who advertises an "Estate Sale" shall specifically disclose, in all advertisement materials, whether it is the estate of a living or deceased person. Before conducting an auction as an "estate sale", the majority of items in the sale shall come from the estate of the living or deceased person(s). Other items not related to or in an estate may be sold with an estate if specifically disclosed at or before the time of the auction.
- (c) It shall be a violation of these Rules to advertise a "Bankruptcy Sale" unless the item(s) offered for sale, whether real or personal, are from an active bankruptcy action. Before conducting an auction as a "bankruptcy sale", the majority of the items in the sale shall come from the bankruptcy of one or more parties. Other items not related to or from a bankruptcy action may be sold with items from a bankruptcy action if specifically disclosed at or before the time of the auction.
- (d) It shall be a violation of these Rules to advertise an item, either real or personal, as "Absolute" or "Without Reserve" if the item is subject to confirmation, minimum bid, or any other condition of sale. Before advertising an auction as absolute or without reserve, the majority of items in the sale shall be offered for sale absolute or without reserve. Items that are not absolute may be included in the auction provided they are specifically designated as such in all announcements or advertisements.
- (e) It shall be a violation of these Rules to advertise any auction using such descriptive words as "Urgent", "Emergency", "Distress" or any other word which connotates liquidation of assets or that the buyers will, for some extraordinary reason, be in a position to reap some unusual bargain without specifically disclosing, in the written advertisement in a print size equal to the descriptive word, the reason that the sale is "urgent", the nature of the "emergency" or the cause of the "distress", etc.
- (f) It shall be a violation of these Rules to advertise any auction using such descriptive words as "Seized", "Confiscated", "Forfeited" or any other word which connotes a governmental action whereby items are seized or taken by a government department, agency or commission and released or sold or that

- the buyers will, for some governmental reason, be in a position to reap some unusual bargain without specifically disclosing, in the written advertisement in a print size equal to the descriptive word, the exact nature of the government action.
- (g) It shall be a violation of these Rules to advertise any items as being from an "estate" or a "bankruptcy", or from an "urgent", "emergency", "distress", "seized", "confiscated", "forfeited" or similar sale, unless the consignor of the item(s) to be sold is the original owner of the item(s), the designated representative of the owner, or a federal, state or local department, agency or commission charged with disposing of the item(s), and consigned the item(s) directly to the advertised sale.
 - (h) It shall be a violation of these Rules to:
 - (1) Reference the U.C.C. or any other uniform act or federal or state law in any advertisement unless such act or law is required, by law, to be referenced;
 - (2) Reference or mention any federal, state or local department, agency or commission in any advertisement unless specifically required by law to do so or unless prior written approval is received from such department, agency or commission; or
 - (3) Otherwise connote in any advertisement that the auction is under the auspices of, at the direction of or required by federal or state law or act or a federal, state or local agency or commission and that the buyers will, for some legal or governmental reason, be in a position to reap some unusual bargain.
- (i) It shall be a violation of these Rules to advertise for sale items which the auctioneer/firm does not intend to offer for sale at the advertised auction.
- (j) It shall be a violation of these Rules for an auctioneer or auction firm to permit its name or license number to appear on any advertisement for an auction without reviewing the contents of the advertisement prior to its publication to ascertain its compliance with applicable law and Rules.
- (k) It shall be a violation of these Rules to advertise any auction using such descriptive words as "Contents", "Stock", "Inventory", "Liquidation" or any other word which connotes that the items to be auctioned are present on the premises of a residence, business, building or establishment unless the items were physically present continuously for 30 days prior to the signing of the contract or written agreement. Before conducting an auction using any of the descriptive words, the majority of the items in the sale shall be from the premises. Other items not related to or from the contents of the residence or business may be included in the auction provided they are specifically designated as such in all advertisements previous to the sale. The 30 day requirement shall not apply to items used in direct conjunction with the residence or business and brought to the site solely for the purpose of sale at auction.

Authority G.S. 85B-1; 85B-3(f); 85B-8(a)(4).

.0605 BIDDING

No auctioneer/firm shall bid on items in a sale he is conducting or procure such a bid without the intent to purchase the item. However, in a sale with reserve, the auctioneer/firm may bid on the reserve item up to, and including, the amount of

the reserve price without the intent to purchase the item. In any auction where the auctioneer/firm bids on an item in a sale being conducted by such auctioneer/firm or such auctioneer/firm procures such a bid, the auctioneer shall announce such bidding in advance of the auction.

Authority G.S. 25-2-328(4); 85B-3(f).

SECTION .0800 - CONTINUING EDUCATION

.0801 CONTINUING EDUCATION COURSE

- (a) To renew a license on active status, an auctioneer, apprentice auctioneer, or designated person(s) in an auction firm shall complete a Board approved course(s) consisting of the hours of instruction as established in Subparagraph (d) of this Rule and shall provide documentation of completion of the above Board approved course(s) within one year preceding license expiration.
 - (1) "Within one year preceding license expiration time period" shall be defined as May 16 to the following May 15.
 - (2) An auctioneer, apprentice auctioneer, or designated person(s) in an auction firm shall provide documentation on required continuing education courses by the May 15 deadline of the current renewal period.
 - (3) If the required documentation is not received by the established deadline as set forth in Subparagraph (2) of this Rule, the licensee will automatically be assessed a late fee as set forth in Subparagraph .0202(b)(10) of this Subchapter.
 - (4) The renewal shall not be processed until compliance is achieved and the required fees are received as set forth in Subparagraph .0402(b) of this Subchapter.
- (b) The Board shall approve courses that shall be conducted by sponsors approved by the Board under this Rule. The subject matter of this course shall be determined by the course sponsor subject to Subparagraph (h) of this Rule. The course sponsor shall produce or acquire instructor and student materials. The course must be conducted as prescribed by the rules in this Section. At the beginning of the course, sponsors must provide licensees participating in their classes a copy of the student materials developed by the sponsor.
- (c) Approval of a sponsor to conduct a course authorizes the sponsor to conduct the course using an instructor who has been approved by the Board as a course instructor under Rule .0804 of this Section. The sponsor may conduct the course at any location as frequently as is desired during the approval period.
- (d) The Board shall establish at its April monthly Board meeting of each year the minimum classroom hours of instruction for the upcoming year. Upon receipt of renewal, licensees shall be notified of the required minimum hours for the following year's renewal.
- (e) An auctioneer, an apprentice auctioneer, or a designated person(s) in an auction firm shall complete the continuing education requirements for each renewal period that their license was lapsed or suspended.
 - (f) Credit hours applied to the current renewal of a license

shall not be used for future renewals.

- (g) Excess continuing education hours may be carried forward as credits for a maximum of one renewal year.
- (h) The Board shall have the authority in its discretion to mandate the topic(s) for all or part of an approved course.
- (i) No part of any prelicensing course curriculum shall count as continuing education credit hours.
- (i) Continuing education shall not be required until the second renewal after initial licensing pursuant to G.S. 85B-4(e).

Authority G.S. 85B-4.(e1).

.0802 APPLICATION FOR ORIGINAL APPROVAL

- (a) An entity seeking original approval to sponsor a course must make application on a form prescribed by the Board. The applicant must submit a nonrefundable fee of one hundred dollars (\$100.00) which may be in the form of a check payable to the North Carolina Auctioneers Commission; provided, however, that no fee is required if the entity making application is a community college, junior college, college or university located in this State and accredited by the Southern Association of Colleges and Schools, is an agency of federal, state or local government, or an incorporated trade organization or an association of licensees to whom the Board has donated funds pursuant to G.S. 85B-4.1(c). An applying entity that is not a resident of North Carolina shall also file with the application a consent to service of process and pleadings.
- (b) Approval to sponsor a course shall be granted to an applicant upon showing to the satisfaction of the Board that:
 - (1) The applicant has submitted all information required by the Board and paid the application fee, if applicable;
 - (2) The applicant has at least one proposed instructor who has been approved by the Board as a course instructor under Subsection .0804 of this Section;
 - (3) The applicant satisfies all of the requirements of Rule

 .0805 of this Section relating to qualifications or
 eligibility of course sponsors; and
 - (4) The applicant and the continuing education coordinator required by Rule .0805 Paragraph (e) must be truthful, honest and of high integrity. In this regard, the Board may consider the reputation and character of any owner, officer or director of any corporation, association or organization applying for sponsor approval.

Authority G.S. 85B-4(e1).

.0803 STUDENT FEE FOR COURSES

Sponsors of a course may establish the amount of the fee to be charged to students taking this course; provided, however, that the established fee must be an all-inclusive fee and no separate or additional fee may be charged to students for providing course materials, providing course completion certificates, reporting course completion to the Board, or for recouping similar routine administrative expenses.

Authority G.S. 85B-4(e1).

.0804 APPROVAL OF CONTINUING EDUCATION INSTRUCTORS

(a) Approval of course instructors shall be accomplished at the time of the approval of the course sponsor. Approval of a course instructor authorizes the instructor to teach the course only for the approved course sponsor. An approved course instructor may not independently conduct a course unless the instructor has also obtained approval as a course sponsor.

(b) An entity seeking original approval as a course sponsor must provide the name, address, and qualifications of the instructors for the course on the application form prescribed by the Board. No additional application fee is required. All required information regarding the instructor's qualifications must be submitted.

- (c) The applicant must be truthful, honest and of high integrity.
- (d) The applicant must be qualified under one or more of the following standards:
 - (1) Possession of a baccalaureate or higher degree with a major in the field of marketing, finance, or business administration.
 - (2) Possession of a current North Carolina auctioneer or auction firm license, three years active full-time experience in auctioneering within the previous ten years, and 30 classroom hours of auction education, excluding prelicensing education, within the past three years, such education covering topics which are acceptable under Board rules for continuing education credit.
 - (3) Possession of a current North Carolina real estate broker license, but not a licensed auctioneer or auction firm, and experience teaching real estate prelicensing and continuing education courses.
 - (4) Possession of a license to practice law in North Carolina and three years experience in law practice within the previous ten years.
 - (5) Possession of qualifications found by the Board to be equivalent to one or more of the standards set forth in this Rule.
- (e) The Board may deny or withdraw approval of any course instructor upon finding that:
 - (1) The course sponsor or the instructor has made any false statements or presented false information in connection with an application for approval;
 - (2) The instructor has failed to meet the criteria for approval described in Paragraph (d) of this Rule or has refused or failed to comply with any other provisions of this Subchapter;
 - (3) The instructor has failed to demonstrate, during the teaching of courses, those effective teaching skills described in Rule .0815 of this Section; or
 - (4) The instructor has provided false or incorrect information in connection with any reports a course sponsor is required to submit to the Board.

(f) If a licensee who is an approved course instructor engages in any dishonest, fraudulent or improper conduct in connection with the licensee's activities as an instructor, the licensee shall be subject to disciplinary action pursuant to G.S. 85B-8 and G.S.

85B-9.

(g) Upon the written request of the Board, an approved course instructor must submit to the Board a videotape depicting the instructor teaching the course. The videotape must have been made within 12 months of the date of submission, must be in VHS format, must include a label which clearly identifies the instructor and the date of the videotaped presentation.

(h) An approved instructor who is a licensee of the Board shall receive continuing education credit hours for instruction at a rate of one hour for every one-half hour of approved course taught.

Authority G.S. 85B-4(e1).

.0805 SPONSOR REQUIREMENTS

- (a) Any legal entity is eligible to seek approval as a sponsor of continuing education courses, provided that the entity seeking approval is either the owner of the proprietary rights to the course or has lawfully acquired from the course owner the right to seek course approval from the Board and to conduct such course.
- (b) The official name to be used by any course sponsor in connection with the offering of an approved continuing education course must clearly distinguish the sponsor from any other previously approved continuing education course sponsor.

 Unless the sponsor is an auction school approved pursuant to G.S. 85B-4(d) proposing to operate continuing education courses in its own name, the official name also must clearly distinguish the sponsor from any approved auction school. Sponsor applicants proposing to use a sponsor name which does not comply with this standard may be required to adopt a different name as a condition of approval.
- (c) Any advertisement or promotional material utilized by an approved course sponsor must include the course sponsor's official name and shall not include any other name for the sponsor.
- (d) Prospective sponsors of a course must obtain written approval from the Board to conduct such course prior to conducting the course and prior to advertising or otherwise representing that the course is or may be approved for continuing education credit in North Carolina. No retroactive approval to conduct a course will be granted for any reason.
- (e) A sponsor of a course must designate one person to serve as the continuing education coordinator for all Board-approved continuing education courses offered by the sponsor. The designated coordinator shall serve as the official contact person for the sponsor and shall be responsible for the following:
 - (1) Supervising the conduct of all the sponsor's Boardapproved continuing education courses;
 - (2) Signing the course completion certificates provided by the sponsor to licensees completing courses; and
 - (3) Submitting to the Board all required fees, rosters, reports and other information.

Authority G.S. 85B-4(e1).

.0806 COURSE COMPLETION REPORTING

(a) Course sponsors must prepare and submit to the Board

reports verifying completion of each continuing education course conducted. Sponsors must submit these reports to the Board in a manner that will assure receipt by the Board within thirty calendar days following the course, but in no case later than May 15 for courses conducted prior to that date. Reports should include the following:

- (1) Official course name;
- (2) Sponsor or coordinator name, mailing address, and telephone number;
- (3) Coordinator signature certifying that the information is correct;
- (4) Name, address, North Carolina license number, and social security number of each licensee who satisfactorily completes the course and who desires continuing education credit for the course;
- (5) Physical location where course was conducted;
- (6) Date(s), starting and ending times of course; and
- (7) Number of credit hours.
- (b) At the request of the Board, course sponsors must provide licensees enrolled in each continuing education course an opportunity to complete an evaluation of the course upon completion of the course.
- (c) Course sponsors shall provide each licensee who satisfactorily completes an approved continuing education course a course completion certificate. Sponsors must provide the certificates to licensees within 30 calendar days following the course, but in no case later than May 15 for any course completed prior to that date. The certificate is to be retained by the licensee as secondary proof of having completed the course. Course completion certificates should include the following:
 - (1) Official course name;
 - (2) Name of licensee who satisfactorily completes the course;
 - (3) Date(s) of attendance;
 - (4) Number of credit hours; and
 - (5) Coordinator signature certifying that the information is correct.
- (d) When a licensee in attendance at a continuing education course does not comply with the student participation standards, the course sponsor shall advise the Board of this matter in writing at the time reports verifying completion of continuing education for the course are submitted. A sponsor who determines that a licensee failed to comply with either the Board's attendance or student participation standards shall not provide the licensee with a course completion certificate nor shall the sponsor include the licensee's name on the reports verifying completion of continuing education.

Authority G.S. 85B-4(e1).

.0807 CHANGE IN SPONSOR OWNERSHIP AND OTHER INFORMATION

- (a) The approval granted to a course sponsor may be transferred to a new or different entity only with the advance approval of the Board.
- (b) Course sponsors must notify the Board in writing prior to any change in business name, continuing education coordinator, address or business telephone number.

(c) Course sponsors must obtain advance approval from the Board for any changes to be made in the content or number of hours for courses; provided that changes in course content which are solely for the purpose of assuring that information provided in a course is current and accurate do not require approval during the approval period, but shall be reported at the time the sponsor requests renewal of course approval. Requests for approval of changes shall be in writing.

Authority G.S. 85B-4(e1).

.0808 COURSE RECORDS

All course sponsors must retain on file for two years records of student registration and attendance for each session of a continuing education course that is conducted and shall make such records available to the Board, or its designee, upon request.

Authority G.S. 85B-4(e1).

.0809 RENEWAL OF COURSE AND SPONSOR APPROVAL

- (a) Board approval of all continuing education course sponsors expires on the next June 30 following the date of issuance. In order to assure continuous approval, a completed renewal application prescribed by the Board, accompanied by the prescribed renewal fee, must be submitted to the Board annually on or before April 30. Any continuing education course sponsor's renewal applications and/or renewal fees that are not received or that are not complete on or before April 30 shall not have met the guidelines for renewal and must meet the criteria for original approval as set forth in Rule .0802.
- (b) The fee for renewal of Board approval shall be fifty dollars (\$50.00) for each course sponsor, provided that no fee is required for course sponsors that are exempted from original application fees. The fee shall be paid by check payable to the North Carolina Auctioneers Commission and is nonrefundable.

Authority G.S. 85B-4(e1).

.0810 DENIAL OR WITHDRAWAL OF APPROVAL

- (a) The Board may deny or withdraw approval of any course or course sponsor upon finding that:
 - (1) The course sponsor has made any false statements or presented any false information in connection with an application for course or sponsor approval or renewal of such approval;
 - (2) The course sponsor or any official or instructor in the employ of the course sponsor has refused or failed to comply with any of the provisions of this Rule;
 - (3) The course sponsor or any official or instructor in the employ of the course sponsor has provided false or incorrect information in connection with any reports the course sponsor is required to submit to the Board;
 - (4) The course sponsor has provided to the Board in payment for required fees a check which was returned unpaid;
 - (5) An instructor in the employ of the course sponsor fails

to conduct approved courses in a manner that demonstrates possession of the teaching skills described in Rule .0815 of this Section; or

- (6) Any court of competent jurisdiction has found the course sponsor or any official or instructor in the employ of the course sponsor to have violated, in connection with the offering of continuing education courses, any applicable federal or state law or regulation prohibiting discrimination on the basis of disability, requiring places of public accommodation to be in compliance with prescribed accessibility standards, or requiring that courses related to licensing or certification for professional or trade purposes be offered in a place and manner accessible to persons with disabilities.
- (b) If a licensee who is an approved course sponsor or an instructor in the employ of an approved course sponsor engages in any dishonest, fraudulent or improper conduct in connection with the licensee's activities as a course sponsor or instructor, the licensee shall be subject to disciplinary action pursuant to G.S. 85B-8 and G.S. 85B-9.

Authority G.S. 85B-4(e1).

.0811 MINIMUM CLASS SIZE

The minimum class size for any session of an approved continuing education course shall be five students, as determined by the sponsor's preregistration records. The minimum class size requirement shall not apply to class sessions when the sponsor notifies the Board in writing of the scheduled class session as provided in this Subsection and advertises in advance the scheduled class session in the general auction community where the class session is to be held. A sponsor who conducts a class session for fewer than five students shall submit with the reports verifying completion of the course a copy of the advertisement for the class session plus a statement or other documentation indicating the date of the advertisement and the advertising method.

Authority G.S. 85B-4(e1).

.0812 SCHEDULING AND NOTICE OF SCHEDULED COURSES

- (a) An hour of creditable instruction is defined as 50 minutes of instruction or practical exercise accompanied by a 10 minute break.
- (b) Sponsors must provide the Board written notice of all scheduled course offerings not later than 10 days prior to a scheduled course date. The notice shall include the name of the sponsor and, for each scheduled course, the name of the course, the scheduled date and time, specific location, and name of the instructor(s).
- (c) Sponsors must notify the Board of any schedule changes or course cancellations at least five days prior to the original scheduled course date. If a last minute change or cancellation is necessary due to some unforeseen circumstance, then notice shall be provided to the Board as soon as possible.

Authority G.S. 85B-4(e1).

.0813 ADVERTISING; PROVIDING COURSE INFORMATION

- (a) Course sponsors must not utilize advertising of any type that is false or misleading in any respect. If the number of continuing education credit hours awarded by the Board for an approved course is less than the number of scheduled hours for the course, any course advertisement or promotional materials which indicate that the course is approved for mandatory auctioneer continuing education credit in North Carolina must specify the number of continuing education credit hours awarded by the Board for the course.
- (b) Any flyers, brochures or similar materials utilized to promote a continuing education course must clearly describe the fee to be charged and the sponsor's cancellation and fee refund policies.
- (c) Upon course approval, course sponsors may include in course descriptions and promotional materials the information contained in the following illustration: This course [seminar or program] has been approved by the Auctioneer Licensing Board for continuing education credit in the amount of ___ hours. This course is not sponsored by the Board.
- (d) Course sponsors of any course must, upon request, provide any prospective student a description of the course content sufficient to give the prospective student a general understanding of the instruction to be provided in the course.

Authority G.S. 85B-4(e1).

.0814 CONDUCT OF CLASSES

- (a) All class sessions of approved continuing education courses must be open to all licensees on a first-come/first-served basis; provided that the sponsor of a course which has a bona fide education or experience prerequisite, such as an advanced course leading to a special auctioneer designation, may refuse admission to a licensee not satisfying such prerequisite.
- (b) Courses not conducted electronically must be conducted in a facility that provides an appropriate learning environment as set forth in Rule .0502(e) of this Subchapter.

Authority G.S. 85B-4(e1).

.0815 INSTRUCTOR CONDUCT AND PERFORMANCE

- (a) <u>Instructors must assure that class sessions are commenced</u> in a timely manner and are conducted for the full amount of time that is scheduled. <u>Instructors must also assure that each student is furnished appropriate student materials.</u>
- (b) Instructors must conduct themselves in a professional and courteous manner when performing their instructional duties and must conduct classes in a manner that demonstrates a mastery of the following basic teaching skills:
 - (1) The ability to communicate effectively through speech, including the ability to speak clearly at an appropriate rate of speed and with appropriate voice inflection, grammar and vocabulary.
 - (2) The ability to present an effective visual image to a

<u>class</u>, <u>including appropriate</u> <u>appearance</u> <u>and physical</u> mannerisms.

- (3) The ability to present instruction in a thorough, accurate, logical, orderly and understandable manner, to utilize illustrative examples as appropriate, and to respond appropriately to questions from students.
- (4) The ability to effectively utilize varied instructional techniques in addition to straight lecture, such as class discussion, role playing or other techniques.
- (5) The ability to effectively utilize instructional aids to enhance learning.
- (6) The ability to maintain an appropriate learning environment and effective control of a class.
- (7) The ability to interact with adult students in a positive manner that encourages students to learn, that demonstrates an understanding of varied student backgrounds, that avoids offending the sensibilities of students, and that avoids personal criticism of any other person, agency or organization.

Authority G.S. 85B-4(e1).

.0816 MONITORING ATTENDANCE

(a) Sponsors and instructors must strictly monitor attendance for the duration of each class session to assure that all students reported as satisfactorily completing a course according to these Rules have attended at least 90% of the scheduled classroom hours. Students shall not be admitted to a class session after ten percent of the scheduled classroom hours have been conducted. Students shall not be allowed to sign a course completion card, shall not be issued a course completion certificate, and shall not be reported to the Board as having completed a course unless the student fully satisfies the attendance requirement. Sponsors and instructors may not make any exceptions to the attendance requirement for any reason.

(b) Sponsors must assure that adequate personnel, in addition to the instructor, are present during all class sessions to assist the instructor in monitoring attendance and performing the necessary administrative tasks associated with conducting a course.

Authority G.S. 85B-4(e1).

.0817 STUDENT PARTICIPATION STANDARDS

- (a) In addition to requiring student compliance with the attendance requirement, sponsors and instructors shall require that students comply with the following student participation standards:
 - (I) A student shall direct his active attention to the instruction being provided and refrain from engaging in activities unrelated to the instruction.
 - (2) A student shall refrain from engaging in any activities which are distracting to other students or the instructor, or which otherwise disrupt the orderly conduct of a class.
 - (3) A student shall comply with all instructions provided by the sponsor or instructor related to providing information needed to properly report completion of a course by the student.

- (b) Instructors and sponsors have the authority to dismiss from a class session any student who fails to comply with the student participation standards prescribed in Paragraph (a) of this Rule.
- (c) Sponsors shall not issue a course completion certificate to any student who fails to comply with the student participation standards set forth in Paragraph (a) of this Rule, nor shall sponsors include the name of such student on their reports verifying completion of a continuing education course. Sponsors shall submit to the Board with their reports for the class session a written statement which includes the name and license number of the student for whom the sponsor does not report course credit, details concerning the student's failure to comply with the student participation standards, and names of other persons in attendance at the class who witnessed the student's conduct.

Authority G.S. 85B-4(e1).

.0818 ADDITIONAL SPONSOR REQUIREMENTS

- (a) Sponsors and instructors may make available for purchase by continuing education students materials that belong to the sponsor, instructor, or some other party; however, class time may not be used to promote or sell any materials or to solicit affiliation or membership in any business, organization, or association.
- (b) Course sponsors must administer course cancellation and fee refund policies in a non-discriminatory manner. In the event a scheduled course is canceled, reasonable efforts must be made to notify preregistered students of the cancellation and all prepaid fees received from such preregistered students must be refunded within 30 days of the date of cancellation or, with the student's permission, applied toward the fees for another course.
- (c) Course sponsors shall admit the Board's authorized representative to monitor any continuing education class without prior notice. Such representative shall not be required to register or pay any fee and shall not be reported as having completed the course.
- (d) Course sponsors may deviate from these Rules concerning the conduct of continuing education courses, such as rules addressing classroom facilities, minimum class size and instructional methods, as may be necessary in order for the sponsor to comply with the Americans with Disabilities Act or other laws requiring such sponsors to accommodate persons with disabilities. A sponsor providing a special accommodation for a licensee with a disability that requires the sponsor to deviate from these Rules shall notify the Board in writing of the accommodation at the time reports are submitted for the class session attended by the licensee.

History Note: Authority G.S. 85-4(e1).

.0819 ALTERNATIVE COMPLIANCE

(a) An auctioneer, apprentice auctioneer, or designated person of an auction firm who is unable, for good cause shown, to attend a Board-approved course and obtain the requisite hours of instruction established by the Board may apply to the Board for alternative compliance.

PROPOSED RULES

- (b) An application for alternative compliance shall be on a form provided by the Board.
- (c) An application for alternative compliance shall be received by the Board by May 15 of the year in which the requisite hours of instruction are to be completed. If approved, the course of instruction shall be completed prior to license renewal and shall be exempt from the late fee.
- (d) Alternative compliance shall include, but shall not be limited to:
 - (1) Academic courses at a community college, junior college, or college or university located in this State and accredited by the Southern Association of Colleges and Schools in any of the following topics:
 - (A) Accounting
 - (B) Finance

- (C) Business Management
- (D) Business Law
- (E) Economics
- (F) Marketing
- (G) Computer Science
- (H) Sales
- (I) Enhancing Personal or Professional Skills
- (2) Completion of any non-real estate appraisal course and certification; and
- (3) <u>Publication of an article in a recognized professional</u> journal.
- (e) Credit hours to be awarded shall be in the discretion of the Board.

Authority G.S. 85B-4(e1).

TEMPORARY RULES

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(e), 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 8 - STATE BOARD OF ELECTIONS

Rule-making Agency: State Board of Elections

Rule Citation: 08 NCAC 10.0103

Effective Date: May 1, 2000

Findings Reviewed and Approved by: Julian Mann

Authority for the rule-making: G.S. 163-22; 163-140(c)(3); 163-160; 163-160.1

Reason for Proposed Action: This amends the original rule in which a sentence is to be omitted.

Comment Procedures: Comments may be submitted in writing to Zee B. Lamb, State Board of Elections, P.O. Box 2169, Raleigh, NC, 27602, or by email to zee.lamb@ncmail.net.

CHAPTER 10 - BALLOT ROTATION RULES FOR PRIMARY ELECTION BALLOTS

SECTION .0100 - GENERAL BALLOT ROTATION RULES FOR PRIMARY ELECTION BALLOTS

.0103 CANDIDATE NAMES TO BE ROTATED FOR PAPER BALLOTS AND SOME VOTING SYSTEMS

In those counties which use paper ballots or which own or lease a voting system which allows rotation of candidate names on primary election ballots without significant additional expense, names of candidates shall occupy alternate positions upon the ballot to the end that the name of each candidate shall occupy with reference to the name of every other candidate for the same office, first position, second position, and every other position upon an equal number of ballots. If the voting system is capable of allowing candidate name rotation by precinct but not by individual voter without significant additional expense, the names of all candidates in a primary election shall be rotated precinct-by-precinct for each office in the order in which the precincts are set out in the official abstract for the county.

History Note: Authority G.S. 163-22, 163-140(c)(3), 163-160, 163-160.1;

Temporary Adoption Eff. May 1, 2000; Temporary Amendment Eff. May 1, 2000.

RULES REVIEW COMMISSION

This Section contains the agenda for the next meeting of the Rules Review Commission on Thursday, June 15, 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, June 9, 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, Chairman John Arrowood Laura Devan Jim Funderburke David Twiddy

Appointed by House

R. Palmer Sugg, 1st Vice Chairman Jennie J. Hayman, 2nd Vice Chairman Walter Futch Paul Powell George Robinson

RULES REVIEW COMMISSION MEETING DATES

June 15, 2000 July 20, 2000 August 17, 2000 September 21, 2000 October 19, 2000

LOG OF FILINGS RULES SUBMITTED: April 20, 2000 through May 20, 2000

AGENCY/DIVISION	RULE NAME	RULE CITATION	ACTION
DHHS/DIVISION	OF MEDICAL ASSISTANCE		
	NC Medicaid Criteria10	10 NCAC 26B .0113	Amend
	Rate Setting Method for Non-State Facilities	10 NCAC 26H .0304	Amend
	Program Definition and Definition of Terms	10 NCAC 26M .0301	Repeal
	Access to Care	10 NCAC 26M .0302	Repeal
	Enrollee Education	10 NCAC 26M .0303	Repeal
	Relationship with Subcontractors	10 NCAC 26M .0304	Repeal
	Enrollee and Subcontractor Appeals	10 NCAC 26M .0305	Repeal
	Discipline and Behavior Management	10 NCAC 41S .0613	Amend
	Certification Requirement	10 NCAC 42E .0704	Amend
	Corrective Action	10 NCAC 42E .0705	Amend
	Procedure10	10 NCAC 42E .1207	Amend
	Changes in Personnel	10 NCAC 42E .1208	Amend
	The Certificate	10 NCAC 42E .1401	Amend
	Provisional Certificate	10 NCAC 42E .1402	Amend
	Termination of Certification	10 NCAC 42E .1403	Amend
	Denial or Revocation of Certificate	10 NCAC 42E .1404	Amend
	Penalty	10 NCAC 42E .1405	Amend
	Procedure for Appeal	10 NCAC 42E .1406	Amend
	Allocation	10 NCAC 42Q .0016	Amend
	Limitations	10 NCAC 42S .0301	Amend
	State Division of Aging's Responsibilities	10 NCAC 42S .0501	Amend
	Introductory Statement	10 NCAC 42Z .0501	Amend
	Procedure	10 NCAC 42Z .0901	Amend
EDUCATION, STA	ATE BOARD OF		
	End-of-Course Tests	16 NCAC 6D .0305	Amend
	Testing Code of Ethics	16 NCAC 6D .0306	Amend
TRANSPORTATION	ON, DEPARTMENT OF/DIVISION OF MOT	FOR VEHICLES	

Hazardous Materials

19 NCAC 3D .0802

Amend

RULES REVIEW COMMISSION

May 18, 2000 MINUTES

The Rules Review Commission met on May 18, 2000, in the Veterinary Board Conference Room of the Methodist Building, 1307 Glenwood Avenue, Raleigh, North Carolina. Commissioners in attendance were Chairman Teresa Smallwood, Palmer Sugg, Jennie J. Hayman, Jim Funderburk, Paul Powell, Laura Devan, David R. Twiddy, Walter Futch, and George Robinson.

Staff members present were: Joseph J. DeLuca, Staff Director; Bobby Bryan, Rules Review Specialist; and Sandy Webster.

The following people attended:

Lou B. Wilson

N C Association for Long Term Care Facilities

Andy Ellen

N C Retail Merchants Association

Sharnese Ransome

DHHS/SSC

Jean Stanley

Midwifery Joint Committee

Dedra Alston

DENR

Tom West

Poyner and Spruill Transportation

Emily Lee Scott Templeton

Secretary of State

Peter Goolsby Howard Kramer Secretary of State
Midwifery Joint Committee

David Jarman
Karen Patterson

Valerie Chaffin

DENR/Forest Resources
DENR/Forest Resources

Hunton & Williams

APPROVAL OF MINUTES

The meeting was called to order at 10:05 a.m. with Vice Chairman Sugg presiding. The Vice Chairman asked for any discussion, comments, or corrections concerning the minutes of the April 13, 2000 meeting. There being none, the minutes were approved. Chairman Smallwood arrived and began presiding during the first follow-up matter.

FOLLOW-UP MATTERS

10 NCAC 42A .0801 - .0810: DHHS/Social Services Commission - The Office of State Budget reported that these rules carried no substantial economic impact. They were approved with the exception of .0807. This rule was objected to due to lack of statutory authority and ambiguity. It is not clear that the Department of Health and Human Services requirements referenced in this rule have been appropriately adopted as rules. If not, there is no authority to require compliance with them.

10 NCAC 42C .2506: DHHS/Medical Care Commission - The agency requested that this rule remain on the agenda until next month. No action was necessary.

13 NCAC 7F .0601, .0602, .0603, .0604, .0605, and .0606: DEPARTMENT OF LABOR - These rules were returned to the agency pursuant to G.S. 150B-21.12(d).

19A NCAC 3D .0801: TRANSPORTATION/Division of Motor Vehicles - The rewritten rule submitted by the agency was approved by the Commission.

21 NCAC 56 .0503, .0603, .0804, and .0901: N C Board of Examiners of Engineers and Surveyors – The agency responded that they are pursuing legislation to give these rules statutory authority. No action was necessary.

21 NCAC 63 .0101, .0104, .0105, .0204, .0210, .0301, .0401, .0503, .0508, .0601, and .0707: N C Social Work Certification and Licensing Board - The repeals and rewritten rules submitted by the agency were approved by the Commission.

RULES REVIEW COMMISSION

LOG OF FILINGS

Chairman Smallwood presided over the review of the log and all rules were approved with the following exceptions:

- 2 NCAC 52B .0206: AGRICULTURE/Board of Agriculture The Commission objected to this rule due to ambiguity. In (a), it is not clear what period of time is envisioned by the term "recently." It is also not clear what is meant by a "negative official test." Because of ambiguities in .0410, it is not clear what standards will be used in approving livestock markets or equine sales to provide EIA testing. This objection applies to existing language in the rule.
- 2 NCAC 52B .0401: AGRICULTURE/Board of Agriculture The Commission objected to this rule due to lack of statutory authority and ambiguity. The definition of "approved test" in (3) implies that the State Veterinarian can approve tests without going through the rulemaking process or without the standards for approval being set out in the rules. There is no authority for doing so. In (6), it is not clear if an "official test" is the same as "approved test." This objection applies to existing language in the rule.
- 2 NCAC 52B .0406: AGRICULTURE/Board of Agriculture The Commission objected to this rule due to ambiguity. In (b) and (c), it is not clear what is meant by "official negative test."
- 2 NCAC 52B .0407: AGRICULTURE/Board of Agriculture The Commission objected to this rule due to ambiguity. In (d), it is not clear who must approve or what the standards for approval are of a laboratory in North Carolina. In (e), it is not clear what is meant by "official negative test."
- 2 NCAC 52B .0409: AGRICULTURE/Board of Agriculture The Commission objected to this rule due to ambiguity. It is not clear what is meant by "officially" tested.
- 2 NCAC 52B .0410: AGRICULTURE/Board of Agriculture The Commission objected to this rule due to lack of statutory authority and ambiguity. In (a), it is not clear what standards the State Veterinarian will use in approving sales. In (b) and (c), it is not clear what standards he will use in approving veterinarians. In (c), it is not clear what the standards are for approval of permanent facilities and staff. There also is no authority for setting staff qualifications.
- 2 NCAC 52B .0411: AGRICULTURE/Board of Agriculture The Commission objected to this rule due to lack of statutory authority and ambiguity. In (a)(1), it is not clear what tubes are approved. In (b), there is no authority for the State Veterinarian to approve veterinarians.
- 2 NCAC 52B .0412: AGRICULTURE/Board of Agriculture The Commission objected to this rule due to lack of statutory authority and ambiguity. It is not clear what standards the State Veterinarian is to use in granting prior approval for sales of equine only for slaughter. It is also not clear what terms an operator has to agree to comply with. There are none in the rule. There is no authority for the State Veterinarian to set terms outside rulemaking unless there are the standards he will use in the rules.
- 18 NCAC 10 .0201: SECRETARY OF STATE The Commission objected to this rule due to ambiguity. In (18), it is not clear what is meant by "an internationally recognized standards organization." In (19), the use of the word "typically" makes unclear when the operational period begins and ends. In (35)(a), it is not clear what is meant by "reasonably secure." In (b), it is not clear what is a "reasonable level." In (c), it is not clear what is "reasonably suited." In (d), it is not clear what is meant by "generally accepted security procedures."
- 18 NCAC 10 .0303: SECRETARY OF STATE The Commission objected to this rule due to lack of statutory authority and ambiguity. In (b), it is not clear what is meant by "reasonable steps." There is the same problem in (b)(3). In (e)(1), it is not clear what is meant by "reasonable precaution." In (g)(3), it is not clear what is meant by "trusted third parties." It is also not clear what is meant by "reasonable efforts" and "reasonably determined." There does not appear to be authority for the Secretary of State to limit parties' rights in dispute resolution. In (i)(1)(vi), it is not clear what other information would be considered relevant. In (j), it is not clear how much maintenance is "reasonable." In (k), it is not clear what security audit firms are "nationally recognized" or what standards the Section will use in approving them. It is not clear how to determine if a security audit firm is qualified to perform a security audit. It is not clear what is meant by "significant" knowledge or experience.
- 18 NCAC 10.0304: SECRETARY OF STATE The Commission objected to this rule due to ambiguity. In (e), it is not clear what secure protocols are "appropriate." In (f)(3), it is not clear who would be a "reputable third party vendor." In (g), it is not

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clear when a "Strong" and a "Basic" certificate is appropriate and not the other. It is also not clear what is meant by an application's "sensitivity." In (g)(4), it is not clear what is meant by "trusted commercial or governmental data source." In (g)(5)(ii), it is not clear what is meant by a "trustworthy manner." In (h)(1)(i) and (ii), it is not clear what is meant by a "trustworthy procedure." In (h)(2), it is not clear what is meant by a "trustworthy out of hand communication." In (h)(3)(i), it is not clear what is meant by an "appropriate agreement." In (h)(3)(ii), it is not clear what is meant by an "appropriate business site."

18 NCAC 10 .0305: SECRETARY OF STATE – The Commission objected to this rule due to ambiguity. In (k), it is not clear what is meant by "significant security events." In (n)(1)(i), it is not clear what is meant by an "appropriate disaster recovery/business resumption plan." It is also not clear what is meant by "other appropriate documentation."

18 NCAC 10 .0306: SECRETARY OF STATE – The Commission objected to this rule due to ambiguity. In (a)(1), it is not clear what is meant by "appropriate physical security controls." In (c)(1), it is not clear what would constitute a "reasonable assurance of trustworthiness and competence." In (c)(2)(i), it is not clear what constitutes an "appropriate background investigation." It is also not clear when it is necessary after initial employment. In (c)(2)(iii), it is not clear what is meant by "the principle of full disclosure." In (c)(3), it is not clear what is meant by "proper training."

18 NCAC 10 .0307: SECRETARY OF STATE - The Commission objected to this rule due to ambiguity. In (d), it is not clear what is meant by "another appropriate mechanism."

18 NCAC 10 .0701: SECRETARY OF STATE - The Commission objected to this rule due to lack of statutory authority. There is no authority for (b). The agency may not act pursuant to rules which are not only not yet effective, they may not even be adopted. This flies in the face of the Administrative Procedure Act.

18 NCAC 10 .0801: SECRETARY OF STATE – The Commission objected to this rule due to lack of statutory authority. The provision in (e)(3) is contrary to G.S. 150B-23(f) which gives a person 60 days to file a petition for contested case hearing. There is the same problem in (f) and (g)(3) and (4).

18 NCAC 10 .0802: SECRETARY OF STATE - The Commission objected to this rule due to lack of necessity. This rule merely repeats the statutes and adds nothing to what is already in the law.

18 NCAC 10 .0901: SECRETARY OF STATE - The Commission objected to this rule due to lack of statutory authority and ambiguity. In (b)(6), it is not clear what additional information is required by the Electronic Commerce Section. There is no authority to require information outside of rulemaking.

21 NCAC 33 .0106: Midwifery Joint Committee - The Commission objected to this rule due to lack of statutory authority. There is no authority for this Committee to grant limited privileges to applicants who have not yet qualified for approval. The statutes prohibit the practice by anyone not approved. This objection applies to existing language in the rule.

COMMISSION PROCEDURES AND OTHER BUSINESS

Mr. DeLuca passed out the term expirations of Commissioners for their information. A motion was made to go into closed session to discuss the lawsuits pending against the Rules Review Commission.

The next meeting will be on Thursday, June 15, 2000.

The meeting adjourned at 11:59 a.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 James L. Conner, II

Robert Roosevelt Reilly Jr.

Beryl E. Wade

ACENCV	CASE	ATT	DATE OF	PUBLISHED DECISION
<u>AGENCY</u>	NUMBER	<u>ALJ</u>	DECISION	REGISTER CITATION
ADMINISTRATION				
Britthaven, Inc. v. Department of Administration	98 DOA 0811	Chess	06/10/99	
and				
Priva-Trends, Inc.				
Laidlaw Transit Svcs, Inc. v. Katie G. Dorsett, Sec'y/Dept/Administration	99 DOA 0102	Morrison	06/11/99	14:02 NCR 115
OFFICE OF ADMINISTRATIVE HEARINGS	00.0411.0775	Chara	07/14/00	
Ted Murrell, Zarn, Inc. v. Office of Administrative Hearings	99 OAH 0665	Chess	07/14/99	
Samuel Lee Ferguson v. Office of Administrative Hearings Robert McHenry v. Office of Administrative Hearings	99 OAH 0718 99 OAH 1201	Chess Gray	07/16/99 04/07/00	
Larry McLeod v. NC Crime Victims Compensation Commission	00 OAH 0039	Gray	04/12/00	
Early Welledd V. Ne Crime Victims Compensation Commission	00 OAH 0039	Giay	04/12/00	
AGRICULTURE				
Archie McLean v. Department of Agriculture	98 DAG 1770	Reilly	07/12/99	14:04 NCR 349
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ALCOHOLIC BEVERAGE CONTROL COMMISSION				
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		Phipps	09/29/99	
Alcoholic Beverage Control Commission v. George Steven Everett t/a Casino Snooks Place	98 ABC 1546	Reilly	10/19/99	
Vickie A. Patrick and Ayed K. Al-Quzah T/A M&M #4 v. Alcoholic	99 ABC 0070	Wade	03/22/00	
Alcoholic Beverage Control Commission v. Beech Mountain Resort, Inc.	99 ABC 0070 99 ABC 0287	Reilly	08/11/99	
Alcoholic Bev. Control Comm.v. Partnership T/A Mermaid Rest, & Lge.	99 ABC 0267	Chess	09/17/99	
Alcoholic Beverage Control Commission v. Jaeson Nyung Kim	99 ABC 0367 99 ABC 0407	Morrison	07/09/99	
Alcoholic Beverage Control Commission v. Jacson Nyung Kim Alcoholic Beverage Control Commission v. Lillian Sarah Clary	99 ABC 0407	Phipps	09/01/99	
Alcoholic Beverage Control Commission v. Circle K Stores, Inc., T/A	99 ABC 0651	Chess	12/30/99	
Circle K #8620	99 ABC 0031	Chess	12/30/99	
Alcoholic Beverage Control Commission v. Circle K Stores, Inc., T/A	99 ABC 0656	Gray	11/29/99	
Circle K #8357		•		
Alcoholic Beverage Control Commission v. Vnus Enterprices, LLC,	99 ABC 0684	Morgan	10/15/99	
√a Rendez Vous Club & City of Charlotte				
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	99 ABC 0820	Morgan	10/13/99	
Creek Lounge		_		
Delores Ann Holley v. Alcoholic Beverage Control Commission	99 ABC 0876	Gray	08/10/99	
Alcoholic Beverage Control Commission v. Partnership T/A	99 ABC 0986	Lassiter	11/03/99	
Corrothers Community Center/Private Club	00 ADC 1637	Marriaga	01/07/00	14.16 NCD 1490
Verdict Ridge Country Club, by H. Edward Knox v. Alcoholic Beverage Control Commission	99 ABC 1637	Morrison	01/07/00	14:16 NCR 1489
Deverage Control Commission				

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AUCTIONEER LICENSING BOARD				
Larry C. Oiler v. North Carolina Auctioneer Licensing Board	99 CFA 1011	Mann	01/27/00	
George W. Phillips, II v N.C. Auctioneer Licensing Board	99 CFA 1336	Lassiter	02/15/00	
BOARD OF MORTUARY SCIENCE				
N.C. Board of Mortuary Science v. Kennedy Funeral Home	99 BMS 0894	Chess	01/20/00	
·				
CRIME CONTROL AND PUBLIC SAFETY Ray Anthony Breeding v. Crime Control & Public Safety	03 CBS 0605	Gmu	00/12/00	
John Ray Webb v. Crime Victims Compensation Commission	93 CPS 0695 95 CPS 1353	Gray Gray	09/13/99 09/13/99	
Sarene Franklin Holloway v. Crime Victims Compensation Comm.	97 CPS 1172	Chess	10/12/99	
Vernel Capel Harris v. Crime Victims Compensation Commission	98 CPS 0328	Chess	01/31/00	
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	
Edna Carr v. Crime Victims Compensation Commission	98 CPS 0788	Chess	10/28/99	
Eric Charles Williams v. Crime Control & Public Safety, Div. of	98 CPS 1279	Cbess	11/01/99	
State Highway Patrol				
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 CPS 1060	Gray	12/29/99	
Quantisha Pratt v. NC Crime Victims Compensation Commission	99 CPS 1093 99 CPS 1154	Mann Mann	03/03/00	
Nancy Davis Cave v. N.C. Victim and Justice Services Loretta Faye Green v. N.C. Crime Victims Compensation Commission	99 CPS 1421	Chess	01/20/00 03/23/00	
Oscar Reynolds v N.C. Crime Victims Compensation Commission	99 CPS 1453	Mann	02/23/00	
James E. Taylor v N.C. Crime Victims Compensation Commission	99 CPS 1473	Lassiter	02/07/00	
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ENVIRONMENT AND NATURAL RESOURCES				
Richard D. Poling, Parent of Taylor B. Poling, A Minor v. NC Dept.	97 EHR 0277	Mann	02/25/00	
of Environment, Health & Natural Resources	02 2710 0204	* *	11/10/00	
The Appletree Companies, Inc., Successor to Stewart Products, Inc.	97 EHR 0795	Lassiter	11/19/99	
and Utts Services, Ltd. v. Dept. of Environment & Natural Resources	07 FID 1166		02/01/02	
Ronald Lee Hudson, Jr. v. Craven Health Department	97 EHR 1166	Mann	03/01/00	14.00 NCD 110
R.J. Reynolds Tobacco Co. v. Dept. of Environment & Natural Resources	98 EHR 1315	Wade	06/04/99	14:02 NCR 110
Joseph T. London, Classic Car Restoration v. Dept. of Environment & Natural Resources	98 EHR 1579	Mann	03/16/00	
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	14.11 NCR 920
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		Phipps	09/28/99	
and Wake County Board of Commissioners				
McDowell Development, Allen Gurley - VP (LQS 98-087) v Environment	99 EHR 0358	Mann	01/24/00	14:18 NCR 1656
and Natural Resources	00 EVEN 02009	mi '	00/00/00	
Jerry Franks and John Schifano, et. al. v. Environment & Natural Resources and Wake County Board of Commissioners	99 EHR 0380°	Phipps	09/28/99	
James P. and Irene P. Wilson v. Cleveland Co. Health & Sanitary	99 EHR 0506	Lassiter	10/07/99	
Deep River Citizens' Coalition, American Canoe Assoc., Inc., and Deep	99 EHR 0560 ¹¹	Reilly	03/13/00	
River Coalition, Inc. v. Department of Env. & Natural Resources	33 EIIK 0300	reemy	03/13/00	
Steve and Susan Griffin v. Dept. of Environment & Natural Resources	99 EHR 0595	Gray	03/16/00	
Deep River Citizens' Coalition, American Canoe Assoc., Inc., and Deep	99 EHR 061311	Reilly	03/13/00	
River Coalition, Inc. v. City of Greensboro, Piedmont Triad Regional		-		
Water Authority				
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 William Todd Allison v Department of Environment and Natural	99 EHR 1194 99 EHR 1612	Chess Chess	12/06/99 01/10/00	
Resources, Division of Coastal Management	77 LIIK 1012	CHESS	01/10/00	

<u>AGENCY</u>	CASE <u>NUMBER</u>	<u>ALJ</u>	DATE OF DECISION	PUBLISHED DECISION REGISTER CITATION
Bethany Baptist Church, Ray Richardson v. Div. of Environmental Health, Department of Public Health	00 EHR 0020	Chess	03/28/00	
Sweetie Bullock v. Pitt County Health Department	00 EHR 0028	Mann	03/16/00	
Division of Air Quality 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 ¹²	Gray	12/06/99	
Terrance W. Bache, Pres., Terhane Group, Inc. v. DENR, Div/Air Quality Foothills Action Comm. For The Environment and The Blue Ridge Environmental Defense League, Inc. v. DENR, Div. of Air Quality &	98 EHR 1790 99 EHR 0157 ¹²	Mann Gray	06/23/99 12/06/99	
D&S Asphalt Materials and Carolina Asphalt Pavement Assoc. 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 Carolina Land Clearing Corp./Ron Olson v. DENR, Division of Air Quality	99 EHR 0642 99 EHR 1105	Mann Chess	08/10/99 02/22/00	
Environmental Management Allen Raynor v. Environmental Management Commission	99 EHR 0127	Gray	07/27/99	
Division of Land Resources 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	
David B. McMillan v. DENR, Division of Land Resources	99 EHR 0717 99 EHR 0799	Reilly Morrison	03/02/00 10/29/99	
Ronald G. Smith v. DENR, Division of Land Resources Division of Marine Fisheries	99 EAR 0/99	Monison	10/25/55	
Alton Chadwick v. Division of Marine Fisheries	99 EHR 0553	Reilly	08/19/99	
Division of Water Quality 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	11.07 Nek 313
N.G. Purvis Farms, Inc. v. DENR, Division of Water Quality	99 EHR 0696	Chess	08/27/99	
Dallas Harris Real Estate Construction, Inc., v Dept. of Environment and Natural Resources, Division of Water Quality	99 EHR 0770	Lassiter	01/31/00	14:17 NCR 1586
Wallace J. Burt, Jr. and Highlands/Cashiers Conservation League, v. DENR, Div. of Water Quality & Highlands Cove, L. L. C.	99 EHR 0980	Gray	03/30/00	14:23 NCR 2071
Whiteside Estates, Inc. v. Div. of Water Quality, NCDEHNR Certificate #3232 Project #981130, & Highlands Cove, L. L. C.	99 EHR 0989	Gray	03/30/00	14:23 NCR 2071
Marvin Seals, III v. DENR, Div. of Water Quality & Highlands Cove, L.L.C. Anson County Citizens Against Chemical Toxins in Underground Storage,	99 EHR 1084	Gray	04/05/00	14:23 NCR 2071
Blue Ridge Environmental Defense League, Inc., Julia Cadle, T.C. Wright, Mae Wright, Claretha Maske, Vernon Maske, Mark Maske, Emma Smith and Bobby Smith v. DENR, Div. of Water Quality and Chambers Development of North Carolina	99 EHR 1469	Chess	02/16/00	
Soil and Water Conservation Commission 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
BOARD OF GEOLOGISTS Andrew M. Raring, Ph.D v. Board for the Licensing of Geologists	99 BOG 0150	Mann	06/16/99	
HEALTH AND HUMAN SERVICES				
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	
Vickie Jean Epps v Department of Health & Human Services Andrew Gainey v. Office of the Chief Medical Examiner	98 DHR 1725 98 DHR 1761	Gray Owens	02/03/00 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 Joan Marie McDaniel v. Department of Health & Human Services	99 DHR 0226 99 DHR 0305	Wade Reilly	07/06/99 08/05/99	
Lonnie Herring v. Department of Health & Human Services	99 DHR 0303	Reilly	06/03/99	
Robert H. Riley v. Office of the Governor, Office of Citizen Services	99 DHR 0356	Wade	07/21/99	
Jeff & Kellie Pope v. Department of Health & Human Services	99 DHR 0744	Chess	03/22/00	

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Paula Watts v. Department of Health & Human Services	99 DHR 0912	Reilly	03/07/00	
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	
Andrea Lightfood v. Department of Health & Human Services	99 DHR 1094	Wade	02/09/00	
Melinda Faye Ikard v. CNC Services, A Human Service Agency	99 DHR 1307	Chess	03/06/00	
Cynthia A. Murray v. Department of Health & Human Services	99 DHR 1335	Mann	01/31/00	
Delisa Scott v. Health & Human Resources Services	99 DHR 1507	Lassiter	03/13/00	
Louise B. Draughon v. Mr. R. Marcus Lodge, Department of Human Resources	99 DHR 1687	Morrison	04/26/00	
Simon Chongsu Oh v. Department of Health & Human Services	99 DHR 1723	Reilly	05/04/00	
Jerry Sales v. Department of Health & Human Services	00 DHR 0166	Reilly	04/19/00	
Division of Child Development				
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,	99 DHR 0621	Gray	12/15/99	
Div. of Child Development Dulatown Outreach Center, Inc. v. Health & Human Svcs., Child Dev.	00 DUD 0600	Owen	07/21/00	
Michele Denoff v. Health & Human Services, Div. of Child Dev.	99 DHR 0688	Owens	07/21/99	
,	99 DHR 0695 99 DHR 1032	Owens	08/05/99	
MLCM, Inc., Mary C. McGovern v. DHHS, Div. of Child Dev. Small World Daycare II, Trena S. McDaniel v. Health & Human Svcs.,	99 DHR 1032 99 DHR 1038	Wade Lassiter	11/19/99 10/06/99	
Div. of Child Dev. Susan Voncannon, Voncannon Daycare Home v. DHHS, Division of Child Development	99 DHR 1636	Lassiter	04/10/00	
Evelyn Stegall v. Department of Health & Human Services	00 DHR 0003	Reilly	04/07/00	
H. Michael Poole, v. Clients Assistance Program	00 DHR 0093	Chess	03/27/00	
Division of Facility Services				
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	
Effic 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 &	99 DHR 0392	Gray	11/18/99	
Cabarrus Diagnostic Imaging, Inc. Cabarrus Diagnostic Imaging, Inc. v. DHHS, Div. of Facility Services,	99 DHR 0396	Gray	12/20/99	
Certificate of Need Section & Cabarrus Memorial Hospital, d/b/a Northeast Medical Center		·		
Barbara Rhue v. D.F.S.	99 DHR 0401*3	Wade	07/30/99	
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CONTESTED CASE DECISIONS STATE OF NORTH CAROLINA IN THE OFFICE OF ADMINISTRATIVE HEARINGS **COUNTY OF JACKSON** Wallace J. Burt, Jr. and Highlands/Cashiers Conservation League, Petitioners, 99 EHR 0980 v. North Carolina Department of Environment and Natural Resources, Division of Water Quality, Respondent, and Highlands Cove, L.L.C., Intervenor-Respondent. Whiteside Estates, Inc., John David Young, Petitioners. v. Division of Water Quality NCDEHNR Certificate #3232 Project #981130, 99 EHR 0989 Respondent, and Highlands Cove, L.L.C., Intervenor-Respondent. Marvin Seals, III,

RECOMMENDED DECISION

THIS MATTER coming on for hearing before Beecher R. Gray, Administrative Law Judge, on January 6, 2000, and the parties appearing through counsel as follows:

• Whiteside Estates, Inc. and John David Young, Petitioners in 99 EHR 0989, represented by William Clarke of Roberts &

Petitioner,

North Carolina Department of Environment and Natural Resources, Division of Water Quality, Respondent.

Intervenor-Respondent.

v.

and

Highlands Cove, L.L.C.,

99 EHR 1084

Stevens, P.A.;

- Respondent, North Carolina Department of Environment and Natural Resources, Division of Water Quality, represented by Sueanna Sumpter;
- Intervenor-Respondent, Highlands Cove, LLC, represented by Elizabeth Partlow of Ogletree, Deakins, Nash, Smoak and Stewart, P.C.;
- Wallace J. Burt, Jr., Petitioner in 99 EHR 0980, represented by Peter R. Henry;
- Highlands/Cashiers Conservation League, Petitioner in 99 EHR 0980, represented by William O. Brazil, III; and
- Marvin Seals, III, made no appearance.

STATEMENT OF THE CASE

On June 3, 1999, the Division of Water Quality ("DWQ") issued a 401 water quality certification to the Respondent-Intervenor. The 401 certification authorized Highlands Cove, LLC to fill 0.69 acres of wetlands and to impact 902 linear feet of stream by constructing stormwater retention ponds and various stream crossings. The certification constituted the DWQ's determination that the discharge of fill and the impact to streams would not contravene State water quality standards. On August 2, 1999, Petitioners Wallace J. Burt ("Burt") and the Highlands/Cashiers Conservation League ("HCCL") faxed Requests for Contested Cases to the Office of Administrative Hearings. On August 3, 1999, J. David Young and Whiteside Estates, Inc. (hereinafter "Whiteside Estates") faxed a request for Contested Case Hearing to the Office of Administrative Hearings. On August 27, 1999, Marvin "Sonny" Seals (hereinafter "Seals") faxed a request for Contested Case Hearing to the Office of Administrative Hearings. Highlands Cove, LLC (hereinafter (Highlands Cove") was allowed to intervene in the Contested Cases, and the three cases were consolidated by Order dated November 19, 1999.

Highlands Cove moved to dismiss all the Petitions, and, in the alternative, for summary judgment. A hearing was held before Beecher R. Gray, administrative law judge, on January 6, 2000. The Court heard arguments of counsel and considered memoranda and affidavits. In addition, the Court gave the parties through the 20th of January, 2000, to submit additional material. Seals made no appearance in person or through counsel at the hearing on January 6, 2000.

All of the Petitioners alleged generally that DWQ had acted improperly in issuing the 401 certification which included a *Condition 1.* which reads as follows:

1. Appropriate sediment and erosion control practices which equal or exceed those outlined in the most recent version of the "North Carolina Sediment and Erosion Control Planning and Design Manual" or the "North Carolina Surface Mining Manual" (available from the Division of Land Resources in the DENR Regional or Central Offices) shall be utilized to prevent exceedances of the appropriate turbidity water quality standard (10 NTU"s in trout waters). Compliance with this turbidity standard can be met when sites employ Best Management Practices (BMP's) as recommended by the Division of Land Resources and the BMP's are in full compliance with all specifications governing the proper design, installation, operation and maintenance of such BMP's.

Petitioners argued that DWQ acted erroneously in issuing the certification with this condition, because the condition is actually a partial restatement of 15A NCAC, 2B.0211(3)(k) which establishes the turbidity standard for trout waters and non-trout waters. The statute is interpreted by DWQ, in conjunction with the Division of Land Quality, to mean that as long as Best Management Practices ("BMP's") are in place, no violation of the water quality standard for turbidity occurs, even if turbidity exceeds the appropriate limit for the water body classification.

ISSUES

The issues before the Court involved (1) whether the Whiteside Estates Petition was timely filed; (2) whether Highlands/Cashiers Conservation League, Burt, and Seals had standing to file Petitions for Contested Cases; and (3) whether all of the Petitions failed to state facts tending to establish that DWQ acted erroneously in issuing the 401 water quality certification.

STIPULATIONS OF FACT

The parties submitted the following stipulations of fact on March 20, 2000 at the request of the administrative law judge to establish facts not in dispute for the purpose of determining the motions to dismiss or for summary judgment filed by Intervenor-Respondent.

- 1. Highlands Cove is the owner of an approximately 400 acre tract of land on the north side of US Highway 64 between Cashiers and Highlands, N.C., in Jackson County. Highlands Cove is building a golf course and residential development on the property.
- 2. In the course of building the golf course and residential development, Highlands Cove applied to the Army Corps of Engineers for a permit under Section 404 of *The Federal Clean Water Act* to dredge and fill .69 acres of wetlands and impact 902 linear feet of streams tributary to Grassy Camp Creek and Shortoff Creek. In connection with the application for the 404 permit, Highlands Cove applied to the Respondent Division of Water Quality for a certification that the proposed impacts would not violate water quality standards.
- 3. On June 3, 1999, Respondent issued the subject 401 certification to Highlands Cove. By this action, the Respondent certified to the Army Corps of Engineers that the activities proposed by Highlands Cove would not result in violation of applicable Water Quality Standards and discharge guidelines, if conducted in accordance with the application and the conditions of the Certification.
 - 4. Condition No. 1 of the certification reads as follows:

Appropriate sediment and erosion control practices which equal or exceed those outlined in the most recent version of the "North Carolina Sediment and Erosion Control Planning and Design Manual" or the "North Carolina Surface Mining Manual" (available from the Division of Land Resources in the DENR Regional or Central Offices) shall be utilized to prevent exceedences of the appropriate turbidity water quality standard (10 NTU's in trout waters). Compliance with this turbidity standard can be met when sites employee Best Management Practices (BMP's) as recommended by the Division of Land Resources and the BMP's are in full compliance with all specifications governing the proper design, installation, operation and maintenance of such BMP's.

- 5. In including Condition No.1 in the certification, the Director of the Division of Water Quality incorporated in its entirety the turbidity standard set forth in the Environmental Management Commission's (EMC) rule codified at 15A N.C. Admin. Code 2B .0211(3)(k).
- 6. The transmittal letter which accompanied the 401 certification indicated that the applicant had the right to request an adjudicatory hearing within sixty (60) days following its receipt of the certification.
- 7. Portions of Grassy Camp Creek and Shortoff Creek are located on the property owned by Highland's Cove. The water quality classification for these watercourses in WS III. The North Carolina Wildlife Resources Commission has confirmed that trout reside in these watercourses.
- 8. After it leaves the property of Highlands Cove, Grassy Camp Creek travels onto an approximately 263-acre tract owned by Petitioner Whiteside Estates, where it is impounded to form an approximately eighteen acre lake.
 - 9. After leaving the property of Highlands Cove, Shortoff Creek travels adjacent to property owned by petitioner Burt.
- 10. The affidavits filed on behalf of the Highlands/Cashiers Conservation League allege that several of its members are at least seasonal residents of Jackson County and own property in Whiteside Estates. Respondent and Intervenor-Respondent do not have information to the contrary.
- 11. The rule of the Environmental Management Commission ("EMC") codified at 15A N.C. Admin. Code 2B .0211(3)(k) provides:

Turbidity: the turbidity in the receiving water will not exceed 50 Nephelometric Turbidity Units (NTU) in streams not designated as trout waters and 10 NTU in streams, lakes or reservoirs designated as trout waters; for lakes and reservoirs not designated as trout waters, the turbidity will not exceed 25 NTU; if turbidity exceeds these levels due to natural background conditions, the existing turbidity level can not be increased. Compliance with this turbidity standard can be met when land management activities employ Best Management Practices (BMPs) [as defined by Rule .202(6) of this Section] recommended by the Designated Nonpoint Source Agency [as defined by Rule .0202 of this Section]. BMPs must be in full compliance with all specifications governing the proper design, installation, operation and maintenance of such BMPs.

12. In this case, the activities authorized by the subject certification are non-point source activities. The Division of Land Resources ("DLR") is the designated non-point source agency. The Respondent Division of Water Quality wouldnot find a violation of the turbidity standard in the absence of a finding by DLR that the activity was not being conducted in compliance with Best Management Practices. In this instance, Best Management Practices are those measures specified in Highlands Cove's approved erosion and sedimentation control plans, designed in accordance with standards established by the Sedimentation Pollution Control Act (N.C.G.S. Ch. 113A, Art. 4), implementing rules (15A N.C. Admin. Code 4), and the "North Carolina Sediment and Erosion Control Planning and Design Manual," and any additional measures required by DLR for the control of erosion and prevention of off-site sedimentation.

OFFICIAL NOTICE

In addition to Respondent-Intervenor's motions to dismiss or, alternatively, for summary judgment, other motions were made at the hearing on January 6, 2000 or following the hearing during a period held open for the filing of additional affidavits by the parties in support of or in opposition to the pending motions. In determining the various motions, official notice is taken of the following statutes and rules:

- 1. The turbidity rule provides, in pertinent part:

 Turbidity: the turbidity in the receiving water will not exceed 50 Nephelometric Turbidity
 Units (NTU) in streams not designated as trout waters and 10 NTU in streams, lakes or
 reservoirs designated as trout waters; for lakes and reservoirs not designated as trout waters,
 the turbidity will not exceed 25 NTU; if turbidity exceeds these levels due to natural
 background conditions, the existing turbidity level can not be increased. Compliance with this
 turbidity standard can be met when land management activities employ Best Management
 Practices (BMPs) [as defined by Rule .202(6) of this Section] recommended by the
 Designated Nonpoint Source Agency [as defined by Rule .0202 of this Section]. BMPs must
 be in full compliance with all specifications governing the proper design, installation,
 operation and maintenance of such BMPs. N.C. Admin. Code tit. 15A, r.2B.0211(3)(K).
- The sedimentation rules provide, in pertinent part:
 "Persons conducting land-disturbing activity shall take all reasonable measures to protect all public and private property from damage caused by such activities." N.C. Admin. Code tit. 15A, r.4B.0005.
 "Control of Sedimentation. All land disturbing activity is to be planned and conducted so as to prevent off-site sedimentation damage." N.C. Admin. Code, tit. 15A, r.4B.0006.
- 3. G.S. 143-211 contains a statement of legislative intent and policy which states, in pertinent part: "Standards of water and air purity shall be designed to protect human health, to prevent injury to plant and animal life, to prevent damage to public and private property...," General Statutes of North Carolina section 143-211(c).
- 4. G.S. 150B-33, Powers of administrative law judge, provides, in pertinent part: "An administrative law judge may: ... [d]etermine that a rule as applied in a particular case is void because (1) it is not within the statutory authority of the agency, (2) is not clear and unambiguous to persons it is intended to direct, guide, or assist, or (3) is not reasonably necessary to enable the agency to fulfill a duty delegated to it by the General Assembly. N.C. Gen. Stat. Section 150B-33(b)(9)(1999).

RULINGS ON THE MOTIONS

- 1. Petitioner Wallace Burt's motion to amend his petition by adding the statement "[p]etitioner has suffered damages caused by the excessive runoff and resulting siltation of Shortoff Creek, in that siltation from the property of Highlands Cove, LLC has been deposited on the lands of Petitioner, Wallace J. Burt, Jr." and to shorten the time for notice of the amendment from 5 days to actual notice given is ALLOWED.
- 2. Respondent-Intervenor's motion to dismiss 99 EHR 1084, the case filed by Marvin "Sonny" Seals on the grounds that his petition fails to allege sufficient facts to state a claim or to show that he is a person aggrieved is ALLOWED under G.S. 1A-1, rule 12(b)(1) and (6). Petitioner Seals has not filed a prehearing statement, did not appear through counsel or otherwise at the motions hearing on January 6, 2000, and has offered no affidavit or deposition which alleges that he owns

property downstream of Respondent-Intervenor's development to show that he is a person aggrieved by Respondent's issuance of the section 401 water quality certification. As to Petitioner Seals in 99 EHR 1084, this is a final decision under authority of G.S. §150B-36(c). This final decision is subject to judicial review in the Superior Court Division of the North Carolina General Court of Justice in accordance with the provisions of G.S. Chapter 150B, Article 4, which require that an appeal be filed in the superior court within thirty (30) days following service upon the person of a written copy of the final decision.

3. Respondent-Intervenor's motion to dismiss the remaining petitions on the basis of lack of jurisdiction, rule 12(b)(1), failure to state a claim, rule 12(b)(6), and for judgment on the pleadings, rule 12(c) is grounded upon the assertion by movant that Petitioners have not stated sufficient facts in the petitions to demonstrate that Petitioners are persons aggrieved or that they have been harmed or affected by Respondent's issuance of the section 401 water quality certification. Respondent-Intervenor deposed the Petitioners and argues that if its motion to dismiss under rule 12(b) is denied, that Petitioners' depositions show that they cannot demonstrate or forecast harm occasioned by Respondent's issuance of the certification and that summary judgment should be allowed as a matter of law.

Having considered the motion, the responses, the affidavits and depositions, and the arguments of counsel, and viewing the motion for summary judgment in the light most favorable to the nonmovant, I find that rule 15A NCAC 2B.211(3)(K), interpreted by Respondent in a manner which allows turbidity levels in Shortoff Creek and Grassy Camp Creek to exceed the specified NTU rates under State water quality standards so long as best management practices for erosion and sedimentation control are being followed by Respondent-Intervenor, is void as applied in these contested cases because it is not clear and unambiguous to persons it is intended to direct, guide, or assist. As applied in these cases, the rule has resulted in an interpretation which contravenes State water quality standards for turbidity and acts in derogation of the intent of the General Assembly, as stated in G.S. 143-211, to promote water quality standards which protect human health, prevent injury to animal and plant life, and to prevent damage to public and private property.

4. The petitions, affidavits, depositions, and stipulated facts establish that petitioners HCCL, Burt, and Whiteside Estates, Inc., with the exception of Marvin Seals, own property along and downstream from the development owned by Respondent-Intervenors. The petitions allege that Respondent acted erroneously in issuing the section 401 water quality certification because of the interpretation Respondent applies to the turbidity rule and that they have been or may be adversely affected by sedimentation permitted under Respondent's interpretation of the State turbidity rules. The posture of these petitioners places them in positions analogous to the position of Petitioner Clark in the Empire Power Co. environmental case decided by our Supreme Court in 1994. In finding that Petitioner Clark was a person aggrieved by a State agency's issuance of a permit to construct and operate an air emission source, the Court made the following observation:

[c]learly, Clark alleged sufficient injury in fact to interests within the zone of those to be protected and regulated by the statute, and rules and standards promulgated pursuant thereto, the substantive and procedural requirements of which he asserts the agency violated when it issued the permit. As an adjacent property owner downwind of the LCTS, Clark may be expected to suffer from whatever adverse environmental consequences the LCTS might have. In addition, a judgment in favor of Clark would substantially eliminate or redress the injury likely to be caused by the decision to permit Duke Power to build the LCTS. Clark therefore is a "person aggrieved" within the meaning and intent of the air pollution control act.

Empire Power Company v. North Carolina Department of Environment and Natural Resources, 337 N.C. 569, 589, 447 S.E.2d 768, 780 (1994).

Having considered the motions, responses, supporting affidavits, depositions, briefs, and arguments of the parties, and having considered the import of the Court's decision in Empire, I find that Respondent-Intervenor's motion to dismiss or for summary judgment or for judgment on the pleadings on the grounds of lack of standing or lack of aggrieved person status by these petitioners should be, and the same hereby is, DENIED as to contested cases 99 EHR 989 and 99 EHR 980.

5. Respondent-Intervenor's motion to dismiss 99 EHR 989, Whiteside Estates, Inc., as being time-barred is DENIED. During the hearing of these motions on January 6, 2000, the undersigned asked for affidavits, if any were available, to be submitted to establish the date upon which the 401 certification was placed in a depository of the U.S. Postal Service. None have been submitted. A closer inspection of the certification and its statement of appeal rights shows that it states the beginning of the 60 day time limit as the date of receipt of the certification whereas G.S. 150B-23(f) provides that the 60 day limitation begins to run upon deposit of the properly addressed document into a U.S. Postal Service depository. This motion is denied on the basis that the statement of appeal rights is defective and that there has been no showing, as requested at the hearing, of when the certification was placed into a U.S. Postal Service depository.

RECOMMENDED DECISION

Wherefore, in view of the foregoing, there being no genuine issues of material fact to be determined, it hereby is recommended that summary judgment under G.S. 1A-1, rule 56 be allowed in favor of the nonmovant Petitioners on the grounds that the turbidity rule, as interpreted and applied in these cases, is void as applied and that Respondent has, as a matter of law, acted erroneously in issuing the present section 401 water quality certification interpreting the turbidity rule in a manner which allows State water quality standards to be violated and legislative policy contravened so long as best management practices for sedimentation and erosion control are being followed.

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 27611-7447, in accordance with N.C. Gen. Stat. § 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 decisions. N.C. Gen. Stat. § 150-36(a).

The Agency is required by N.C. Gen. Stat. § 150B-36(b) to serve a copy of the final decision on all parties and to furnish a copy to the parties' attorney of record and to the Office of Administrative Hearings.

The agency that will make the final decision in this contested case is the North Carolina Department of Health and Human Services, Division of Facility Services.

This the 30th day of March, 2000.

Beecher R. Gray Administrative Law Judge

STATE OF NORTH CAROLINA

IN THE OFFICE OF ADMINISTRATIVE HEARINGS 99 OSP 1135

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This matter was heard before Fred G. Morrison Jr., Senior Administrative Law Judge, on February 8, 2000, in Raleigh, North Carolina.

APPEARANCES

For Petitioner:

Joy Rhyne Webb

Browne, Flebotte, Wilson & Horn, P.L.L.C.

100 East Parrish Street, Suite 100 Durham, North Carolina 27701

For Respondent:

Dorothy Powers

Assistant Attorney General N.C. Department of Justice

P.O. Box 629

Raleigh, North Carolina 27602-0629

ISSUES

Did Respondent have just cause to terminate Petitioner's employment because of unacceptable personal conduct?

Based upon the official documents in the file, sworn testimony of the witnesses, and other competent and admissible evidence, the undersigned makes the following:

FINDINGS OF FACT

- 1. Petitioner Connie Brunson was hired as a Probation/Parole Officer with the North Carolina Department of Correction, Adult Probation and Parole Division on January 1, 1989. On August 1, 1994, she was promoted to the position of Intensive Case Officer.
- Petitioner Connie Brunson was terminated from her position as an Intensive Case Officer with the Division of Community Corrections of the North Carolina Department of Corrections effective April 30, 1999, for alleged unacceptable personal conduct.
 - 3. At the time of her dismissal, Petitioner was a career state employee.
- 4. On January 14, 1999, Petitioner Connie Brunson was in the Criminal Magistrate's Office in Durham County, processing one of her probationers for a probation violation. When she entered the Criminal Magistrate's Office, it was busy and crowded. Durham Police Officer K.L. Johnson was seated in front of one of the magistrate's windows on the right hand side. No one was seated at the left magistrate's window, so Petitioner instructed her probationer to sit on the stool in front of the left window. Connie Brunson began talking to and joking with Officer Johnson. Magistrate Stephanie Robinson came and sat in front of the window where Petitioner Brunson's probationer was sitting and Petitioner began conducting business with her. Officer Johnson asked why Petitioner Brunson had been helped first when he had been waiting longer than she had. Petitioner responded in a joking manner that it was because she had been an officer of the courts for fifteen years and had seniority over him. Petitioner could not see anyone sitting behind the window where Officer Johnson was standing, but she did hear someone say to step back away from the window

or you will be held in contempt of court. Petitioner did move back towards the left booth to complete her paperwork. On her way out of the Magistrate's Office, Petitioner looked around the partition between the two windows to see who had yelled out. At that point, Magistrate Eric VanVleet told Petitioner Brunson that she was in contempt of court. Police Officer Bradley Ray escorted her to the detention center and he found her to be cooperative. Officer Ray had observed this incident and saw nothing about Petitioner's behavior to be disrespectful or unprofessional. Officer Ray was a very credible witness with no bias, prejudice or interest shown in the matter. He is a veteran officer with 18 years of service with the Durham Police Department. His opinion that there was a big misunderstanding is adopted as a fact by the undersigned. After being detained for almost 4 hours, Petitioner apologized to Magistrate VanVleet and he tore up the contempt of court order.

- 5. Petitioner Brunson informed her supervisor, Geoffrey Hathaway, of this incident on the following day, January 15, 1999.
- 6. Petitioner Brunson was informed on February 11, 1999, that an internal investigation would be conducted regarding these matters.
- 7. Petitioner Brunson was notified on March 16, 1999, that she was being administratively reassigned pending the completion of the internal investigation.
- 8. Petitioner Brunson was notified on April 7, 1999, that a pre-disciplinary conference would be held on April 12, 1999. On April 12, 1999, Petitioner Brunson was informed by James Ellis that the internal investigation had been completed and that he was recommending her dismissal for unacceptable personal conduct.
- 9. Petitioner Brunson had received one written warning prior to her termination from the North Carolina Department of Correction, Adult Probation and Parole Division, dated January 26, 1998.
- 10. Petitioner Brunson had received a "Very Good" overall rating on her performance reviews for several years preceding her termination from the North Carolina Department of Correction.

Based on the foregoing Findings of Fact, the undersigned Administrative Law Judge makes the following:

CONCLUSIONS OF LAW

- 1. Petitioner Connie Brunson was a career state employee with the North Carolina Department of Correction at the time of her termination.
- 2. N.C.G.S. § 126-35 states that "[n]o career State employee subject to the State Personnel Act shall be discharged, suspended, or demoted for disciplinary reasons, except for just cause." As defined by SPC rules in effect at the time this action was taken, "[e]ither unacceptable job performance or unacceptable personal conduct constitutes just cause for discipline or dismissal." 26 NCAC 1J.0604(3)(effective May 1, 1994).
- 3. The term "unacceptable personal conduct" is defined as conduct for which no reasonable person should expect to receive prior warnings or conduct unbecoming a State employee that is detrimental to State service. 25 NCAC 1J.0604 (effective May 1, 1994).
- 4. The term "unsatisfactory job performance" is defined as work-related performance that fails to satisfactorily meet job requirements as specified in the relevant job description, work plan, or as directed by the management of the work unit or agency. 25 NCAC 1J.0614(j) (effective May 1, 1994). Prior to being dismissed for a current incident of unsatisfactory job performance, an employee must first receive at least two prior disciplinary actions. 25 NCAC 1J.0605(b)(effective May 1, 1994).
- 5. Petitioner Brunson did not intentionally act contemptuously toward Magistrate Van Vleet in the busy and crowded office on January 14, 1999. Petitioner Brunson conducted herself in a polite and professional manner after Magistrate Van Vleet ordered her to be taken into custody on January 14, 1999.
- 6. Petitioner Brunson's actions on January 14, 1999, do not rise to the level of unacceptable personal conduct, but do constitute unacceptable job performance in that she was impatient in a hectic atmosphere. A veteran officer needs to do a better job.
- 7. Respondent did not have just cause to terminate Petitioner Connie Brunson for unacceptable job performance, because she had only received one written warning prior to her termination.

8. Petitioner has carried her burden of showing that Respondent did not have just cause to terminate her for unacceptablepersonal conduct because of her actions on January 14, 1999.

RECOMMENDED DECISION

The North Carolina State Personnel Commission will make the Final Decision in this contested case. It is recommended that the State Personnel Commission adopt the Findings of Fact and Conclusions of Law set forth above and find that the Respondent lacked just cause to terminate Petitioner Connie Brunson. It is recommended that Petitioner Connie Brunson be reinstated to her former position, awarded back pay, costs and attorney's fees.

NOTICE

Before the State Personnel Commission makes the FINAL DECISION, it is required by N.C.G.S. § 150B-36(a) to give each party an opportunity to file exceptions to this RECOMMENDED DECISION, and to present written arguments to those in the State Personnel Commission who will make the final decision.

The State Personnel Commission is required by N.C.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 of record and the Office of Administrative Hearings.

This the I1th day of April, 2000.

Fred G. Morrison Jr.
Senior Administrative Law Judge

CUMULATIVE INDEX

(Updated through May 25, 2000)

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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.

Approve

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	Citation	Proceedings	Rule	Text	Note	Action	Date	proposal	Governor	approved rate	
	2 NCAC 52B .0209	14:19 NCR 1684		14:23 NCR 2031	•						
	2 NCAC 52B .0302	13:23 NCR 1901		14:03 NCR 128	•	Object Approve	11/17/99	*		14:19 NCR 1705	
	2 NCAC 52B .0401	14:08 NCR 582	14:08 NCR 582	14:13 NCR 1097	•	avoidde	2007110				
	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	*		14:19 NCR 1705	
	APPRAISAL BOARD	D									
	21 NCAC 57A .0305	13:01 NCR 3		13:05 NCR 513	*	Object Approve	11/19/98 03/18/99	*		14:01 NCR 48	
	ARCHITECTURE, BOARD OF	BOARD OF									
	21 NCAC 02 .0206	14:08 NCR 578									
	21 NCAC 02 .0302	14:08 NCR 578		14:13 NCR 1148	•	Approve	03/16/00				
	21 NCAC 02 .0303	14:08 NCR 578		14:13 NCR 1148	*	Approve	03/16/00				
	AUCTIONEERS COMMISSION	MMISSION									
	21 NCAC 04B .0103	14:13 NCR 1192		14:23 NCR 2040	•						
	21 NCAC 04B .0201		14:13 NCR 1192	14:23 NCR 2040	•						
	21 NCAC 04B .0202		14:13 NCR 1192	14:23 NCR 2040	•						
	21 NCAC 04B .0302		14:13 NCR 1192	14:23 NCR 2040	•						

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Citation	Proceedings	Rule	Text	Note	Action	Date	rrom proposal	Governor	Approved Kule	Ome
21 NCAC 04B .0401	14:13 NCR 1192		14:23 NCR 2040	•						
21 NCAC 04B .0402	14:13 NCR 1192		14:23 NCR 2040	*						
21 NCAC 04B .0403	14:13 NCR 1192		14:23 NCR 2040							
21 NCAC 04B .0404		14:13 NCR 1192	14:23 NCR 2040	L						
21 NCAC 04B .0405	14:13 NCR 1192		14:23 NCR 2040	*						
21 NCAC 04B .0501	14:13 NCR 1192		14:23 NCR 2040							
21 NCAC 04B .0502	14:13 NCR 1192		14:23 NCR 2040	*						
21 NCAC 04B .0601		14:13 NCR 1192	14:23 NCR 2040							
21 NCAC 04B .0602	14:13 NCR 1192		14:23 NCR 2040							
21 NCAC 04B .0605	14:13 NCR 1192		14:23 NCR 2040							
21 NCAC 04B .0801		14:13 NCR 1192	14:23 NCR 2040							
21 NCAC 04B .0802		14:13 NCR 1192	14:23 NCR 2040	*						
21 NCAC 04B .0803		14:13 NCR 1192	14:23 NCR 2040	*						
21 NCAC 04B .0804		14:13 NCR 1192	14:23 NCR 2040							
21 NCAC 04B .0805		14:13 NCR 1192	14:23 NCR 2040							
21 NCAC 04B .0806		14:13 NCR 1192	14:23 NCR 2040							
21 NCAC 04B .0807		14:13 NCR 1192	14:23 NCR 2040	•						
21 NCAC 04B .0808		14:13 NCR 1192	14:23 NCR 2040	*						
21 NCAC 04B .0809		14:13 NCR 1192	14:23 NCR 2040	•						
21 NCAC 04B .0810		14:13 NCR 1192	14:23 NCR 2040							
21 NCAC 04B .0811		14:13 NCR 1192	14:23 NCR 2040	•						
21 NCAC 04B .0812		14:13 NCR 1192	14:23 NCR 2040							
21 NCAC 04B .0813		14:13 NCR 1192	14:23 NCR 2040	•						
21 NCAC 04B .0814		14:13 NCR 1192	14:23 NCR 2040	*						
21 NCAC 04B .0815		14:13 NCR 1192	14:23 NCR 2040	*						
21 NCAC 04B .0816		14:13 NCR 1192	14:23 NCR 2040	•						
21 NCAC 04B .0817		14:13 NCR 1192	14:23 NCR 2040	•						

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14:13 NCR 1192 14:23 NCR 2040	Citation	Proceedings	Rule	Text	Note	Action	Date	from proposal	Governor	Approved Rule	Other
1,08 1,19 NCR 569											
11.09 NCR 569	21 NCAC 04B .0818		14:13 NCR 1192	14:23 NCR 2040	•						
11.09 NCR 569	21 NCAC 04B .0819		14:13 NCR 1192	14:23 NCR 2040	•						
1223 NCR 2098 13:14 NCR 1117 No. 1121798 No. 11217	CHIROPRACTIC										
11:09 NCR 569 13:15 NCR 1224 13:08 NCR 652 Approve 0121/98 13:15 NCR 1224 13:08 NCR 652 Approve 0121/98 13:15 NCR 1224 13:08 NCR 652 Approve 0121/708 13:15 NCR 1224 13:08 NCR 652 Approve 0217/700 Ap	21 NCAC 10.0203		12:23 NCR 2098	13:14 NCR 1117	•	Approve	04/15/99	•		14:02 NCR 84	
11:09 NCR 569 13:15 NCR 1224 13:08 NCR 652 .	COMMERCE										
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A constant	Citation	4 NCAC 011 0403	4 NCAC 011.0403		4 NCAC 011.0404	4 NCAC 011,0404		4 NCAC 011,0405	4 NCAC 011.0405		4 NCAC 011.0501	4 NCAC 011.0501		4 NCAC 011.0502	4 NCAC 011.0502		4 NCAC 011.0503	4 NCAC 011.0503		4 NCAC 011.0601	4 NCAC 011.0601		4 NCAC 011.0701	4 NCAC 011.0701			4 NCAC 011.0801			4 NCAC 01K .0102		4 NCAC 01K .0103		4 NCAC 01K .0302		4 NCAC 01K .0402		4 NCAC 01L .0101	4 NCAC 01L.0102	4 NCAC 011 0103	לטוט. טוט טרטען +

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7 NCAC 04S .0105	14:05 NCR 370		14:09 NCR 657		Agcy Withdrew	w 01/20/00				
7 NCAC 04S .0106	14:05 NCR 370		14:09 NCR 657	*	Agcy Withdrew	w 01/20/00				
7 NCAC 04S .0107	14:05 NCR 370		14:09 NCR 657		Agey Withdrew	w 01/20/00				
7 NCAC 04S .0108	14:05 NCR 370		14:09 NCK 657	*	Agcy Withdrew	w 01/20/00				
7 NCAC 04S .0109	14:05 NCR 370		14:09 NCR 657	•	Agcy Withdrew	w 01/20/00				
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21 NCAC 16Q .0101	14:23 NCR 2028									
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Fiscal	Note	S/L	S/L		S/L	S/L	S/L	٠	•	•	S/L	S/L	S/L	S/L	*		*	S/L	•		•	S/L	•		*	•	*
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15A NCAC 02Q .0103 13:24 NCR 1994	13:24 NCR 1994	14:10 NCR 823	14:07 NCR 524	*	Object	01/20/00	•			
15A NCAC 02Q .0109 14:04 NCR 265	14:04 NCR 265				Approve	07/1//00	•			
15A NCAC 02Q .0202 13:24 NCR 1994	13:24 NCR 1994	14:10 NCR 823	14:07 NCR 524	*	Approve	01/20/00			14:19 NCR 1705	
15A NCAC 02Q .0203	14:21 NCR 1863									
15A NCAC 02Q .0304 14:04 NCR 265	14:04 NCR 265									
15A NCAC 02Q .0305 14:04 NCR 265	14:04 NCR 265									
15A NCAC 02Q .0306	13:12 NCR 943		14:03 NCR 162	•	Approve	01/20/00			14:19 NCR 1705	
15A NCAC 02Q .0315	14:21 NCR 1863									
15A NCAC 02Q .0401 14:04 NCR 265	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			14:19 NCR 1705	
15A NCAC 02Q .0503	13:24 NCR 1994	14:10 NCR 823	14:07 NCR 524		Approve	01/20/00			14:19 NCR 1705	
15A NCAC 02Q .0507 13:24 NCR 1994	13:24 NCR 1994	14:10 NCR 823	14:07 NCR 524	•	Approve	01/20/00			14:19 NCR 1705	
15A NCAC 02Q .0508	13:08 NCR 621	14:10 NCR 823	14:07 NCR 524	*	Object	01/20/00	#			
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oli (D)	Citation	164 NICAC OCO OCO NICE 442	15A NCAC 02Q .0702 13:12 NCR 943	15A NCAC 02Q .0703 13:04 NCR 356	15A NCAC 02Q .0711 13:04 NCR 356	15A NCAC 02Q .0800 14:04 NCR 265	15A NCAC 02R .0204	15A NCAC 02R .0205	15A NCAC 02R .0600	15A NCAC 02S .0101	15A NCAC 02S .0102	15A NCAC 02S .0201	15A NCAC 02S .0202	Forest Resources, Division of	15A NCAC 09C .0200 14:13 NCR 1092	15A NCAC 09C .0400 14:13 NCR 1092	15A NCAC 09C .1101	15A NCAC 09C .1102	15A NCAC 09C .1103	15A NCAC 09C.1104	Health Services, Commission for	15A NCAC 13A .0101 14:04 NCR 265	15A NCAC 13A .0102		15A NCAC 13A .0103	

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A round (Bule	Agency/Aute Citation	15A NCAC 13A .0104		15A NCAC 13A .0106		15A NCAC 13A .0108		15A NCAC 13A .0110		15A NCAC 13A .0112		15A NCAC 13A .0113		15A NCAC 13A .0118	15A NCAC 13B .1627	15A NCAC 13B .1800	15A NCAC 13B .1800	15A NCAC 18A	15A NCAC 18A .0134	15A NCAC 18A .0188 14:09 NCR 656	15A NCAC 18A .0189	15A NCAC 18A .0190	15A NCAC 18A .0191	15A NCAC 18A .0301	15A NCAC 18A .0433	15A NCAC 18A .0434 14:09 NCR 656	15A NCAC 18A .0435	15A NCAC 18A .0500	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

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Temporary	Rule					12:21 NCR 1882	12:21 NCR 1882 Te 13:12 NCR 979 13 Temp Expired 01/26/99		12:18 NCR 1713 12:21 NCR 1882 12:24 NCR 2228		14:12 NCR 1041	12:24 NCR 2228	14:12 NCR 1041		14:12 NCR 1041		13:12 NCR 979	13:12 NCR 979	13:12 NCR 979	13:12 NCR 979						
Rule-makioo	Proceedings	13:16 NCR 1252	14:21 NCR 1863	13:16 NCR 1252	13:16 NCR 1252			13:16 NCR 1252	12:16 NCR 1482	13:08 NCR 621	14:11 NCR 906		14:11 NCR 906	13:08 NCR 621	14:11 NCR 906	N/A					N/A	13:16 NCR 1252	14:04 NCR 265	14:06 NCR 428	12:04 NCR 240	14:21 NCR 1863
Agency/Rule	Citation	15A NCAC 18A .1000 13:16 NCR 1252	15A NCAC 18A .1000 14:21 NCR 1863	15A NCAC 18A .1300	15A NCAC 18A .1600	15A NCAC 18A .1601	15A NCAC 18A .1611	15A NCAC 18A .1700 13:16 NCR 1252	15A NCAC 18A .1720 12:16 NCR 1482	15A NCAC 18A .1808 13:08 NCR 621	15A NCAC 18A .1809 14:11 NCR 906	15A NCAC 18A .1810	15A NCAC 18A .1811	15A NCAC 18A .1812	15A NCAC 18A .18T2	15A NCAC 18A .1938	15A NCAC 18A .1952	15A NCAC 18A .1953	15A NCAC 18A .1954	15A NCAC 18A .1955	15A NCAC 18A .1956 N/A	15A NCAC 18A .2400	15A NCAC 18A .2515	15A NCAC 18A .2515	15A NCAC 18A .2600 12:04 NCR 240	15A NCAC 18A .2600 14:21 NCR 1863

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Temporary	Rule	N/A		14:12 NCR 1041			14:12 NCR 1041			14:12 NCR 1041		14:12 NCR 1041		14:12 NCR 1041				14:12 NCR 1041						14:03 NCR 247	14:03 NCR 247	14:03 NCR 247	14:03 NCR 247	14:03 NCR 247
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Agency/Bule	Citation	15A NCAC 18A .2618 N/A	15A NCAC 18A .2700 14:21 NCR 1863	15A NCAC 18A .2802	15A NCAC 18A .2805 12:16 NCR 1482	15A NCAC 18A .2806	15A NCAC 18A .2806	15A NCAC 18A .2807 12:16 NCR 1482	15A NCAC 18A,2809	15A NCAC 18A .2810	15A NCAC 18A .2811	15A NCAC 18A .2812	15A NCAC 18A .2814	15A NCAC 18A .2815	15A NCAC 18A .2816	15A NCAC 18A .2818	15A NCAC 18A .2821	15A NCAC 18A .2825	15A NCAC 18A .2826	15A NCAC 18A .2835	15A NCAC 18A .2836	15A NCAC 18A .3300	15A NCAC 18A .3400	15A NCAC 18C .0301	15A NCAC 18C .0302	15A NCAC 18C.0303	15A NCAC 18C .0304	15A NCAC 18C .0305

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	Agency/Kule Citation	15A NCAC 18C .0306	15A NCAC 18C .0307	15A NCAC 18C .0308	15A NCAC 18C .0309	15A NCAC 18C .1211	15A NCAC 18C.1304	15A NCAC 18C.1513	15A NCAC 18C.1538	15A NCAC 18C .2007	15A NCAC 18C .2008	15A NCAC 18D .0201	15A NCAC 18D .0203	15A NCAC 18D .0205	15A NCAC 18D .0206	15A NCAC 18D .0304	15A NCAC 18D .0305	15A NCAC 18D .0307	15A NCAC 18D .0308	15A NCAC 18D .0309	15A NCAC 18D .0403	15A NCAC 18D .0701	15A NCAC 26C .0001	15A NCAC 26C .0002	15A NCAC 26C,0003	15A NCAC 26C .0004	15A NCAC 26C .0005	15A NCAC 26C .0006

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Temporary	Rule				Control Commission						14:21 NCR 1873							14:01 NCR 18	14:01 NCR 18	14:01 NCR 18 14:04 NCR 323	14:20 NCR 1830 14:01 NCR 18	14:01 NCR 18		14:20 NCR 1830	14:01 NCR 18		14:01 NCR 18	13:08 NCR 739
Rule-making	Proceedings		11:19 NCR 1408	;	ality/Sedimentation	12:20 NCAC 1817	12:20 NCAC 1817	14:07 NCR 520	12:20 NCAC 1817	13:12 NCR 943	14:21 NCR 1873	sion	11:11 NCR 881	11:20 NCR 1537	11:26 NCR 1985	13:14 NCR 1113	13:17 NCR 1377	13:14 NCR 1113	12:23 NCR 2089 13:14 NCR 1113	13:14 NCR 1113	13:14 NCR 1113	13:14 NCR 1113	N/A	13:14 NCR 1113	13:14 NCR 1113	N/A	13:14 NCR 1113	
Agency/Rule	Citation		15A NCAC 26C .0007 11:19 NCR 1408		Land Resources/Land Quality/Sedimentation Control Commission	15A NCAC 04B .0106 12:20 NCAC 1817	15A NCAC 04B .0107 12:20 NCAC 1817	15A NCAC 04B .0126	15A NCAC 04B .0127	15A NCAC 04C .0107 13:12 NCR 943	15A NCAC 04C .0107 14:21 NCR 1873	Marine Fisheries Commission	15A NCAC 03	15A NCAC 03	15A NCAC 03	15A NCAC 03	15A NCAC 03	15A NCAC 03H .0101	15A NCAC 03H .0103	15A NCAC 031.0101	15A NCAC 031.0105	15A NCAC 031.0106	15A NCAC 031.0107	15A NCAC 031,0112	15A NCAC 031.0114	15A NCAC 031.0117	15A NCAC 031.0120	15A NCAC 03J .0103

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Notice of	Text	14.05 NCB 442	14:20 NCR 1810	14:06 NCR 443	14:06 NCR 443	11:11 NCR 888	14:20 NCR 1830	14:06 NCR 443	14:06 NCR 443	14:06 NCR 443		14:06 NCR 443	14:06 NCR 443	14:06 NCR 443	14:06 NCR 443	14:06 NCR 443	11:11 NCR 888	14:06 NCR 443	14:20 NCR 1810	14:06 NCR 443	14:20 NCR 1830	14:06 NCR 443	14:06 NCR 443	14:20 NCR 1810		14:06 NCR 443	14:06 NCR 443	14:20 NCR 1830	14:06 NCR 443
Temporary	Rule	14.01 MCB 10	14:01 NCR 18 14:09 NCR 688	14:01 NCR 18	14:01 NCR 18		14:20 NCR 1830	14:01 NCR 18	14:01 NCR 18	14:01 NCR 18		14:01 NCR 18	14:01 NCR 18	14:01 NCR 18	14:01 NCR 18	14:01 NCR 18		14:01 NCR 18	14:09 NCR 688	14:01 NCR 18	14:20 NCR 1830	14:01 NCR 18	14:01 NCR 18	14:12 NCR 1038	13:08 NCR 739	14:01 NCR 18	14:21 NCR 1872 14:01 NCR 18	14:20 NCR 1830	14:01 NCR 18
Rule-makioo	Proceedings		13:14 NCR 1113	13:14 NCR 1113	13:14 NCR 1113	11:07 NCR 407	13:14 NCR 1113	13:14 NCR 1113	13:14 NCR 1113	13:14 NCR 1113	14:09 NCR 655	13:14 NCR 1113	13:14 NCR 1113	13:14 NCR 1113	13:14 NCR 1113	13:14 NCR 1113	11:07 NCR 407	13:14 NCR 1113	14:09 NCR 688	13:14 NCR 1113	13:14 NCR 1113	13:14 NCR 1113	13:14 NCR 1113	14:12 NCR 958		13:14 NCR 1113	13:14 NCR 1113	13:14 NCR 1113	13:14 NCR 1113
Agency/Rule	Citation		15A NCAC 03J :0103	15A NCAC 03J .0104	15A NCAC 03J .0110	15A NCAC 03J .0202	15A NCAC 031, 0209	15A NCAC 03J .0301	15A NCAC 03J .0302	15A NCAC 03J .0305	15A NCAC 03J .0402	15A NCAC 03K .0101	15A NCAC 03K .0105	15A NCAC 03K .0106	15A NCAC 03K,0202	15A NCAC 03K .0502	15A NCAC 03L .0102	15A NCAC 03L .020,1	15A. NCAC 03L .0205	15A NCAC 03L .0206	15A NCAC 03M .0201	15A NCAC 03M .0202	15A NCAC 03M .0301 13:14 NCR 1113	15A NCAC 03M .0301	15A NCAC 03M .0501		15A NCAC 03M .0501 15A NCAC 03M .0503	15A NCAC 03M .0503 13:14 NCR 1113	15A NCAC 03M .0504 13:14 NCR 1113

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RRC	Action					Approve	Approve									Approve	Object	approve	Approve	Approve	Approve	Approve	Approve	Approve		Approve	Approve		Approve
Fiscal	Note					•		*	•	*	*	*	•			*	*		*	*	*	*	*	*		*	*		*
Notice of	Text			14:20 NCR 1810		14:06 NCR 443	14:06 NCR 443	12:05 NCR 418	14:20 NCR 1810	14:06 NCR 443	14:20 NCR 1810	14:20 NCR 1830	13:03 NCR 303	14:06 NCR 443	14:20 NCR 1810	14:06 NCR 443	14:06 NCR 443		14:06 NCR 443	14:06 NCR 443	14:06 NCR 443	14:06 NCR 443	14:06 NCR 443	14:06 NCR 443		14:06 NCR 443	14:06 NCR 443		14:06 NCR 443
Temporary	Rule		13:22 NCR 1865	14:12 NCR 1038		14:01 NCR 18	14:01 NCR 18		14:01 NCR 18	14:04 NCR 323	13:19 NCR 1666	14:20 NCR 1830		14:01 NCR 18	14:12 NCR 1038	14:01 NCR 18	14:01 NCR 18	14:09 NCR 688	14:01 NCR 18	14:01 NCR 18	14:01 NCR 18	14:01 NCR 18	14:01 NCR 18	14:01 NCR 18	14:01 NCR 18	14:04 NCR 323	14:01 NCR 18	14:09 NCR 688	14:01 NCR 18
Rule-making	Proceedings				13:10 NCR 803	13:14 NCR 1113	13:14 NCR 1113	11:26 NCR 1976	13:14 NCR 1113		13:19 NCR 1666	13:14 NCR 1113	12:23 NCR 2089	13:14 NCR 1113		313:14 NCR 1113	13:14 NCR 1113	14:09 NCR 688	13:14 NCR 1113	13:14 NCR 1113	13:14 NCR 1113	13:14 NCR 1113	13:14 NCR 1113	13:14 NCR 1113	13:14 NCR 1113		13:14 NCR 1113	14:09 NCR 688	13:14 NCR 1113
Agency/Rule	Citation		15A NCAC 03M .0506	15A NCAC 03M .0506	15A NCAC 03M .0507 13:10 NCR 803	15A NCAC 03M .0507 13:14 NCR 1113	15A NCAC 03M .0511 13:14 NCR 1113	15A NCAC 03M .0513 11:26 NCR 1976	15A NCAC 03M .0513 13:14 NCR 1113		15A NCAC 03M .0513 13:19 NCR 1666	15A NCAC 03M .0513 13:14 NCR 1113	15A NCAC 03M .0515 12:23 NCR 2089	15A NCAC 03M .0515 13:14 NCR 1113	15A NCAC 03M .0515	15A NCAC 03M .0516 13:14 NCR 1113	15A NCAC 03O .0101 13:14 NCR 1113	15A NCAC 03O .0101	15A NCAC 03O ,0102	15A NCAC 03O .0103	15A NCAC 03O .0104	15A NCAC 03O,0105	15A NCAC 03O .0106 13:14 NCR 1113	15A NCAC 03O .0107	15A NCAC 03O .0108 13:14 NCR 1113		15A NCAC 03O .0109 13:14 NCR 1113	15A NCAC 03O .0109 14:09 NCR 688	15A NCAC 03O .0110 13:14 NCR 1113

	Otner																										
	Approved Kule	14:17 NCR 1525	14·19 NCR 1705	14:17 NCR 1525	14;17 NCR 1525							14:06 NCR 490	14:06 NCR 490														
Effective by	Governor																										
Text differs	rrom proposal	*	*		*	*								*	*	•	*		•								
RRC Status	Date	12/16/99	12/16/99	12/16/99	12/16/99	12/16/99	12/16/99	12/16/99	12/16/99	12/16/99	12/16/99	12/16/99	12/16/99	12/16/99	12/16/99	12/16/99	12/16/99	12/16/99	12/16/99							07/15/99	07/15/99
RRC	Action	Approve	Object	Approve	Approve							Approve	Approve														
Fiscal	Note	*	•	*	*	•	•	*	*	*	•	•	•	•	*	*		•	*	*	*	*	*	*	•	N/A	N/A
Notice of	Text	14:06 NCR 443	14:20 NCR 1830	14;20 NCR 1830	14:20 NCR 1830	14:20 NCR 1830	14:20 NCR 1830	14:20 NCR 1830	N/A	N/A																	
Temporary	Rule	14:01 NCR 18	13:18 NCR 1553	14:20 NCR 1830																							
Pule-making	Proceedings	13:14 NCR 1113	N/A	N/A																							
A conserving rate	Citation	15A NCAC 03O .0111	15A NCAC 03O .0201	15A NCAC 03O .0301	15A NCAC 03O .0302	15A NCAC 03O .0303	15A NCAC 03O .0304	15A NCAC 03O .0305	15A NCAC 03O .0306	15A NCAC 03O .0307	15A NCAC 03O .0308	15A NCAC 03O .0309	15A NCAC 03O .0310	15A NCAC 03O .0401	15A NCAC 03O .0402	15A NCAC 03O .0403	15A NCAC 03O .0404	15A NCAC 03O .0405	15A NCAC 03O .0406	15A NCAC 03O .0501	15A NCAC 03O .0502	15A NCAC 03O .0503	15A NCAC 03O .0504	15A NCAC 03O ,0505	15A NCAC 03O .0506	15A NCAC 03P .0101	15A NCAC 03P .0102

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Citation	Proceedings	Rule	Text	Note	Action	Date	from proposal	Governor	Approved Rule	Other
15A NCAC 03Q .0106 N/A	N/A		N/A	N/A	Approve	06/11/90			14:05 NCR 402	
15A NCAC 03Q .0107 11:26 NCR 1985	11:26 NCR 1985		13:13 NCR 1043	•	Approve	05/20/99			14:04 NCR 330	
15A NCAC 03Q .0107 14:12 NCR 958	14:12 NCR 958	14:20 NCR 1830	14:20 NCR 1830	*						
Parks and Recreation Commission	mmission									
15A NCAC 12A .0001 12:13 NCR 1097	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									
15A NCAC 12K .0106		14:21 NCR 1873								
Water Pollutioo Control System Operators Certification Commission	System Operators C	ertification Commiss	ion							
15A NCAC 08E	11:26 NCR 1976									
15A NCAC 08F	11:26 NCR 1976									
15A NCAC 08F.0406 13:16 NCR 1252	13:16 NCR 1252									

	Other									
4	Approved Kule									
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Text differs	rrom proposal									
Status	Date									
RRC Status	Action									
Fiscal	Fiscal Note									
Notice of	Text									
Temporary	Rule									
Rule-making	Proceedings									
Acency/Rule	Citation									

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Agency/Rule Citation	Rule-makiog Proceediogs	Temporary Rule	Notice of Text	riscal Note	Action	Date	from proposal	Governor	Approved Rule	Other
15A NCAC 08F .0407 13:16 NCR 1252	13:16 NCR 1252									
Waste Management										
Public Notice - Seaboard Chemical Corporation	d Chemical Corporati	ion								14:01 NCR 3
Well Contractors Certification Commission	cation Commission									
15A NCAC 27.0101	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*	Object 08	08/19/99	*		14:10 NCR 839	
15A NCAC 27.0110	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*		08/19/99			14:09 NCR 708	
15A NCAC 27.0201	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	•		08/19/99	•		14:10 NCB 830	
15A NCAC 27.0301	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*		08/19/99			14.10 N/CB 920	
15A NCAC 27.0401	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*	Approve 08	08/19/99	•		14:09 NCR 708	
15A NCAC 27.0410	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*		08/19/99	•		000 0014 0174	
15A NCAC 27 .0420	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*		08/19/99	•		14:10 NCK 839	
15A NCAC 27,0430	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	25-		10/04/99 08/19/99			14:10 NCK 839	
15A NCAC 27,0440	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*	Approve 10 Approve 08	10/04/99 38/19/99	• •		14:10 NCR 839 14:09 NCR 708	
15A NCAC 27.0501	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*	Approve 08	08/19/99			14:09 NCR 708	
15A NCAC 27.0510	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	•	Approve 08	66/61/80	*		14:09 NCR 708	
15A NCAC 27.0520	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*	Approve 08	66/61/80			14:09 NCR 708	
15A NCAC 27.0601	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*	Approve 08	66/1/80	•		14:09 NCR 708	
15A NCAC 27 .0701	13:10 NCR 803	13:12 NCR 988 13 Temp Expired 09/30/99	13:21 NCR 1788 0/99	*	Object 08 Agcy withdrew 09	08/19/99				
15A NCAC 27.0801	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	•	_	66/61/80			14:09 NCR 708	
15A NCAC 27.0810	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*		08/19/99	*		14:10 NCR 839	
15A NCAC 27.0820	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*		08/19/99			14-10 NCB 830	
15A NCAC 27.0830	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*	Approve 08	08/19/99			14:09 NCR 708	
15A NCAC 27 .0840	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*		08/19/99	*		14-10 NCB 839	
15A NCAC 27 .0901	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*	Approve 08	08/19/99	*		14:09 NCR 708	

Agency/Bule	Rule-making	Temporary	Notice of	Fiscal	RRC	RRC Status	Text differs	Effective by	J. O. Postorera	Othor
Citation	Proceedings	Rule	Text	Note	Action	Date	proposal	Governor	Approved while	
15A NCAC 27.0910	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*	Approve	66/61/80	*		14:09 NCR 708	
15A NCAC 27.0920	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*	Approve	66/61/80	*		14:09 NCR 708	
15A NCAC 27.0930	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*	Approve	66/61/80			14:09 NCR 708	
Wildlife Resources Commission	ommission									
15A NCAC 10B .0100 14:08 NCR 577	14:08 NCR 577									
15A NCAC 10B .0105 13:07 NCR 595	13:07 NCR 595	13:07 NCR 595	13:12 NCR 948	*	Object Approve	04/15/99	*		14:04 NCR 330	
15A NCAC 10B .0109	N/A		N/A	N/A	Approve	66/11/90			14:05 NCR 402	
15A NCAC 10B .0113	13:08 NCR 625	13:19 NCR 1666	13:12 NCR 948	•	Approve	04/12/99	*		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	٠						
15A NCAC 10B .0204	N/A		N/A	N/A	Approve	66/11/90			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 .0212	14:21 NCR1866				a coddy					
15A NCAC 10B .0302	: 13:08 NCR 625	13:19 NCR 1666	13:12 NCR 948	*	Approve	04/12/99			14:02 NCR 84	
15A NCAC 10B .0403	13:23 NCR 1928		14:12 NCR 963	*						
15A NCAC 10B .0403	14:21 NCR1866									
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		14:20 NCR 1814	*						

Rule-making	Temporary	Notice of	Fiscal	RRC	RRC Status	Text differs from	Effective by	Approved Rule	Other
	Rule	Text	Note	Action	Date	proposal	Governor		
		14:12 NCR 963	*						
	13:19 NCR 1666	13:12 NCR 948	•	Approve	04/15/99			14:02 NCR 84	
		14:12 NCR 963	*						
		14:12 NCR 963	*						
	13:19 NCR 1666	13:12 NCR 948	*	Approve	04/15/99	*		14:02 NCR 84	
		14:12 NCR 963	*						
	13:19 NCR 1666	13:12 NCR 948	*	Approve	04/15/99			14:02 NCR 84	
		14:12 NCR 963	*						
		14:12 NCR 963	*						
		13:20 NCR 1737	*	Approve	08/19/99	*		14:09 NCR 708	
		13:20 NCR 1737	*	Approve	08/16/6	*		14:09 NCR 708	
		13:20 NCR 1737	÷	Approve	08/19/99			14:09 NCR 708	
		14:12 NCR 963	*						
		14:12 NCR 963	*						
	13:19 NCR 1666	13:12 NCR 948	*	Approve	04/15/99			14:02 NCR 84	
	13:19 NCR 1666	13:12 NCR 948	*	Approve	04/12/99	*		14:02 NCR 84	
	14:07 NCR 551	14:01 NCR 6	*						
		14:12 NCR 963	*						
		14:12 NCR 963	*						
		N/A	N/A	Approve	03/18/99			14:01 NCR 48	en gan en

	Other																											
	Approved Rule	14:10 NCR 839			13:24 NCR 2037		14:02 NCR 84	14:09 NCR 708	14:09 NCR 708		14:02 NCR 84	14:02 NCR 84					14:09 NCR 708		13:24 NCR 2037					14:09 NCR 708				
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RRC Status	Date	10/04/99			02/18/99		04/12/99	66/61/80	66/61/80		04/15/99	04/15/99					66/61/80		05/18/99					66/61/80				
RRC	Action	Approve			Approve		Approve	Approve	Approve		Approve	Approve					Approve		Approve					Approve				
	Note	N/A			L		•	T	L		S/L	Γ		L	Γ		Γ	L	Γ	Γ		Γ		L	*		•	•
	Text	N/A			13:11 NCR 905		13:14 NCR 1116	13:19 NCR 1666	13:19 NCR 1666		13:07 NCR 595	13:15 NCR 1231		14:13 NCR 1145	14:08 NCR 580		13:19 NCR 1666	14:08 NCR 580	13:11 NCR 905	14:12 NCR 963		14:08 NCR 580		13:19 NCR 1666	14:15 NCR 1347	14:15 NCR 1347	14:15 NCR 1347	14:15 NCR 1347
F	remporary Rule				13:15 NCR 1231			13:19 NCR 1666	13:19 NCR 1666		13:07 NCR 595	13:15 NCR 1217		14:19 NCR 1703	14:17 NCR 1520		13:19 NCR 1666	14:17 NCR 1520	13:15 NCR 1231	14:19 NCR 1703		14:17 NCR 1520		13:19 NCR 1666				
	Kule-making Proceediogs	N/A	14:01 NCR 5	14:02 NCR 79	13:07 NCR 595	14:13 NCR 1092	13:08 NCR 625	13:13 NCR 1040	13:13 NCR 1040	14:08 NCR 577	13:03 NCR 269	13:11 NCR 855	14:21 NCR1866	14:08 NCR 577	14:02 NCR 79	14:08 NCR 577	13:13 NCR 1040	13:23 NCR 1928	13:07 NCR 585	14:02 NCR 79	14:02 NCR 79	14:04 NCR 272	14:13 NCR 1092	13:14 NCR 1113	14:11 NCR 906	14:11 NCR 906	14:11 NCR 906	14:11 NCR 906
	Agency/Kule Citation	15A NCAC 10F.0202	15A NCAC 10F.0300	15A NCAC 10F.0303	15A NCAC 10F.0310	15A NCAC 10F .0311	15A NCAC 10F.0317	15A NCAC 10F.0321	15A NCAC 10F.0323	15A NCAC 10F.0327	15A NCAC 10F.0330	15A NCAC 10F.0330	15A NCAC 10F.0330	15A NCAC 10F.0332	15A NCAC 10F,0333	15A NCAC 10F.0336	15A NCAC 10F.0339	15A NCAC 10F.0339	15A NCAC 10F.0342	15A NCAC 10F.0353	15A NCAC 10F.0354	15A NCAC 10F.0355	15A NCAC 10F.0355	15A NCAC 10F.0367	15A NCAC 101.0102	15A NCAC 101.0103	15A NCAC 101.0104	15A NCAC 101.0105

Ageocy/Rule	Rule-making	Temporary	Notice of	Fiscal	RRC	RRC Status	Text differs	Effective by		
Citation	Proceedings	Rule	Text	Note	Action	Date	rrom proposal	Governor	Approvea Kuie	Omer
FINAL DECISION LETTERS	ETTERS									
Voting Rights Act										14:02 NCR 75
Voting Rights Act										14:03 NCR 123
Voting Rights Act										14:04 NCR 263
Voting Rights Act										14:08 NCR 576
Voting Rights Act										14:10 NCR 739
Voting Rights Act										14:11 NCR 905
Voting Rights Act										14:13 NCR 1089
Voting Rights Act										14:14 NCR 1222
Voting Rights Act										14:17 NCR 1494
Voting Rights Act										14:18 NCR 1594
Voting Rights Act										14:23 NCR 2023
FORESTERS, BOARD OF REGISTRATION FOR	EXECUSION OF REGISTRA	TION FOR								
21 NCAC 20 .0101		13:19 NCR 1695	13:23 NCR 1942	*	Approve	10/04/99			14:10 NCR 839	
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	10/04/99	•		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	ACTORS LICENS	ING BOARD								
21 NCAC 12 .0202	13:22 NCR 1821		14:06 NCR 474	*	Object	02/11/00				
21 NCAC 12 .0202	14:22 NCR 1905									
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		Agcy Withdrew 02/17/00	w 02/17/00				

400	Other																				14:01 NCR 1	14:02 NCR 72	14:06 NCR 426	14:07 NCR 510	14:07 NCR 510	14:07 NCR 510	14:07 NCR 510	14:08 NCR 574
4	Approved Kure									14:15 NCK 1354											-	1	-	-	1	-	r	ri .
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RRC Status	Date	02/17/00	02/11/00		02/17/00	02/11/00	05/11/00	02/11/00		02/11/00		02/11/00		03/16/00	03/16/00	03/16/00	03/16/00	03/16/00	03/16/00									
RRC	Action	Approve	Object		Approve	Object	Object	Object		Approve Approve		Object		Object	Approve	Approve	Approve	Object	Approve									
Fiscal	Note	*	•		*	*	*	*	4 -	* *		*		•	*	*	*	*	•									
Notice of	Text	14:06 NCR 474	14:06 NCR 474		14:06 NCR 474	14:06 NCR 474	14:06 NCR 474	14:06 NCR 474	13:18 NCR 1524	13:24 NCR 2015 14:06 NCR 474		14:06 NCR 474		14:12 NCR 1064														
Temporary	Rule												ING OF	14:12 NCR 1064														
Rule-making	Proceedings	13:22 NCR 1821	13:22 NCR 1821	14:22 NCR 1905	13:22 NCR 1821	13:22 NCR 1821	13:22 NCR 1821	13:22 NCR 1821	13:13 NCR 1040	13:22 NCR 1821	14:22 NCR 1905	13:22 NCR 1821	RD FOR LICENS	14:05 NCR 372	CUTIVE ORDERS	61/99	66/87	4/99	66/07	66/07	13/99	66/08	66/5					
A oency/Rule	Citation	21 NCAC 12 .0205	21 NCAC 12.0209	21 NCAC 12 .0306	21 NCAC 12 .0307	21 NCAC 12 .0402	21 NCAC 12 .0405	21 NCAC 12 .0410	21 NCAC 12 .0504	21 NCAC 12 .0901	21 NCAC 12 .0901	21 NCAC 12 .0907	GEOLOGISTS, BOARD FOR LICENSING OF	21 NCAC 21 .0501	21 NCAC 21 .0502	21 NCAC 21 .0514	21 NCAC 21 .0515	21 NCAC 21 ,1101	21 NCAC 21 .1102	GOVERNOR'S EXECUTIVE ORDERS	Number 152 - Eff. 05/21/99	Number 153 - Eff. 05/28/99	Number 154 - Eff. 07/14/99	Number 155 - Eff. 07/20/99	Number 156 - Eff. 07/20/99	Number 157 - Eff. 08/13/99	Number 158 - Eff. 08/30/99	Number 159 - Eff. 09/15/99

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14:10 NCR 737 14:10 NCR 737

14:10 NCR 737 14:12 NCR 953

14:08 NCR 574 14:08 NCR 574 14:15 NCR 1342 14:17 NCR 1492 14:22 NCR 1900 14:22 NCR 1900

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9 NCAC 05A	9 NCAC 05B	9 NCAC 05C	9 NCAC 05D	9 NCAC 05E	9 NCAC 05F	9 NCAC 05G.0101	9 NCAC 05G.0102	9 NCAC 05G.0103	9 NCAC 05G .0104

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ncil, Commission for the	13:17 NCR 1378	13:17 NCR 1378
Blind/State Rehabilitation Council, Commission for the	10 NCAC 19G.0823	10 NCAC 19G .0827

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Anoncy/Rule	Agency/Nuic Citation	Child Day Care Commission	10 NCAC 03U .0102	10 NCAC 03U .0300	10 NCAC 03U .0600	10 NCAC 03U .0700	10 NCAC 03U .0800	10 NCAC 03U .1300	10 NCAC 03U .1600	10 NCAC 03U .2200	10 NCAC 03U .2501	10 NCAC 03U .2502	10 NCAC 03U .2510	10 NCAC 03U .2804	10 NCAC 03U .2811	Controller, Office of	10 NCAC 01B .0418	10 NCAC 01B .0419	10 NCAC 01B .0420	10 NCAC 01B .0501	10 NCAC 01B .0502	Facility Services	Abbreviated Notice of Temporary Rule-Making	14:04 NCR 264	10 NCAC 03R .0111	

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	Approved Rule			14:15 NCR 1354		14:15 NCR 1354		14:15 NCR 1354		14:15 NCR 1354		14:15 NCR 1354		14:15 NCR 1354											
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Temporary	Rule	14:14 NCR 1282	14:14 NCR 1282	13:14 NCR 1119 Expired 10/12/99	14:14 NCR 1282	13:14 NCR 1119 Expired 10/12/99	14:14 NCR 1282	13:14 NCR 1119 Expired 10/12/99	14:14 NCR 1282	13:14 NCR 1119 Expired 10/12/99	14:14 NCR 1282	13:14 NCR 1119 Expired 10/12/99	14:14 NCR 1282	13:14 NCR 1119 Expired 10/12/00	14:14 NCR 1282	13:14 NCR 1119 Expired 10/12/99	14:14 NCR 1282	13:14 NCR 1119 Expired 10/12/99	14:14 NCR 1282	13:14 NCR 1119	14:14 NCR 1282	13:14 NCR 1119	14:14 NCR 1282	13:14 NCR 1119 Expired 10/12/99	14:14 NCR 1282
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A ronoulante	Agency/ Name Citation	10 NCAC 03R .0304	10 NCAC 03R .0305	10 NCAC 03R .1613	10 NCAC 03R .1613	10 NCAC 03R .1615	10 NCAC 03R .1615	10 NCAC 03R .1713	10 NCAC 03R .1713	10 NCAC 03R .1714	10 NCAC 03R .1714	10 NCAC 03R .1715	10 NCAC 03R .1715	10 NCAC 03R .1912	10 NCAC 03R .1912,	10 NCAC 03R .1913	10 NCAC 03R .1913	10 NCAC 03R .1914	10 NCAC 03R .1914	10 NCAC 03R .2113	10 NCAC 03R .2113	10 NCAC 03R .2713	10 NCAC 03R .2713	10 NCAC 03R .2715	10 NCAC 03R .2715

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Rule-making Temporary	Rule			14:18 NCR 1597	14:18 NCR 1597 14:22 NCR 1907	14:18 NCR 1597	14:18 NCR 1597 14:22 NCR 1907	14:18 NCR 1597	14:18 NCR 1597 14:22 NCR 1907	14:18 NCR 1597 14:22 NCR 1907	14:18 NCR 1597 14:22 NCR 1907	14:18 NCR 1597 14:22 NCR 1907																	

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	Proceedings	14:18 NCR 1597			11;22 NCR 1704	14:18 NCR 1597																						
	Agency/Kule Cltatioo	10 NCAC 03R .3070	10 NCAC 03R .3071	10 NCAC 03R .3072	10 NCAC 03R .3073	10 NCAC 03R .3074	10 NCAC 03R .3075	10 NCAC 03R .3076	10 NCAC 03R .3077	10 NCAC 03R .3078	10 NCAC 03R .3079	10 NCAC 03R .3080	10 NCAC 03R .3081	10 NCAC 03R .3082	10 NCAC 03R, 3083	10 NCAC 03R .3084	10 NCAC 03R .3085	10 NCAC 03R .3086	10 NCAC 03R .3087	10 NCAC 03R .3088	10 NCAC 03R .4203	10 NCAC 03R .4203	10 NCAC 03R .6001	10 NCAC 03R .6101	10 NCAC 03R .6102	10 NCAC 03R .6103	10 NCAC 03R .6104	10 NCAC 03R .6105

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10 NCAC 03R .6131	14:18 NCR 1597		14:22 NCR 1907	*						
10 NCAC 03R .6132	14:18 NCR 1597		14:22 NCR 1907	*						
10 NCAC 03R .6133	14:18 NCR 1597		14:22 NCR 1907	*						
10 NCAC 03R .6134	14:18 NCR 1597		14:22 NCR 1907	*						
10 NCAC 03R .6135	14:18 NCR 1597		14:22 NCR 1907	*						
10 NCAC 03R .6136	14:18 NCR 1597		14:22 NCR 1907	*						
10 NCAC 03R .6137	14:18 NCR 1597		14:22 NCR 1907	*						
10 NCAC 03R .6138	14:18 NCR 1597		14:22 NCR 1907	*						
10 NCAC 03R .6139	14:18 NCR 1597		14:22 NCR 1907	*						
10 NCAC 03R .6140	14:18 NCR 1597		14:22 NCR 1907	•						
10 NCAC 03R .6141	14:18 NCR 1597		14:22 NCR 1907	*						
10 NCAC 03R .6201		13:14 NCR 1119	14:03 NCR 130	*	Approve	11/11/66	*		14:15 NCR 1354	
10 NCAC 03R .6202		Expired 10/12/99 13:14 NCR 1119	14:03 NCR 130	•	Approve	11/17/99	*		14:15 NCR 1354	
10 NCAC 03R .6203		Expired 10/12/99 13:14 NCR 1119 14:04 NCR 314	14:03 NCR 130		Approve	11/17/99	•		14:15 NCR 1354	
10 NCAC 03R .6204		Expired 10/12/99 13:14 NCR 1119	14:03 NCR 130	•	Approve	11/17/99	*		14:15 NCR 1354	
10 NCAC 03R .6205		Expired 10/12/99 13:14 NCR 1119	14:03 NCR 130	*	Approve	11/17/99			14:15 NCR 1354	
10 NCAC 03R .6206		Expired 10/12/99 13:14 NCR 1119	14:03 NCR 130	•	Approve	11/17/99			14:15 NCR 1354	
10 NCAC 03R .6207		Expired 10/12/99 13:14 NCR 1119	14:03 NCR 130	•	Approve	11/17/99			14:15 NCR 1354	
10 NCAC 03R .6208		Expired 10/12/99 13:14 NCR 1119	14:03 NCR 130	S/L/SE	Approve	11/17/99			14:15 NCR 1354	
10 NCAC 03R .6209		Expired 10/12/99 13:14 NCR 1119	14:03 NCR 130	S/L/SE	Approve	11/17/99	*		14:15 NCR 1354	
10 NCAC 03R .6210		Expired 10/12/99 13:14 NCR 1119	14:03 NCR 130	S/L/SE	Approve	11/11/99			14:15 NCR 1354	
10 NCAC 03R .6211		Expired 10/12/99 13:14 NCR 1119 Expired 10/12/99	14:03 NCR 130	S/L/SE	Approve	11/17/99			14:15 NCR 1354	

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10 NCAC 03R .6212		13:14 NCR 1119	14:03 NCR 130	S/L/SE	Approve	11/17/99			14:15 NCR 1354	
10 NCAC 03R .6213		Expired 10/12/99 13:14 NCR 1119	14:03 NCR 130	•	Approve	11/17/99			14:15 NCR 1354	
10 NCAC 03R .6214		13:14 NCR 1119	14:03 NCR 130	•	Approve	11/17/99			14:15 NCR 1354	
10 NCAC 03R .6215		13:14 NCR 1119	14:03 NCR 130	•	Approve	11/11/99			14:15 NCR 1354	
10 NCAC 03R .6216		Expired 10/12/99 13:14 NCR 1119	14:03 NCR 130	•	Approve	11/11/99			14:15 NCR 1354	
10 NCAC 03R .6217		13:14 NCR 1119	14:03 NCR 130	•	Approve	11/17/99			14:15 NCR 1354	
10 NCAC 03R .6218		Expired 10/12/99 13:14 NCR 1119	14:03 NCR 130	•	Approve	11/11/99			14:15 NCR 1354	
10 NCAC 03R .6219		Expired 10/12/99 13:14 NCR 1119	14:03 NCR 130	*	Approve	11/11/99			14:15 NCR 1354	
10 NCAC 03R .6220		Expired 10/12/99 13:14 NCR 1119	14:03 NCR 130	S/L/SE	Approve	11/11/99			14:15 NCR 1354	
10 NCAC 03R .6221		Expired 10/12/99 13:14 NCR 1119	14:03 NCR 130	S/L/SE	Approve	11/17/99	•		14:15 NCR 1354	
10 NCAC 03R .6222		Expired 10/12/99 13:14 NCR 1119	14:03 NCR 130	S/L/SE	Approve	11/11/99	•		14:15 NCR 1354	
10 NCAC 03R .6223		Expired 10/12/99 13:14 NCR 1119	14:03 NCR 130	*	Approve	11/17/99			14:15 NCR 1354	
10 NCAC 03R .6224		Expired 10/12/99 13:14 NCR 1119	14:03 NCR 130	S/L/SE	Approve	11/11/99	•		14:15 NCR 1354	
10 NCAC 03R .6225		Expired 10/12/99 13:14 NCR 1119	14:03 NCR 130	•	Approve	11/17/99			14:15 NCR 1354	
10 NCAC 03R .6226		13:14 NCR 1119	14:03 NCR 130	S/L/SE	Approve	11/17/99			14:15 NCR 1354	
10 NCAC 03R .6227		13:14 NCR 1119	14:03 NCR 130	*	Approve	11/11/99			14:15 NCR 1354	
10 NCAC 03R .6228		13:14 NCR 1119	14:03 NCR 130	S/L/SE	Approve	11/17/99			14:15 NCR 1354	
10 NCAC 03R .6229		13:14 NCR 1119	14:03 NCR 130	S/L/SE	Approve	11/17/99			14:15 NCR 1354	
10 NCAC 03R .6230		13:14 NCR 1119	14:03 NCR 130		Approve	11/17/99	•		14:15 NCR 1354	
10 NCAC 03R .6231		Expired 10/12/99 13:14 NCR 1119 Expired 10/12/99	14:03 NCR 130	*	Approve	11/17/99	•		14:15 NCR 1354	

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olin Quinous V	Agency/Kure Citation	10 NCAC 03R .6232	10 NCAC 03R .6233	10 NCAC 03R .6234	SCO ACO DADIAOL	10 NCAC 03K .6233	10 NCAC 03R .6236	10 NCAC 03R .6237	10 NCAC 03R .6238	10 NCAC 03R 6239		10 NCAC 03R .6240	10 NCAC 03R .6241	10 NCAC 03R .6242	10 NCAC 03R .6243	10 NCAC 03R .6250	10 NCAC 03R .6252	10 NCAC 03R .6253	10 NCAC 03R .6254	10 NCAC 03R .6255	10 NCAC 03R .6256	10 NCAC 03R .6257	10 NCAC 03R .6258	10 NCAC 03R .6259	10 NCAC 03R .6260	10 NCAC 03R .6261	10 NCAC 03R .6263

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A oency/Bule	Citation		10 NCAC 03R .6264	10 NCAC 03R .6265	10 NCAC 03R .6266	10 NCAC 03R .6267	10 NCAC 03R .6268	10 NCAC 03R .6269	10 NCAC 03R .6270	10 NCAC 03R .6271	10 NCAC 03R .6272	10 NCAC 03R .6273	10 NCAC 03R .6274	10 NCAC 03R .6275	10 NCAC 03R .6276	10 NCAC 03R .6277	10 NCAC 03R .6278	10 NCAC 03R .6279	10 NCAC 03R .6280	10 NCAC 03R .6281	10 NCAC 03R .6282	10 NCAC 03R .6283	10 NCAC 03R .6284	10 NCAC 03R .6285	10 NCAC 03R .6286	10 NCAC 03R .6287	10 NCAC 03R .6288	10 NCAC 03R .6289	

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Citation	Proceedings	Rule	Text	Note	Action	Irom Date proposal	Governor	Approved Kule	Other
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 03R .6300	14:20 NCR 1808								
10 NCAC 03S .0108	12:24 NCR 2194		14:05 NCR 374	•	Approve 11	11/17/99		14:17 NCR 1525	
10 NCAC 03S .0109	12:24 NCR 2194		14:05 NCR 374	•	Approve 11	11/11/99		14:17 NCR 1525	
10 NCAC 03S .0207	12:24 NCR 2194		14:05 NCR 374	•	Approve 11	66/L1/11		14:17 NCR 1525	
10 NCAC 03S .0208	12:24 NCR 2194		14:05 NCR 374	•	Approve 11	66/11/11		14:17 NCR 1525	
10 NCAC 03S .0209	12:24 NCR 2194		14:05 NCR 374	*	Approve 11	11/17/99		14:17 NCR 1525	
10 NCAC 03S .0210	12:24 NCR 2194		14:05 NCR 374	•	Approve 11	66/L1/11		14:17 NCR 1525	
10 NCAC 03S .0211	12:24 NCR 2194		14:05 NCR 374	*	Approve 11	66/11/11		14:17 NCR 1525	
10 NCAC 03S .0213	12:24 NCR 2194		14:05 NCR 374	•	Approve 11	66/11/11		14:17 NCR 1525	
10 NCAC 03S .0214	12:24 NCR 2194		14:05 NCR 374	•	Approve 11	66/21/11		14:17 NCR 1525	
10 NCAC 03S .0307	12:24 NCR 2194		14:05 NCR 374	*	Approve 11	66/11/11		14:17 NCR 1525	
10 NCAC 03S .0308	12:24 NCR 2194		14:05 NCR 374	•	Approve 11	11/17/99		14:17 NCR 1525	
10 NCAC 03S .0407	12:24 NCR 2194		14:05 NCR 374	•	Approve 11	11/17/99		14:17 NCR 1525	
10 NCAC 03S .0408	12:24 NCR 2194		14:05 NCR 374	*	Approve 11	11/17/99		14:17 NCR 1525	
10 NCAC 03S .0506	12:24 NCR 2194		14:05 NCR 374		Approve 11	11/17/99		14:17 NCR 1525	
10 NCAC 03S .0507	12:24 NCR 2194		14:05 NCR 374		Approve 11	11/17/99		14:17 NCR 1525	
10 NCAC 03S .0508	12:24 NCR 2194		14:05 NCR 374	*	Approve 11	11/17/99		14:17 NCR 1525	
10 NCAC 03S .0509	12:24 NCR 2194		14:05 NCR 374	*	Approve 11	66/11/11		14:17 NCR 1525	
10 NCAC 03S .0510	12:24 NCR 2194		14:05 NCR 374		Approve 11	66/L1/11		14:17 NCR 1525	
10 NCAC 03S .0511	12:24 NCR 2194		14:05 NCR 374	•	Approve 11	11/17/99		14:17 NCR 1525	
10 NCAC 03S .0614	12:24 NCR 2194		14:05 NCR 374	*	Approve 11	1/17/99		14:17 NCR 1525	
10 NCAC 03S .0615	12:24 NCR 2194		14:05 NCR 374	•	Approve 11	11/17/99		14:17 NCR 1525	
10 NCAC 03S .0616	12:24 NCR 2194		14:05 NCR 374	•	Approve 11	11/17/99		14:17 NCR 1525	
10 NCAC 03S .0617	12:24 NCR 2194		14:05 NCR 374	•	Approve 11	66/L1/11		14:17 NCR 1525	

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10 NCAC 03S .1303	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/17/99	*		14:17 NCR 1525	
10 NCAC 03S .1401	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/17/99	*		14:17 NCR 1525	
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10 NCAC 03S .1601	12:24 NCR 2194		14:05 NCR 374		Object Approve	11/17/99	*		14:17 NCR 1525	
10 NCAC 03S .1701	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/17/99			14:17 NCR 1525	
10 NCAC 03S .1702	12:24 NCR 2194		14:05 NCR 374	*	Арргоvе	11/17/99			14:17 NCR 1525	
10 NCAC 03S .1801	12:24 NCR 2194		14:05 NCR 374		Approve	11/17/99			14:17 NCR 1525	
10 NCAC 03S .1802	12:24 NCR 2194		14:05 NCR 374	•	Object	11/17/99	*		14:17 NCB 1525	
10 NCAC 03S .1803	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/17/99	*		14:17 NCR 1525	
10 NCAC 03S .1804	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/17/99			14:17 NCR 1525	
10 NCAC 03S .1805	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/11/99	*		14:17 NCR 1525	
10 NCAC 03S .1806	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/17/99	*		14:17 NCR 1525	
10 NCAC 03S .1901	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/11/99			14:17 NCR 1525	
10 NCAC 03S .1902	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/17/99			14:17 NCR 1525	
10 NCAC 03S .1903	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/17/99			14:17 NCR 1525	
10 NCAC 03S .2001	12:24 NCR 2194		14:05 NCR 374	*	Object Approve	11/17/99	*		14:17 NCR 1525	
10 NCAC 03S .2002	12:24 NCR 2194		14:05 NCR 374	•	Approve	11/17/99			14:17 NCR 1525	
10 NCAC 03S .2101	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/17/99			14:17 NCR 1525	
10 NCAC 03S .2102	12:24 NCR 2194		14:05 NCR 374		Approve	11/17/99	*		14:17 NCR 1525	
10 NCAC 03S .2103	12:24 NCR 2194		14:05 NCR 374	•	Approve	11/17/99			14:17 NCR 1525	
10 NCAC 03S .2104	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/11/99			14:17 NCR 1525	
10 NCAC 03S .2105	12:24 NCR 2194		14:05 NCR 374	*	Approve	11/17/99			14:17 NCR 1525	
10 NCAC 03S .2106	12:24 NCR 2194		14:05 NCR 374		Approve	11/11/99			14:17 NCR 1525	
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15A NCAC 23 .0204	13:22 NCR 1820		14:02 NCR 80	•	Approve	10/04/99			14:10 NCR 839	
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15A NCAC 24A .0402	14:03 NCR 126	14:06 NCR 483	14:10 NCR 767	•	Approve	03/16/00				
15A NCAC 24A .0403	14:03 NCR 126	14:06 NCR 483	14:10 NCR 767	•	Approve	03/16/00				
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10 NCAC 50B .0403	14:07 NCR 545	14:07 NCR 545								
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Notice of	Text			14:13 NCR 1106	14:13 NCR 1106	14:13 NCR 1106	14:13 NCR 1106	14:13 NCR 1106	14:13 NCR 1106	14:13 NCR 1106	14:13 NCR 1106	14:13 NCR 1106	14:13 NCR 1106	14:13 NCR 1106	14:13 NCR 1106	14:13 NCR 1106	14:13 NCR 1106 14:13 NCR 1106	14:13 NCR 1106 14:13 NCR 1106	14:13 NCR 1106 14:13 NCR 1106	14:13 NCR 1106	14:13 NCR 1106		14:13 NCR 1106	14:13 NCR 1106			14:13 NCR 1106	14:13 MCB 1106
Temporary	Rule			14:08 NCR 606	14:10 NCR 799	14:08 NCR 606	14:10 NCR 799	14:08 NCR 606	14:10 NCR 799	14:08 NCR 606	14:10 NCR 799 14:08 NCR 606	14:10 NCR 799 14:08 NCR 606	14:10 NCR 799 14:08 NCR 606	14:08 NCR 606	14:08 NCR 606		14:08 NCR 606	14:10 NCR 799			14:08 NCR 606	14.00 MOIN BOOK						
Rule-making	Proceedings			14:05 NCR 370		14:05 NCR 370		14:05 NCR 370		14:05 NCR 370	14:05 NCR 370	14:05 NCR 370 14:05 NCR 370	14:05 NCR 370	14:05 NCR 370	14:05 NCR 370	14:05 NCR 370		14:05 NCR 370	14:05 NCR 370	14:05 NCR 370	000000000000000000000000000000000000000							
Agency/Bule	Cltation			10 NCAC 42D .1301		10 NCAC 42D .1302	10 NCAC 42D .1303	10 NCAC 42D,1303	10 NCAC 42D .1304	10 NCAC 42D .1401	10 NCAC 42D .1402	10 NCAC 42D .1407	10 NCAC 42D .1410	10 NCAC 42D .1411	10 NCAC 42D .1412	10 NCAC 42D .1413	10 NCAC 42D .1414	10 NCAC 42D .1415	10 NCAC 42D .1416 10 NCAC 42D .1503	10 NCAC 42D .1605	10 NCAC 42D .1804	10 NCAC 42D .1813	10 NCAC 42D .1821	10 NCAC 42D .1831	10 NCAC 42D .1832	10 NCAC 42D .1833	10 NCAC 42D .1901	10 MC 4 C 43 D 1003

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status Action Da	Text differs from proposal	Effective by Governor	Approved Rule	Other
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	*					
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	*					
Mental Health, Developmental Disabilities and Substance Abuse Services	mental Disabilities ad	od Substance Abuse S	ervices						
10 NCAC 14V	14:22 NCR 1905								
10 NCAC 14V .0802	12:20 NCR 1820	13:22 NCR 1853	13:22 NCR 1853	*					

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Agency/Aure Citation	Proceedings	Rule	Text	Note	Action	Date	from proposal	Governor	Approved Rule	Other
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	•		13.54 NOB 2027	
10 NCAC 14V .4303	12:19 NCR 1762		13:07 NCR 586	*	Approve	01/21/99			13:22 NCR 1868	
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 Temp Expired 03/12/99	13:05 NCR 487 2/99	*	Approve	11/17/99			14:15 NCR 1354	
Secretary of Health and Human Services	d Human Services	4								
10 NCAC 14V .7000	14:07 NCR 518									
10 NCAC 14V .7006		12:01 NCR 31 12: Temp Expired 03/28/98	12:07 NCR 511 8/98	*						
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	sion									
10 NCAC 24	14:06 NCR 427									

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	Approved Kule			14:06 NCR 490																								
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Fiscal	Note			*												*		*	S/L									
Notice of	Text			13:19 NCR 1611												14:16 NCR 1406	14:16 NCR 1406	14;18 NCR 1600	14:13 NCR 1100									
Temporary	Rule	14:19 NCR 1702	14:19 NCR 1702	13:06 NCR 566	14:10 NCR 798	14:12 NCR 1036	14:10 NCR 798	14:12 NCR 1036	14:10 NCR 798	14:19 NCR 1702	14:10 NCR 798	14:19 NCR 1702	14:10 NCR 798	14:10 NCR 798	14:22 NCR 1996			14:04 NCR 321	14:08 NCR 602									
Rulo-makino	Proceedings				14:10 NCR 798	14:12 NCR 1036	14:10 NCR 798	14:12 NCR 1036	14:10 NCR 798		14:10 NCR 798		14:10 NCR 798	14:10 NCR 798	14:22 NCR 1996	14:10 NCR 742	14:10 NCR 742		14:06 NCR 427									
Anoncy/Bule	Citation	10 NCAC 29C .0102	10 NCAC 29C .0103	10 NCAC 29C .0103	10 NCAC 29C .0201	10 NCAC 29C .0201	10 NCAC 29C .0202	10 NCAC 29C .0202	10 NCAC 29C .0203	10 NCAC 29C .0203	10 NCAC 29C .0204	10 NCAC 29C .0204	10 NCAC 29C .0205	10 NCAC 29C .0206	10 NCAC 29C .0207	10 NCAC 41H,0304	10 NCAC 41P .0106	10 NCAC 41S .0613	10 NCAC 42A .0801	10 NCAC 42A .0802	10 NCAC 42A .0803	10 NCAC 42A .0804	10 NCAC 42A .0805	10 NCAC 42A .0806	10 NCAC 42A .0807	10 NCAC 42A .0808	10 NCAC 42A .0809	10 NCAC 42A .0810

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Notice of	Text		14:13 NCR 1100	14:13 NCR 1100	14:13 NCR 1100	14:16 NCR 1406	14:13 NCR 1100	14:13 NCR 1100	14:16 NCR 1406	14:16 NCR 1406	14:16 NCR 1406	14:16 NCR 1406	14:16 NCR 1406	14:16 NCR 1406	14:16 NCR 1406													
Temporary	Rule		14:08 NCR 642	14:08 NCR 642	14:08 NCR 642							14:08 NCR 642	14:08 NCR 642							14:12 NCR 1036								
Rule-making	Proceedings	14:10 NCR 742	14:06 NCR 427	14:06 NCR 427	14:06 NCR 427	14:10 NCR 742	14:06 NCR 427	14:06 NCR 427	14:10 NCR 742	14:10 NCR 742	14:10 NCR 742	14:10 NCR 742	14:10 NCR 742	14:10 NCR 742	14:12 NCR 1036	14:19 NCR 1684	14:21 NCR 1866	14:19 NCR 1684	14:19 NCR 1684	14:21 NCR 1866	14:19 NCR 1684	14:21 NCR 1866	14:10 NCD 1694					
Agency/Rule	Citation	10 NCAC 42E	10 NCAC 42E .0801	10 NCAC 42E .1501	10 NCAC 42E .1502	10 NCAC 42E .1503	10 NCAC 42E .1504	10 NCAC 42E .1505	10 NCAC 42E .1506	10 NCAC 42E .1507	10 NCAC 42E .1508	10 NCAC 42V .0108	10 NCAC 42Z.1001	10 NCAC 42Z .1002	10 NCAC 42Z .1003	10 NCAC 42Z .1004	10 NCAC 42Z.1005	10 NCAC 42Z .1006	10 NCAC 42Z.1007	10 NCAC 43L .0401	10 NCAC 46A	10 NCAC 46A	10 NCAC 46C	10 NCAC 46D	10 NCAC 46D	10 NCAC 46E	10 NCAC 46E	10 NC AC

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Notice of	Text					14:13 NCR 1100	14:13 NCR 1100	14:13 NCR 1100								14:16 NCR 1402		14:16 NCR 1402	14:16 NCR 1402										
Temporary	Rule					14:08 NCR 602	14:08 NCR 602	14:08 NCR 602																					
Bulamaking	Proceedings	14:21 NCR 1866	14:19 NCR 1684	14:21 NCR 1866	14:19 NCR 1684	14:07 NCR 519	14:07 NCR 519	14:07 NCR 519	n Services	14:07 NCR 519																			
A gonov/Dulo	Citation	10 NCAC 46F	10 NCAC 46G	10 NCAC 46G	10 NCAC 46H	10 NCAC 47B .0103	10 NCAC 47B .0204	10 NCAC 47B .0407	Vocational Rehabilitation Services	10 NCAC 20A .0101	10 NCAC 20A .0102	10 NCAC 20B .0102	10 NCAC 20B .0103	10 NCAC 20B .0105	10 NCAC 20B .0108	10 NCAC 20B .0201	10 NCAC 20B .0202	10 NCAC 20B .0203	10 NCAC 20B .0204	10 NCAC 20B .0205	10 NCAC 20B .0206	10 NCAC 20B .0207	10 NCAC 20B .0208	10 NCAC 20B .0209	10 NCAC 20B .0210	10 NCAC 20B .0211	10 NCAC 20B .0217	10 NCAC 20B .0221	10 NCAC 20B .0223

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Approved Rule	14:17 NCR 1525		14:17 NCR 1525																									
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Notice of Text	14:05 NCR 392	14:16 NCR 1402	14:05 NCR 392																									
Temporary Rule	13:17 NCR 1379		13:17 NCR 1379																									
Rule-making Proceedings		14:07 NCR 519		14:07 NCR 519	14:07 NCR 519	14:07 NCR 519	14:07 NCR 519	14:07 NCR 519	14:07 NCR 519	14:07 NCR 519	14:07 NCR 519																	
Agency/Rule Citation	10 NCAC 20B .0224	10 NCAC 20B .0225	10 NCAC 20B .0228	10 NCAC 20C .0101	10 NCAC 20C .0120	10 NCAC 20C .0122	10 NCAC 20C .0123	10 NCAC 20C .0201	10 NCAC 20C .0202	10 NCAC 20C .0203	10 NCAC 20C .0204	10 NCAC 20C .0205	10 NCAC 20C .0206	10 NCAC 20C .0301	10 NCAC 20C .0302	10 NCAC 20C .0303	10 NCAC 20C .0304	10 NCAC 20C .0305	10 NCAC 20C .0306	10 NCAC 20C .0307	10 NCAC 20C .0308	10 NCAC 20C,0310	10 NCAC 20C .0311	10 NCAC 20C .0313	10 NCAC 20C, 0314	10 NCAC 20C, 0315	10 NCAC 20C .0316	10 NCAC 20C .0401

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Citation	Proceedings	Rule	Text	Note	Action	Date	from proposal	Governor	Approved Rule	Other
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									
10 NCAC 20D .0301	14:07 NCR 519									
HOUSING FINANCE AGENCY	E AGENCY									
24 NCAC 01H .0103	13:22 NCR 1822		14:02 NCR 82		Approve	12/16/99	*		14:17 NCR 1525	
INSURANCE										
11 NCAC 06B .0201	12:09 NCR 744		14:10 NCR 752	*	Approve	01/20/00			14:19 NCR 1705	
11 NCAC 06B .0202	12:09 NCR 744		14:10 NCR 752	•	Approve	01/20/00			14:19 NCR 1705	
11 NCAC 06B .0203	12:09 NCR 744		14:10 NCR 752	*	Approve	01/20/00			14:19 NCR 1705	
11 NCAC 06B .0204	12:09 NCR 744		14:10 NCR 752	*	Approve	01/20/00			14:19 NCR 1705	
11 NCAC 06B .0205	12:09 NCR 744		14:10 NCR 752	*	Approve	01/20/00			14:19 NCR 1705	
11 NCAC 06B .0301	12:09 NCR 744		14:10 NCR 752		Approve	01/20/00			14:19 NCR 1705	
11 NCAC 06B .0302	12:09 NCR 744		14:10 NCR 752	*	Approve	01/20/00			14:19 NCR 1705	
11 NCAC 06B .0303	12:09 NCR 744		14:10 NCR 752	*	Approve	01/20/00			14:19 NCR 1705	
11 NCAC 06B .0304	12:09 NCR 744		14:10 NCR 752	*	Approve	01/20/00			14:19 NCR 1705	
11 NCAC 06B .0401	12:09 NCR 744		14:10 NCR 752		Approve	01/20/00			14:19 NCR 1705	
11 NCAC 06B .0402	12:09 NCR 744		14:10 NCR 752	*	Approve	01/20/00			14:19 NCR 1705	
11 NCAC 06B .0403	12:09 NCR 744		14:10 NCR 752	•	Approve	01/20/00			14:19 NCR 1705	
11 NCAC 06B .0404	12:09 NCR 744		14:10 NCR 752	*	Approve	01/20/00			14:19 NCR 1705	
11 NCAC 06B .0405	12:09 NCR 744		14:10 NCR 752	*	Approve	01/20/00			14:19 NCR 1705	
11 NCAC 10.0105	14:10 NCR 809	14:10 NCR 809	14:14 NCR 1225	*	Approve	03/16/00				
11 NCAC 10 .0700	14:23 NCR 2027									

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	Approved Rule												14:19 NCR 1705		14:10 NCR 839		14:15 NCR 1354									14:19 NCR 1705	14:15 NCR 1354	14:15 NCR 1354	
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RRC Status	Date		03/16/00	03/16/00	03/16/00	03/16/00	03/16/00	03/16/00	03/16/00	03/16/00	03/16/00	03/16/00	01/20/00		10/04/99	03/16/00	11/17/99	03/16/00	03/16/00	03/16/00	03/16/00	03/16/00	03/16/00	03/16/00	03/16/00	01/20/00	11/11/99	11/11/99	
RRC	Action		Approve		Approve	Approve	Approve	Approve	Approve	Approve	Approve	Approve	Approve	Approve	Approve	Approve	Approve	Approve											
Fiscal	Note		•	*	#	*	*	*	*	*	*	*	N/A	*		*	•	#	*	*	*	*	*	*	*	N/A	•	•	
Notice of	Text		14:14 NCR 1225	14:14 NCR 1226	N/A	14:16 NCR 1409	N/A	14:14 NCR 1234	14:06 NCR 433	14:14 NCR 1234	14:14 NCR 1234	14:14 NCR 1234	14:14 NCR 1234	14:14 NCR 1237	14:14 NCR 1237	14:14 NCR 1237	14:14 NCR 1237	N/A	14:06 NCR 433	14:06 NCR 433									
Temporary	Rule	:	14:10 NCR 809	14:10 NCR 811	14:10 NCR 819	14:12 NCR 1038		14:10 NCR 819		14:10 NCR 819	14:10 NCR 819	14:10 NCR 819	14:10 NCR 819	14:10 NCR 822															
6			60	311	811	811	811	R 811	2R 811	CR 811	14:10 NCR 811	14:10 NCR 811	14:10 NCR 819	14:12 NCR 1038		14:10 NCR 819	14:02 NCR 78	14:10 NCR 819	14:10 NCR 819	14:10 NCR 819	14:10 NCR 819	14:10 NCR 822	14:02 NCR 78	14:02 NCR 78					
Rule-making	Proceedings		14:10 NCR 809	14:10 NCR 811	14:10 N	14:10	14:10	14:12	N/A	14:10	14:02	14:10	14:10	14:10	14:10	14:10	14:10	14:10	14:10	14:10	14:02	14:02							

Home Inspector Licensure Board

	Other																											
	Approved Kule											14:10 NCR 839		14:10 NCR 839		14:10 NCR 839	14:05 NCK 402	14:05 NCR 402	14:05 NCR 402		14:10 NCR 839	14:05 NCR 402		14:10 NCR 839		14:10 NCR 839	020 001001	14:10 NCR 839
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atus	Date	02/17/00		02/17/00	05/11/00	02/17/00						10/04/99		10/04/99	06/11/99		06/17/99	06/11/90	66/11/90	06/11/90	0//15/99 10/04/99	06/11/90	06/17/99	10/04/99	06/17/99 07/15/99	10/04/99	07/15/99	10/04/99 06/17/99
RRC Status	Action	Approve		Approve	Approve	Approve						Approve		Approve	Ext. Review	Approve	Approve	Approve	Approve	Ext. Review	Return to Agcy Approve	Approve	Object	Approve	Object Return to Agcy	Approve	Return to Agey	Approve Object
Fiscal	Note	*	•	*	*	*						N/A		N/A	*		*	*	*	•		•	*		*	*		*
Notice of	Text	14:12 NCR 959						N/A	14:19 NCR 1689	N/A	13:19 NCR 1611		13:19 NCR 1611	13:19 NCR 1611	13:19 NCR 1611	13:19 NCR 1611		13:19 NCR 1611	13:19 NCR 1611		13:19 NCR 1611	13:19 NCB 1611	101 NOW (101	13:19 NCR 1611				
Temporary	Rule										ndards Commission																	
Dulomolina	Proceedings	14:08 NCR 577		Board	14:15 NCR 1344	on and Training Sta	N/A	14:15 NCR 1344	N/A	13:14 NCR 1110		13:14 NCR 1110	13:14 NCR 1110	13:14 NCR 1110	13:14 NCR 1110		13:14 NCR 1110	13:14 NCR 1110		13:14 NCR 1110	13:14 NCP 1110	13.14 MON P.1.01	13:14 NCR 1110					
1.0	Cltation	11 NCAC 08 .1103	11 NCAC 08 .1105	11 NCAC 08 .1106	11 NCAC 08 .1107	11 NCAC 08 .1116	11 NCAC 08 .1300	JUSTICE	Alarm Systems Licensing Board	12 NCAC 11 .0500	Criminal Justice Education and Training Standards Commission	12 NCAC 09A .0103	12 NCAC 09A .0103	12 NCAC 09B .0106	12 NCAC 09B .0107		12 NCAC 09B .0109	12 NCAC 09B .0110	12 NCAC 09B .0112	12 NCAC 09B .0113		12 NCAC 09B .0115	12 NCAC 09B .0201		12 NCAC 09B .0202	12 NCAC 00B 0203	2020, 070 JAON 21	12 NCAC 09B .0204

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	Approved Kule	14:10 NCR 839	14:10 NCR 839	14:10 NCR 839 14:05 NCR 402	14:05 NCR 402		14:10 NCR 839	14:10 NCR 839	14:10 NCR 839	14:10 NCR 839	14.10 MOB 020	14:10 NCR 633 14:05 NCR 402	14:05 NCR 402	14:05 NCR 402	14:10 NCR 839	14:05 NCR 402				
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Notice of	Text	13:02 NCR 246			14:06 NCR 480		14:06 NCR 480	13:22 NCR 1848	14:06 NCR 480				14:10 NCR 771		14:14 NCR 1242	14:14 NCR 1242	14:14 NCR 1242	14:14 NCR 1242	14:14 NCR 1242	14:14 NCR 1242	14:14 NCR 1242	14:14 NCR 1242	14:14 NCR 1242	14:14 NCR 1242	14:14 NCR 1242	14:14 NCR 1242	14:14 NCR 1242	14:14 NCR 1242
Temporary	Rule							13:11 NCR 910					14:06 NCR 489	RINKLER CONT														
Rula-making	Proceedings				13:22 NCR 1821	13:22 NCR 1821	13:22 NCR 1821		13:22 NCR 1821	14:22 NCR 1905	lex Drugs	Y EXAMINERS	14:06 NCR 489	NG AND FIRE SP	14:06 NCR 429	14:06 NCR 429	14:06 NCR 429	14:06 NCR 429	14:06 NCR 429	14:06 NCR 429	14:06 NCR 429	14:06 NCR 429	14:10 NCR 749	14:06 NCR 429	14:06 NCR 429	14:06 NCR 429	14:06 NCR 429	14:06 NCR 429
A general/Dule	Citation				21 NCAC 46.1810	21 NCAC 46.1813	21 NCAC 46.1814	21 NCAC 46 .1815	21 NCAC 46 .1816	21 NCAC 46 .2502	Narrow Thcrapeutic Index Drugs	PHYSICAL THERAPY EXAMINERS	21 NCAC 48F.0102	PLUMBING, HEATING AND FIRE SPRINKLER CONTRACTORS, EXAMI	21 NCAC 50.0301	21 NCAC 50.0304	21 NCAC 50 .0306	21 NCAC 50.0310	21 NCAC 50.0402	21 NCAC 50 .0404	21 NCAC 50 .0406	21 NCAC 50 .0412	21 NCAC 50.0501	21 NCAC 50 .0506	21 NCAC 50 .0508	21 NCAC 50 .0512	21 NCAC 50.0513	21 NCAC 50 .0514

	Other																										
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RRC Status	Date	03/16/00	03/16/00	03/16/00	03/16/00	03/16/00	03/16/00	03/16/00	03/16/00	03/16/00	03/16/00	03/16/00	03/16/00	03/16/00	03/16/00	03/16/00	03/16/00	03/16/00	03/16/00								
RRC	Action	Approve	Approve	Approve	Approve	Approve	Approve	Approve	Approve	Approve	Approve	Object	Approve	Approve	Approve	Approve	Approve	Approve	Approve								
	Note	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	N/A		* *				* *		
	Text	14:14 NCR 1242	14:14 NCR 1242	14:14 NCR 1242	14:14 NCR 1242	14:14 NCR 1242	14:14 NCR 1242	14:14 NCR 1242	14:14 NCR 1242	14:14 NCR 1242	14:14 NCR 1242	14:14 NCR 1242	14:14 NCR 1242	14:14 NCR 1242	14:14 NCR 1242	14:14 NCR 1242	14:14 NCR 1242	14:14 NCR 1242	N/A		13:13 NCR 1050	14:10 INCM 14:20			13:13 NCR 1050	14:10 INCK 1430	
E	i emporary Rule																										
:	Kule-making Proceedings	14:10 NCR 749	14:10 NCR 749	14:10 NCR 749	14:10 NCR 749	14:10 NCR 749	14:10 NCR 749	14:10 NCR 749	14:10 NCR 749	14:10 NCR 749	14:10 NCR 749	14:06 NCR 429	14:06 NCR 429	14:06 NCR 429	14:06 NCR 429	14:06 NCR 429	14:06 NCR 429	14:06 NCR 429	N/A	RD	12:05 NCR 338	13:21 NCR 1784	12:05 NCR 338	12:05 NCR 338	12:05 NCR 338	12:05 NCR 338	12:05 NCR 338
	Agency/Rule Citation	21 NCAC 50 .1001	21 NCAC 50 .1004	21 NCAC 50 .1006	21 NCAC 50 .1007	21 NCAC 50.1008	21 NCAC 50 .1009	21 NCAC 50.1010	21 NCAC 50 .1011	21 NCAC 50 .1013	21 NCAC 50.1014	21 NCAC 50 .1101	21 NCAC 50.1204	21 NCAC 50 .1205	21 NCAC 50 .1206	21 NCAC 50 .1210	21 NCAC 50 .1212	21 NCAC 50 .1213	21 NCAC 50 .1214	PSYCHOLOGY BOARD	21 NCAC 54 .1611	21 NCAC 54.1901	21 NCAC 54 .2006	21 NCAC 54 .2010	21 NCAC 54.2104	21 NCAC 54 .2301	21 NCAC 54 .2302

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	Approved Rule																							14:15 NCR 1354	14:15 NCR 1354			
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RRC Status	Date																							11/11/99	11/11/99			
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Notice of	Text																							13:13 NCR 1050	13:13 NCR 1050	13:13 NCR 1050	14:16 NCK 1438 13:13 NCR 1050	14:16 NCR 1438 13:13 NCR 1050 14:16 NCR 1458
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Dule meline	Proceedings		12:05 NCR 338	12:05 NCR 338	12:05 NCR 338	12:05 NCR 338	12:05 NCR 338	12:05 NCR 338	12:05 NCR 338	12:05 NCR 338	12:05 NCR 338	12:05 NCR 338	12:05 NCR 338	12:05 NCR 338	12:05 NCR 338	12:05 NCR 338	12:05 NCR 338	12:05 NCR 338	12:05 NCR 338	12:05 NCR 338	12:05 NCR 338	12:05 NCR 338	12:05 NCR 338	12:05 NCR 338	12:05 NCR 338	12:05 NCR 338	12:05 NCR 338	12:05 NCR 338
Alan District	Agency/Rule Citation		21 NCAC 54 .2303	21 NCAC 54.2304	21 NCAC 54 .2305	21 NCAC 54 .2306	21 NCAC 54 .2307	21 NCAC 54 .2308	21 NCAC 54 .2309	21 NCAC 54 .2310	21 NCAC 54 .2311	21 NCAC 54 .2312	21 NCAC 54 .2313	21 NCAC 54 .2314	21 NCAC 54 .2401	21 NCAC 54 .2402	21 NCAC 54 .2501	21 NCAC 54 .2502 -	21 NCAC 54 .2503	21 NCAC 54 .2504	21 NCAC 54 .2505	21 NCAC 54 .2601	21 NCAC 54 .2602	21 NCAC 54 .2704	21 NCAC 54 .2706	21 NCAC 54 .2801	21 NCAC 54 .2802	21 NCAC 54 .2803

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atus	Date						07/15/99		07/15/99	03/16/00	03/16/00		07/15/99	03/16/00	07/15/99	03/16/00	07/15/99	03/16/00	07/15/99	03/16/00	07/15/99	03/16/00	07/15/99	03/16/00	03/16/00	07/15/99	03/16/00	07/15/99	03/16/00	07/15/99	03/16/00	07/15/99
RRC Status	Action						Approve		Return to Agcy	Approve	Ketum to Agcy	20044	Return to Agcy	Approve	Return to Agcy	Approve	Return to Agey	Approve	Return to Agcy	Approve	Return to Agcy	Approve	Return to Agey	Approve	Ketum to Agcy	Return to Agey	Approve	Return to Agcy	Approve	Return to Agcy	Approve	Return to Agcy
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Notice of	Text	13:13 NCR 1050 14:16 NCR 1458	13:13 NCR 1050	13:13 NCR 1050	13:13 NCR 1050		13:18 NCR 1503		13:18 NCR 1503	14:12 NCR 998	13:18 NCR 1503 14:12 NCR 998	1.12.10.10.10.10.10.10.10.10.10.10.10.10.10.	13:18 NCR 1503	14:12 NCR 998	13:18 NCR 1503	14:12 NCR 998 13:24 NCR 2008	13-18 NCP 1503	14:12 NCR 998	13:18 NCR 1503	14:12 NCR 998	13:18 NCR 1503	14:12 NCR 998	13:18 NCR 1503	14:12 NCR 998	13:18 NCK 1503 14:12 NCR 998	13:18 NCR 1503	14:12 NCR 998	13:18 NCR 1503	14:12 NCR 998	13:18 NCR 1503	14:12 NCR 998	13:18 NCR 1503
Temporary	Rule						13:13 NCR 1061																									
Rufe-making	Proceedings	12:05 NCR 338	12:05 NCR 338	12:05 NCR 338	12:05 NCR 338	Z		14:06 NCR 428		14:06 NCR 428	14:06 NCP 428	14:06 NCR 428		14:06 NCR 428		14:06 NCR 428		14:06 NCR 428		14:06 NCR 428 14:06 NCR 428		14:06 NCR 428		14:06 NCR 428	14:06 NCP 428	04F MONI 00.F1	14:06 NCR 428		14:06 NCR 428	;	14:06 NCR 428	
Agency/Rule	Cltation	21 NCAC 54 .2804	21 NCAC 54 .2805	21 NCAC 54 .2806	21 NCAC 54 .2807	PUBLIC EDUCATION	16 NCAC 06B .0108	16 NCAC 06C,0100	16 NCAC 06C .0102		16 NCAC 06C .0103	16 NCAC 06C .0200	16 NCAC 06C .0202		16 NCAC 06C .0205	16 NCAC 06C .0205	16 NCA 060 0206	0070' O00 OUON 01	16 NCAC 06C .0207	16 NCAC 06C .0300	16 NCAC 06C,0301		16 NCAC 06C .0302	2000	16 NCAC 06C .0303	16 NCAC 06C,0304		16 NCAC 06C .0305		16 NCAC 06C .0306		16 NCAC 06C .0307

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RRC Status	Action	Approve	Return to Agey	Approve	Return to Agcy	Approve	Return to Agcy	Approve	Return to Agcy	Approve	Keturn to Agcy	approde				Object	Approve	Approve	Approve	Approve	Approve	Approve	Approve	Approve	Approve			Approve	Approve	Object Approve
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Notice of	Text	14:12 NCR 998	13:18 NCR 1503	14:12 NCR 998	13:18 NCR 1503	14:12 NCR 998	13:18 NCR 1503	14:12 NCR 998	13:18 NCR 1503	14:12 NCR 998	13:18 NCR 1503	14:12 NCR 998	14:21 NCR 1868	14:17 NCR 1506	14:21 NCR 1868	13:18 NCR 1503	14:21 NCB 1868	13:18 NCR 1503	13:24 NCR 2008	13:18 NCR 1503	13:18 NCR 1503	13:18 NCR 1503	13:13 NCR 1503	13:24 NCR 2008	13:18 NCR 1503	14:17 NCR 1506	14:17 NCR 1506	13:24 NCR 2008	13:24 NCR 2008	13:24 NCR 2008
Temporary	Rule													14:11 NCR 910				12:22 NCR 2010	1 emp Expired 02/09/99 13:											
Dulamaking	Proceedings	14:06 NCP 428	074 WOW 00:41	14:06 NCR 428		14:06 NCR 428		14:06 NCR 428		14:06 NCR 428		14:06 NCR 428 14:06 NCR 428	14:17 NCR 1497		14:17 NCR 1497		14.17 NCB 1407	14:11 NOW 14:21												
ol. Observe	Agency/Anie Citation		16 NCAC 06C 0308	onco: Ono ovovioi	16 NCAC 06C,0309		16 NCAC 06C .0311		16 NCAC 06C .0312		16 NCAC 06C .0313	16 NCAC 06C .0400	16 NCAC 06C .0401	16 NCAC 06C .0402	16 NCAC 06C .0404	16 NCAC 06C .0501	1030 000 00001	16 NCAC 06D .0103	16 NCAC 06D .0103	16 NCAC 06D .0210	16 NCAC 06D .0301	16 NCAC 06D .0302	16 NCAC 06D .0303	16 NCAC 06D .0304	16 NCAC 06D .0305	16 NCAC 06D .0305	16 NCAC 06D .0306	16 NCAC 06D .0501	16 NCAC 06D .0502	16 NCAC 06D .0503

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tatus	Date		10/04/99	11/1 //99	10/04/99	10/04/99	07/15/99			07/15/99	04/12/60	07/15/99	07/15/99	04/12/60		03/16/00	10/04/99	07/15/99	-	10/04/99	07/15/99	07/15/99		10/04/99	04/12/60	10/04/99
RRC Status	Action		Object	Approve Approve	Approve	Approve	Return to Agcy Approve			Approve	Approve	Approve	Approve	Approve	Return to Agcy	Approve Return to Agcy	Approve	Return to Agcy	Return to Agcy	Approve	Return to Agcy	Return to Agey		Approve	Return to Agcy	Approve
Fiscal	Note	•	S	S	S	S	* *			*	•	*	*	*	*	* *	N/A		•	N/A	# #	•		N/A	*	N/A
Notice of	Text	14:17 NCR 1506	13:24 NCR 2008	13:24 NCR 2008	13:24 NCR 2008	13:24 NCR 2008	13:18 NCR 1503 14:12 NCR 998			13:18 NCR 1503	2)99 13:18 NCR 1503	14:12 NCR 998 13:18 NCR 1503	N/A	13:18 NCR 1503	13:18 NCR 1503	N/A	13:18 NCR 1503	13:18 NCR 1503		N/A	13:18 NCR 1503	N/A				
Temporary	Rule							13:05 NCR 523	14:18 NCR 1618					12:22 NCR 2010	Temp Expired 02/09/99 13											
Rule-makioo	Proceedings						14:06 NCB 428									14:06 NCR 428	N/A	0074 7074	14:06 INCK 428	N/A	000 0014 0004	14:00 INCK 426	14:06 NCR 428	N/A		N/A
Anoncy/Rufo	Citation	16 NCAC 06D .0503	16 NCAC 06D .0504	16 NCAC 06D .0505	16 NCAC 06D .0506	16 NCAC 06D .0507	16 NCAC 06E .0202	16 NCAC 06E .0301	16 NCAC 06E .0301	16 NCAC 06E .0301	16 NCAC 06G .0202	16 NCAC 06G .0308	16 NCAC 06G .0309	16 NCAC 06G .0311	16 NCAC 06G .0502	16 NCAC 06H .0101	16 NCAC 06H .0101	16 NCAC 06H .0103	16 NCAC 06H .0105	16 NCAC 06H .0105	16 NCAC 06H .0106	16 NCAC 06H .0107	16 NCAC 06H .0107	16 NCAC 06H .0107	16 NCAC 06H .0108	16 NCAC 06H .0108

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RRC Status	Action	Return to Agcy	Approve	Return to Agcy Object Approve		Approve	Object	Арргоvе Арргоvе	Approve																		
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Notice of	Text	13:18 NCR 1503	N/A	13:18 NCR 1503		N/A	N/A	N/A	N/A	14:10 NCR 772	14:10 NCR 772	14:10 NCR 772	N/A	N/A	14:10 NCR 772	N/A	N/A										
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Al-Olivery	Agency/rule Citation	16 NCAC 06H .0109	16 NCAC 06H .0109	16 NCAC 06H .0110	REAL ESTATE COMMISSION	21 NCAC 58A .0101	21 NCAC 58A .0104	21 NCAC 58A .0105	21 NCAC 58A .0106	21 NCAC 58A .0107	21 NCAC 58A .0109	21 NCAC 58A .0110	21 NCAC 58A .0111	21 NCAC 58A .0112	21 NCAC 58A .0113	21 NCAC 58A .0114	21 NCAC 58A .0301	21 NCAC 58A .0302	21 NCAC 58A .0303	21 NCAC 58A .0304	21 NCAC 58A .0401	21 NCAC 58A .0402	21 NCAC 58A .0403	21 NCAC 58A .0404	21 NCAC 58A .0406	21 NCAC 58A .0501	21 NCAC 58A .0502

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RRC Status	Date	02/17/00	02/11/00	05/11/00	05/11/00	05/11/00	05/11/00	05/17/00	02/17/00	02/17/00	02/17/00	02/17/00	02/17/00	02/17/00	05/11/00	05/11/00	05/11/00	02/11/00	02/17/00	02/11/00	05/17/00	05/11/00	05/11/00	05/17/00	02/17/00	05/17/00	02/17/00	02/17/00
RRC	Action	Approve																										
Fiscal	Note	•	N/A	*	N/A	N/A	*	N/A	N/A	*	N/A	*	N/A	N/A	*	•	N/A	N/A	•	•	N/A							
Notice of	Text	14:10 NCR 772	N/A	14:10 NCR 772	N/A	N/A	14:10 NCR 772	N/A	N/A	14:10 NCR 772	N/A	14:10 NCR 772	N/A	N/A	14:10 NCR 772	14:10 NCR 772	N/A	N/A	14:10 NCR 772	14:10 NCR 772	N/A							
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Dulamaking	Proceedings	14:06 NCR 429	N/A	14:06 NCR 429	N/A	N/A	14:06 NCR 429	N/A	N/A	14:06 NCR 429	N/A	14:06 NCR 429	N/A	N/A	14:06 NCR 429	14:06 NCR 429	N/A	N/A	14:06 NCR 429	14:06 NCR 429	N/A							
A round (Dulo	Agency/ Ruie Citation	21 NCAC 58A .0503	21 NCAC 58A .0504	21 NCAC 58A .0505	21 NCAC 58A .0506	21 NCAC 58A .0510	21 NCAC 58A .0601	21 NCAC 58A .0610	21 NCAC 58A .0612	21 NCAC 58A .0615	21 NCAC 58A .0902	21 NCAC 58A .1402	21 NCAC 58A .1701	21 NCAC 58A .1702	21 NCAC 58A .1703	21 NCAC 58A .1708	21 NCAC 58A .1709	21 NCAC 58A .1711	21 NCAC 58B .0101	21 NCAC 58B .0102	21 NCAC 58B .0104	21 NCAC 58B .0201	21 NCAC 58B .0202	21 NCAC 58B .0203	21 NCAC 58B .0301	21 NCAC 58B .0401	21 NCAC 58B .0501	21 NCAC 58B .0602

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RRC	Action	Approve	Approve	Approve	Approve	Approve	Approve	Approve	Approve	Approve	Approve	Approve																
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Notice of	Text	14:10 NCR 772	14:10 NCR 772	14:10 NCR 772	14:10 NCR 772	14:10 NCR 772	14:10 NCR 772	14:10 NCR 772	14:10 NCR 772	14:10 NCR 772	14:10 NCR 772	14:10 NCR 772																
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oli (Disease)	Agency/Rule Citation	21 NCAC 58C .0105	21 NCAC 58C .0106	21 NCAC 58C .0107	21 NCAC 58C .0108	21 NCAC 58C .0207	21 NCAC 58C .0213	21 NCAC 58C .0214	21 NCAC 58C .0217	21 NCAC 58C .0218	21 NCAC 58C .0220	21 NCAC 58C .0302	21 NCAC 58C .0304	21 NCAC 58C .0305	21 NCAC 58C .0306	21 NCAC 58C .0307	21 NCAC 58C .0310	21 NCAC 58C .0312	21 NCAC 58C,0601	21 NCAC 58C,0602	21 NCAC 58C .0603	21 NCAC 58C .0604	21 NCAC 58C .0605	21 NCAC 58C .0606	21 NCAC 58C .0607	21 NCAC 58C .0608	21 NCAC 58E .0102	21 NCAC 58E .0202

14:06 NCR 429 14:10 NCR 772 *
14:06 NCR 429 14:10 NCR 772 * Approve 14:06 NCR 429 14:10 NCR 772 * Approve N/A N/A Approve 14:06 NCR 429 14:10 NCR 772 * Approve
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RRC Status	Date	02/17/00	02/17/00	02/17/00	02/11/00	02/17/00	02/11/00	02/11/00	02/11/00	02/11/00	02/11/00	02/11/00	02/17/00	02/17/00	02/11/00	03/16/00	02/11/00	03/16/00	03/16/00	03/16/00				02/17/00	02/17/00	02/17/00		02/17/00
RRC	Action	Approve	Approve	Object	Approve	Approve	Approve	Approve				Approve	Approve	Approve		Approve												
Fiscal	Note	N/A	A/A	N/A	N/A	N/A	N/A	N/A	N/A		N/A	*	*	*	*	*	*	N/A	N/A	N/A	*	N/A						
Notice of	Text	13:08 NCR 690	14:16 NCR 1428	13:08 NCR 690	14:16 NCR 1428	14:16 NCR 1428	14:16 NCR 1428	14:16 NCR 1428	14:16 NCR 1428	14:16 NCR 1428	13:08 NCR 690	13:08 NCR 690	13:08 NCR 690	14:16 NCR 1428	13:08 NCR 690													
Temporary	Rule																											
Dula-making	Proceedings	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A															
A construction of	Ageucy/Ruie Citation	17 NCAC 04B .0107	17 NCAC 04B .0301	17 NCAC 04B .0302	17 NCAC 04B .0306	17 NCAC 04B .0308	17 NCAC 04B .0309	17 NCAC 04B .0310	17 NCAC 04B .0311	17 NCAC 04B .0312	17 NCAC 04B .0403	17 NCAC 04B .0405	17 NCAC 04B ,2902	17 NCAC 04B .2903	17 NCAC 04B .4301	17 NCAC 04B .4301	17 NCAC 04B .4302	17 NCAC 04B,4302	17 NCAC 04B .4401	17 NCAC 04B .4402	17 NCAC 04C .0603	17 NCAC 04C .1101	17 NCAC 04C .1801	17 NCAC 04E .0102	17 NCAC 04E .0103	17 NCAC 04E .0201	17 NCAC 04E .0201	17 NCAC 04E .0202

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RRC Status	Date	02/17/00	02/17/00	sw 02/17/00 03/16/00	02/17/00	02/11/00	05/11/00	02/17/00	02/17/00	03/16/00	03/16/00	03/16/00	03/16/00	03/16/00	03/16/00	03/16/00	02/17/00	03/18/99	03/16/00	03/16/00	03/16/00	03/16/00	03/16/00	03/16/00	02/17/00	02/17/00	03/16/00
RRC	Action	Approve	Approve	Agcy Withdrew	Approve	Approve	Approve	Approve	Object Object	Approve	Approve	Approve	Approve	Approve	Approve	Approve	Approve	Angross									
Fiscal	Note	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	*	*	*	N/A	*	*	*	N/A	N/A	*	43	*	*	*	*	N/A	N/A	•
Notice of	Text	13:08 NCR 690	13:08 NCR 690	13:08 NCR 690	N/A	N/A	N/A	N/A	13:08 NCR 690	14:16 NCR 1431	14:16 NCR 1431	14:16 NCR 1431	N/A	14:16 NCR 1431	14:16 NCR 1431	14:16 NCR 1431	13:08 NCR 694	13:09 NCR 762	14:16 NCR 1433	14:16 NCR 1433	14:16 NCR 1433	14:16 NCR 1437	14:16 NCR 1437	14:16 NCR 1437	13:08 NCR 695	13:08 NCR 695	14:16 NCD 1437
Temporary	Rule																										
Rule-making	Proceedings	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N1/A
A gency/Rule	Citation	17 NCAC 04E .0203	17 NCAC 04E .0302	17 NCAC 04E .0703	17 NCAC 04F .0101	17 NCAC 04F .0102	17 NCAC 04F .0103	17 NCAC 04F .0104	17 NCAC 04F .0105	17 NCAC 05B .0603	17 NCAC 05B .0803	17 NCAC 05B .0903	17 NCAC 05B .1112	17 NCAC 05C .0702	17 NCAC 05C,0703	17 NCAC 05C, 2003	17 NCAC 06B .0105	17 NCAC 06B .0118	17 NCAC 06B .0605	17 NCAC 06B,3408	17 NCAC 06B .3503	17 NCAC 07B .0104	17 NCAC 07B .0118	17 NCAC 07B .0123	17 NCAC 07B .0124	17 NCAC 07B .0125	17 NCA 07B 0207

Action Date proposal Approve 03/16/00 Approve 03/16/00 Approve 03/16/00 Approve 03/16/00 Approve 03/16/00 Approve 03/16/00	× * * * * * * * * * * * * * * * * * * *	14:16 NCR 1437
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Approve 03/16/00	*	14:16 NCR 1437
Approve 03/16/00	*	14:16 NCR 1451
Approve 02/17/00	N/A	13:08 NCR 695
Approve 03/16/00	*	14:16 NCR 1451

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Agency/Kule Citation	Kuie-making Proceedings	Rule	Text	Note	Action	Date	from proposal	Governor	Approved Rule	Other
17 NCAC 001 0403	V/N		14·16 NCR 1451	•	Annrove	03/16/00				
17 NCAC 10 0101	V/N		14:16 NCR 1452	*	Approve	03/16/00				
1010:01 00:01 /1										
17 NCAC 10 .0204		14:18 NCR 1619								
17 NCAC 10 .0405	N/A		14:16 NCR 1452	*	Approve	03/16/00				
17 NCAC 10.0504	N/A		14:16 NCR 1452	•	Approve	03/16/00				
17 NCAC 10.0505	N/A		14:16 NCR 1452	*	Approve	03/16/00	•			
Tax Review Board										14:12 NCR 954
Tax Review Board										14:19 NCR 1669
SECRETARY OF STATE	ATE									
18 NCAC 06 .1212		13:14 NCR 1151		,					ACE OF COMMENTER	
18 NCAC 06 1304		14:08 NCR 645 13:14 NCR 1151	14:08 NCR 645	*	Approve	01/20/00			14:19 NCK 1 /05	
F001:00 OVOING:	rore done by	14:08 NCR 645	14:08 NCR 645	* *	Approve	01/20/00			14:19 NCR 1705	
18 NCAC 06 .1402	14:17 NCK 1497		14:22 NCK 1980	•						
18 NCAC 06.1413	14:17 NCR 1497		14;22 NCR 1980	*						
18 NCAC 06 .1502		13:14 NCR 1151								
		14:08 NCR 645	14:08 NCR 645	*	Approve	01/20/00			14:19 NCR 1705	
18 NCAC 06.1709	14:17 NCR 1497		14:22 NCR 1980	*						
18 NCAC 06.1802		12:07 NCR 534	12:14 NCR 1312	#						
18 NCAC 06.1803		Temp Expired 06/28/98 12:07 NCR 534	3/98 12:14 NCR 1312							
18 NCAC 10 .0101	13:09 NCR 759	Temp Expired 06/28/98 13:14 NCR 1153 Expired 10/12/99 13:18 NCR 1556	86/5							
		Expired 12/10/99 14:12 NCR 1046								Temp Filed over obj
18 NCAC 10 .0201	13:09 NCR 759	13:14 NCR 1153 Expired 10/12/99 13:18 NCR 1556								
		Expired 12/10/99 14:12 NCR 1046								Temp Filed over obj
18 NCAC 10 .0301	13:09 NCR 759	13:14 NCR 1153								

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Agency/Rule Citation	Rule-makiog Proceedings	Temporary Rule	Notice of Text	Fiscal Note	Action	from Date proposal	Enecuve by Governor	Approved Rule	le Other
		Expired 10/12/99 13:18 NCR 1556							
		Expired 12/10/99 14:12 NCR 1046							Temp Filed over obj
18 NCAC 10 .0302	13:09 NCR 759	13:14 NCR 1153							•
		Expired 10/12/99 14:12 NCR 1046							Temp Filed over obj
18 NCAC 10 .0303	13:09 NCR 759	13:14 NCR 1153 Expired 10/12/99							
	,	14:12 NCR 1046							Temp Filed over obj
18 NCAC 10 .0304	13:09 NCR 759	13:14 NCR 1153 Expired 10/12/99							
		14:12 NCR 1046							Temp Filed over obj
18 NCAC 10 .0305	13:09 NCR 759	13:14 NCR 1153							
		Expired 10/12/99							
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		14:12 NCR 1046							Temp Filed over obj
18 NCAC 10 .0306		13:18 NCR 1556 Expired 12/10/99							
		14:12 NCR 1046							Temp Filed over obj
18 NCAC 10.0307		13:18 NCR 1556							
1		Expired 12/10/99 14:12 NCR 1046							Temp Filed over obj
18 NCAC 10 .0308		13:18 NCR 1556							
		Expired 12/10/99 14:12 NCR 1046							Temp Filed over obj
18 NCAC 10.0309		13:18 NCR 1556							
		Expired 12/10/99 14:12 NCR 1046							Temp Filed over obj
18 NCAC 10 .0401	13:09 NCR 759	13:14 NCR 1153-Recodified to .0801	odified to .0801						
		Expired 10/12/99 13:18 NCR 1556							
		Expired 12/10/99							
18 NCAC 10 .0402	13:09 NCR 759	13:14 NCK 1153-Recodified to .0802 Expired 10/12/99	sodified to .0802						
		13:18 NCR 1556 Expired 12/10/00							
18 NCAC 10 .0501	13:09 NCR 759	13:14 NCR 1153-Recodified to .0901 Expired 10/12/00	odified to .0901						
		Expired 10/12/22							

Agency/Rule	Rufe-making	Temporary	Natice of	Fiscal	RRC Status	Text differs	Effective by		
Citation	Proceedings	Rule	Text	Note	Action Date	irom proposal	Governor	Approved Kule	Other
		13:18 NCR 1556							
		Expired 12/10/99							
18 NCAC 10 .0701		13:18 NCK 1556							
		Expired 12/10/99							Temp Filed over ohi
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18 INCAC 10 .0801		Expired 12/10/99							
		14:12 NCR 1046							Temp Filed over obj
18 NCAC 10 .0802		13:18 NCR 1556							
		Expired 12/10/99							T E. J a.b.:
1000 01 0 4014 01		14:12 NCK 1046							remp rited over obj
18 INCAC 10 :0901		Expired 12/10/99							
SOCIAL WORK CERTIFICATION AND LICENSHIRE BOARD	RTIFICATION AN	14:12 NCR 1046 ND LICENSURE BO	OARD						Temp Filed over obj
Additional Public Hearing on March 16, 2000	ring on March 16, 200	0.							14:17 NCR 1493
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	*					

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RRC Status	Date																											
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Fiscal	Note	*	*	*	•	*	•	•		•		•	*	*	*	*	•	•		•	*	*	•	*	*	*	•	*
Notice of	Text	14:14 NCR 1249	14:14 NCR 1249	14:14 NCR 1249	14:14 NCR 1249	14:14 NCR 1249	14:14 NCR 1249	14:14 NCR 1249	14:14 NCR 1249	14:14 NCR 1249	14:14 NCR 1249																	
Temnorary	Rule	14:09 NCR 697	14:09 NCR 697	14:09 NCR 697	14:09 NCR 697	14:09 NCR 697	14:09 NCR 697	14:09 NCR 697	14:09 NCR 697	14:09 NCR 697	14:09 NCR 697																	
Dulamaking	Proceedings	14:09 NCR 697	14:09 NCR 697	14:09 NCR 697	14:09 NCR 697	14:09 NCR 697	14:09 NCR 697	14:09 NCR 697	14:09 NCR 697	14:09 NCR 697	14:09 NCR 697																	
A compa	Agency/ Name Citation	21 NCAC 63 .0213	21 NCAC 63 .0301	21 NCAC 63 .0302	21 NCAC 63 .0303	21 NCAC 63 .0304	21 NCAC 63 .0305	21 NCAC 63 .0306	21 NCAC 63 .0401	21 NCAC 63 .0402	21 NCAC 63 .0403	21 NCAC 63 .0404	21 NCAC 63 .0501	21 NCAC 63 .0503	21 NCAC 63 .0507	21 NCAC 63 .0508	21 NCAC 63 .0509	21 NCAC 63 .0601	21 NCAC 63 .0602	21 NCAC 63.0603	21 NCAC 63 .0604	21 NCAC 63 .0607	21 NCAC 63 .0609	21 NCAC 63.0701	21 NCAC 63 .0702	21 NCAC 63 .0703	21 NCAC 63 .0704	21 NCAC 63 .0801

-	Other																											
	Approved Rule												14:10 NCR 839	14:10 NCR 839	14:15 NCD 1354	14:10 NCR 839												
Effective by	Governor																											
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RRC Status	Date												10/04/99	10/04/99	10/04/99	10/04/99												
RRC	Action												Approve	Approve	Object	Approve												
Fiscal	Note	•	*	*	*	*	*	•	•	•		•	•	•	•	•	S/SE	S/SE	S/SE	S/SE	S/SE	S/SE	S/SE	S/SE	S/SE	S/SE	S/SE	S/SE
Notice of	Text	14:14 NCR 1249	14:14 NCR 1249	14:14 NCR 1249	14:14 NCR 1249	14:14 NCR 1249	14:14 NCR 1249	14:14 NCR 1249	14:14 NCR 1249	14:14 NCR 1249		13:09 NCR 773	13:22 NCR 1850	13;22 NCR 1850	13:09 NCR 773	13:22 NCR 1850	14:20 NCR 1824	14:20 NCR 1824	14:20 NCR 1824	14:20 NCR 1824	14;20 NCR 1824	14:20 NCR 1824						
Temporary	Rule	14:09 NCR 697	14:09 NCR 697	14:09 NCR 697	14:09 NCR 697	14:09 NCR 697	14:09 NCR 697	14:09 NCR 697	14:09 NCR 697	14:09 NCR 697			13:18 NCR 1560	13:18 NCR 1560		13:18 NCR 1560	14:16 NCR 1467	14:16 NCR 1467	14:16 NCR 1467	14:16 NCR 1467	14:16 NCR 1467	14:16 NCR 1467	14:16 NCR 1467	14:16 NCR 1467	14:16 NCR 1467	14:16 NCR 1467	14:16 NCR 1467	14:16 NCR 1467
Dule molding	Proceedings	14:09 NCR 697	14:09 NCR 697	14:09 NCR 697	14:09 NCR 697	14:09 NCR 697	14:09 NCR 697	14:09 NCR 697	14:09 NCR 697	14:09 NCR 697	COMMISSION	13:05 NCR 436			13:05 NCR 436		14:16 NCR 1467	14:16 NCR 1467	14:16 NCR 1467	14:16 NCR 1467	14:16 NCR 1467	14:16 NCR 1467	14:16 NCR 1467	14:16 NCR 1467	14:16 NCR 1467	14:16 NCR 1467	14:16 NCR 1467	14:16 NCR 1467
Agononia	Agency/Ame Citation	21 NCAC 63 .0802	21 NCAC 63 .0803	21 NCAC 63 .0804	21 NCAC 63 .0805	21 NCAC 63.0806	21 NCAC 63 .0807	21 NCAC 63 .0808	21 NCAC 63 .0809	21 NCAC 63.0820	STATE PERSONNEL COMMISSION	25 NCAC 01B .0354	25 NCAC 01B .0414	25 NCAC 01B .0434	25 NCAC 01B .0437	25 NCAC 01C .0214	25 NCAC 01C,0801	25 NCAC 01C .0802	25 NCAC 01C .0803	25 NCAC 01C .0804	25 NCAC 01C .0805	25 NCAC 01C .0806	25 NCAC 01C .0807	25 NCAC 01C .0808	25 NCAC 01C .0809	25 NCAC 01C .0810	25 NCAC 01C .0811	25 NCAC 01C .0812

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Agency/ Rufe Citation	Proceedings	Rule	Text	Note	Action	Date	from proposal	Governor	Approved Rule	Other
25 NCAC 01C .0813	14:16 NCR 1467	14:16 NCR 1467	14:20 NCR 1824	S/SE						
25 NCAC 01D .2516		11:13 NCR 1062	11:19 NCR 1429	•						
25 NCAC 01D .2517		12:09 NCR 835	Temp Expired 07/31/98							
25 NCAC 01H .0602	13:05 NCR 436		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	*	Object Approve	10/04/99	•		14:15 NCR 1354	
25 NCAC 01J .0503	13:05 NCR 436		13:09 NCR 773	*	Approve	10/04/99	*		14:10 NCR 839	
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	
STATE TREASURER	×									
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								
SUBSTANCE ABUSE PROFESSIONAL CERTIFICATION BOARD	E PROFESSIONA	L CERTIFICATIO	N BOARD							
21 NCAC 68 .0101	14:10 NCR 749		14:14 NCR 1259	•	Approve	03/16/00				
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	*						

100	Omer																											
1.01	Approved Kule											14:02 NCR 84														14:01 NCR 48	14:01 NCR 48	
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RRC Status	Date	03/16/00		03/16/00	03/16/00	03/16/00	03/16/00		03/16/00			04/15/99	:w 02/17/00	02/17/00		02/17/00	02/17/00	02/17/00	02/11/00	02/17/00	02/17/00	02/17/00	02/11/00	02/11/00	02/11/00	03/18/99	03/18/99	02/17/00
RRC	Action	Approve		Object	Approve	Approve	Approve		Approve			Approve	Agcy Withdrew 02/17/00	Approve		Approve												
Fiscal	Note	*	*	*	*	*	•	*	*			*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	•	*
Notice of	Text	14:14 NCR 1259	14:16 NCR 1460	14:14 NCR 1259	14:14 NCR 1259	14:14 NCR 1259	14:14 NCR 1259	14:16 NCR 1460	14:14 NCR 1259			13:14 NCR 1116	14:09 NCR 670	14:09 NCR 670	14:09 NCR 670	14:09 NCR 670	14:09 NCR 695	14:09 NCR 670	14:09 NCR 695	13:10 NCR 811	13:10 NCR 811	14:09 NCR 670						
Temporary	Rule																14:09 NCR 695								14:09 NCR 695			
Rule-making	Proceedings	14:10 NCR 749			13:08 NCR 626	14:03 NCR 126	14:03 NCR 126	14:03 NCR 126	14:03 NCR 126	14:03 NCR 126	14:03 NCR 126	14:03 NCR 126	14:03 NCR 126	14:03 NCR 126	14:03 NCR 126	14:03 NCR 126	14:03 NCR 126	14:03 NCR 126	13:04 NCR 361	13:04 NCR 361	14:03 NCR 126							
Agency/Rule	Cltatioo	21 NCAC 68 .0503	21 NCAC 68 .0503	21 NCAC 68 .0507	21 NCAC 68 .0509	21 NCAC 68 .0511	21 NCAC 68 .0601	21 NCAC 68 .0701	21 NCAC 68 .0706	RANSPORTATION	Highways, Division of	19A NCAC 02D .0415 13:08 NCR 626	19A NCAC 02E .0201	19A NCAC 02E .0202	19A NCAC 02E .0203	19A NCAC 02E .0206	19A NCAC 02E .0207	19A NCAC 02E .0208	19A NCAC 02E .0209	19A NCAC 02E .0210	19A NCAC 02E .0211	19A NCAC 02E .0212	19A NCAC 02E .0213	19A NCAC 02E .0214	19A NCAC 02E .0215	19A NCAC 02E .0221	19A NCAC 02E .0222	19A NCAC 02E .0224

	Other																										
	Approved Rule																14:06 NCR 490	14:06 NCR 490	14:06 NCR 490	14:00 NCB 708	14:06 NCR 490	14.00 VON 00.21	14:06 NCR 490	14:06 NCR 490	14:06 NCR 490	14:09 NCR 708)
Effective by	Governor																										
Text differs	from proposal	*	*		*	•														*		1				*	
RRC Status	Date	02/17/00	02/17/00	03/16/00	02/17/00	02/17/00					03/16/00	03/16/00	03/16/00	03/16/00	03/16/00	03/16/00	04/12/6	07/15/99	04/12/6	02/11/2/99	07/15/99	07/15/99	07/15/99	04/12/99	04/12/99	07/15/99	1011100
RRC	Action	Approve	Approve	Annrove	Approve	Approve					Approve	Ohject	Approve	Approve	Approve	Approve	Approve	Approve	Approve	Object	Approve	Object	Approve Approve	Approve	Approve	Object Approve	apoiddy
Fiscal	Note	*	*	* *	•	*			*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	•	
Notice of	Text	14:09 NCR 670	14:09 NCR 695	14:09 NCR 695 14:12 NCR 1012	14:09 NCR 670	14:09 NCR 670			14:16 NCR 1453	14:20 NCR 1824	14:13 NCR 1145	13:22 NCR 1843	13:22 NCR 1843	13:22 NCR 1843	13:22 NCR 1843	13:22 NCR 1843	13:22 NCR 1843	13:22 NCR 1843	13:22 NCR 1843	13:22 NCR 1843	13:22 NCR 1843						
Tomorory	Rule		14:09 NCR 695	14:09 NCR 695					14:11 NCR 911																		
Dulo moldan	Proceedings	14:03 NCR 126	14:03 NCR 126	14:03 NCR 126	14:03 NCR 126	14:03 NCR 126	of	14:23 NCR 2028		14:14 NCR 1223	14:07 NCR 520	13:16 NCR 1258	13:16 NCR 1258	13:16 NCR 1258	13:16 NCR 1258	13:16 NCR 1258	13:16 NCR 1258	13:16 NCR 1258	13:16 NCR 1258	13:16 NCR 1258	13:16 NCR 1258	CAL BOARD					
C. C.	Agency/Kule Citation	19A NCAC 02E .0225 14:03 NCR 126	19A NCAC 02E .0226	19A NCAC 02E .0602	19A NCAC 02E .0603	19A NCAC 02E .0604 14:03 NCR 126	Motor Vehicles, Division of	19A NCAC 03D .0519	19A NCAC 03D .0801	19A NCAC 03D .0802	19A NCAC 03G .0203	19A NCAC 03G .0205	19A NCAC 03G .0206	19A NCAC 03G .0207	19A NCAC 03G .0209	19A NCAC 03G .0213	19A NCAC 031.0207	19A NCAC 03I .0301	19A NCAC 031,0302	19A NCAC 031.0307	19A NCAC 031.0401	19A NCAC 031,0402	19A NCAC 031.0501	19A NCAC 031.0601	19A NCAC 031.0701	19A NCAC 031 .0804	VETERINARY MEDICAL BOARD

Other	
Annroved Rule	amy paraddy
Effective by	Gavernor
Text differs	proposal
RRC Status	Date
RRC	Action
Fiscal	Note
Notice of	Text
Temporary	Rule
Rule-making	Proceedings
gency/Rule	Citation

12:23 NCR 2089 21 NCAC 66 .0207

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