


SUBMISSION FOR PERMANENT RULE


3/20/15
ORIGINAL

1. Rule-Making Agency: NC CHILD CARE COMMISSION	
2. Rule citation & name (name not required for repeal): 10A NCAC 09 .0302 APPLICATION FOR A LICENSE FOR A CHILD CARE CENTER	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: April 1, 2014 Link to Agency notice: http://ncchildcare.dhhs.state.nc.us/general/mb_ccrulespublic.asp Hearing on: May 12, 2014 Adoption by agency on: November 17, 2014 Notice not required under G.S.: Adoption by agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input checked="" type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input checked="" type="checkbox"/> Approved by OSBM No fiscal note required
<div style="text-align: center;">9. REASON FOR ACTION</div> 9A. What prompted this action? Check all that apply: <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: </div> <div style="width: 45%;"> <input type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: </div> </div> 9B. Explain: This rule is a part of a group of rules that strengthens the current requirements related to Emergency Preparedness and Response to promote the safety of children in while child care. This rule requires that records of lockdown or shelter-in-place drills be kept in the center's files.	
10. Rule-making Coordinator: Dedra Alston Address: 820 South Boylan Ave. Raleigh, NC 27603 Phone: 919-527-6502 E-Mail: Dedra.Alston@dhhs.nc.gov Agency Contact, if any: Same as above Phone: Same as above E-Mail: Dedra.Alston@dhhs.nc.gov	11. Signature of Agency Head* or Rule-making Coordinator: <div style="text-align: center;">  <hr style="width: 80%; margin: 0 auto;"/> </div> *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Dedra Alston Title: Rulemaking Coordinator
RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

SUBMISSION FOR PERMANENT RULE

ORIGINAL


3/20/15

1. Rule-Making Agency: NC CHILD CARE COMMISSION	
2. Rule citation & name (name not required for repeal): 10A NCAC 09 .0604 GENERAL SAFETY REQUIREMENTS	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: April 1, 2014 Link to Agency notice: http://ncchildcare.dhhs.state.nc.us/general/mb_ccrulespublic.asp Hearing on: May 12, 2014 Adoption by agency on: November 17, 2014 Notice not required under G.S.: Adoption by agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input checked="" type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input checked="" type="checkbox"/> Approved by OSBM No fiscal note required
<div style="text-align: center;">9. REASON FOR ACTION</div> 9A. What prompted this action? Check all that apply: <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: </div> <div style="width: 45%;"> <input type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: </div> </div> 9B. Explain: This rule is a part of a group of rules that strengthens the current requirements related to Emergency Preparedness and Response (EPR) to promote the safety of children while in child care. This amendment sets the standards for centers to have an EPR plan in place and determines how often fire and EPR related drills must be practiced.	
10. Rule-making Coordinator: Dedra Alston Address: 820 South Boylan Ave. Raleigh, NC 27603 Phone: 919-527-6502 E-Mail: Dedra.Alston@dhhs.nc.gov Agency Contact, if any: Same as above Phone: Same as above E-Mail: Dedra.Alston@dhhs.nc.gov	11. Signature of Agency Head* or Rule-making Coordinator: <div style="text-align: center; font-size: 1.5em;">  </div> <hr/> <small>*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.</small> Typed Name: Dedra Alston Title: Rulemaking Coordinator
RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

 FILED
 2015 MAR 20 AM 11:11
 OFFICE OF
 ADMIN HEARINGS


3/20/15

SUBMISSION FOR PERMANENT RULE ORIGINAL

1. Rule-Making Agency: NC CHILD CARE COMMISSION	
2. Rule citation & name (name not required for repeal): 10A NCAC 09 .0607 EMERGENCY PREPAREDNESS AND RESPONSE	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: April 1, 2014 Link to Agency notice: http://ncchildcare.dhhs.state.nc.us/general/mb_ccrulespublic.asp Hearing on: May 12, 2014 Adoption by agency on: November 17, 2014 Notice not required under G.S.: Adoption by agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input checked="" type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input checked="" type="checkbox"/> Approved by OSBM No fiscal note required
9. REASON FOR ACTION 9A. What prompted this action? Check all that apply: <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: </div> <div style="width: 45%;"> <input type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: </div> </div>	
9B. Explain: This rule is a part of a group of rules that strengthens the current requirements related to Emergency Preparedness and Response (EPR) to promote the safety of children while in child care. This adoption sets the standards for EPR training for child care facility staff and lists what should be included in the EPR plan.	
10. Rule-making Coordinator: Dedra Alston Address: 820 South Boylan Ave. Raleigh, NC 27603 Phone: 919-527-6502 E-Mail: Dedra.Alston@dhhs.nc.gov Agency Contact, if any: Same as above Phone: Same as above E-Mail: Dedra.Alston@dhhs.nc.gov	11. Signature of Agency Head* or Rule-making Coordinator: <div style="text-align: center; margin-top: 20px;">  </div> <hr style="border: 0; border-top: 1px solid black; margin: 5px 0;"/> *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Dedra Alston Title: Rulemaking Coordinator
RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

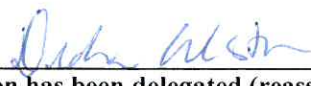
SUBMISSION FOR PERMANENT RULE

3/26/15
ORIGINAL

1. Rule-Making Agency: NC CHILD CARE COMMISSION	
2. Rule citation & name (name not required for repeal): 10A NCAC 09 .0707 IN-SERVICE TRAINING REQUIREMENTS	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: April 1, 2014 Link to Agency notice: http://ncchildcare.dhhs.state.nc.us/general/mb_ccrulespublic.asp Hearing on: May 12, 2014 Adoption by agency on: November 17, 2014 Notice not required under G.S.: Adoption by agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input checked="" type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input checked="" type="checkbox"/> Approved by OSBM No fiscal note required
<div style="text-align: center;">9. REASON FOR ACTION</div> 9A. What prompted this action? Check all that apply: <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: </div> <div style="width: 45%;"> <input type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: </div> </div> 9B. Explain: This rule is a part of a group of rules that strengthens the current requirements related to Emergency Preparedness and Response (EPR) to promote the safety of children while in child care. This amendment requires for new child care center employees to review the EPR and the emergency medical plans during training and orientation.	
10. Rule-making Coordinator: Dedra Alston Address: 820 South Boylan Ave. Raleigh, NC 27603 Phone: 919-527-6502 E-Mail: Dedra.Alston@dhhs.nc.gov Agency Contact, if any: Same as above Phone: Same as above E-Mail: Dedra.Alston@dhhs.nc.gov	11. Signature of Agency Head* or Rule-making Coordinator: <div style="text-align: center; margin-bottom: 10px;">  </div> <hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Dedra Alston Title: Rulemaking Coordinator
RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

SUBMISSION FOR PERMANENT RULE

3/20/15
ORIGINAL

1. Rule-Making Agency: NC CHILD CARE COMMISSION	
2. Rule citation & name (name not required for repeal): 10A NCAC 09 .1701 GENERAL PROVISIONS RELATED TO LICENSURE OF HOMES	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: April 1, 2014 Link to Agency notice: http://ncchildcare.dhhs.state.nc.us/general/mb_ccrulespublic.asp Hearing on: May 12, 2014 Adoption by agency on: November 17, 2014 Notice not required under G.S.: Adoption by agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input checked="" type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input checked="" type="checkbox"/> Approved by OSBM No fiscal note required
9. REASON FOR ACTION 9A. What prompted this action? Check all that apply: <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: </div> <div style="width: 45%;"> <input type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: </div> </div>	
9B. Explain: This rule is a part of a group of rules that strengthens the current requirements related to Emergency Preparedness and Response (EPR) to promote the safety of children while in child care. This amendment requires for family child care home operators to review the EPR plan with individuals who are providing care for children prior to them assuming responsibility for the children.	
10. Rule-making Coordinator: Dedra Alston Address: 820 South Boylan Ave. Raleigh, NC 27603 Phone: 919-527-6502 E-Mail: Dedra.Alston@dhhs.nc.gov Agency Contact, if any: Same as above Phone: Same as above E-Mail: Dedra.Alston@dhhs.nc.gov	11. Signature of Agency Head* or Rule-making Coordinator: <div style="text-align: center; margin-top: 20px;">  </div> <hr style="border: 0; border-top: 1px solid black; margin: 5px 0;"/> *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Dedra Alston Title: Rulemaking Coordinator
RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

SUBMISSION FOR PERMANENT RULE

ORIGINAL

3/20/15

1. Rule-Making Agency: NC CHILD CARE COMMISSION	
2. Rule citation & name (name not required for repeal): 10A NCAC 09 .1705 HEALTH AND TRAINING REQUIREMENTS FOR FAMILY CHILD CARE HOME OPERATORS	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: April 1, 2014 Link to Agency notice: http://ncchildcare.dhhs.state.nc.us/general/mb_ccrulespublic.asp Hearing on: May 12, 2014 Adoption by agency on: November 17, 2014 Notice not required under G.S.: Adoption by agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input checked="" type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input checked="" type="checkbox"/> Approved by OSBM No fiscal note required
<div style="text-align: center;">9. REASON FOR ACTION</div> <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> 9A. What prompted this action? Check all that apply: <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: </div> <div style="width: 45%;"> <input type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: </div> </div> <div style="margin-top: 10px;"> 9B. Explain: This rule is a part of a group of rules that strengthens the current requirements related to Emergency Preparedness and Response (EPR) to promote the safety of children while in child care. This amendment sets the standards for family child care home operators to provide EPR training and to review the EPR plan with individuals who are providing care for children. </div>	
10. Rule-making Coordinator: Dedra Alston Address: 820 South Boylan Ave. Raleigh, NC 27603 Phone: 919-527-6502 E-Mail: Dedra.Alston@dhhs.nc.gov Agency Contact, if any: Same as above Phone: Same as above E-Mail: Dedra.Alston@dhhs.nc.gov	11. Signature of Agency Head* or Rule-making Coordinator: <div style="text-align: center; margin-bottom: 10px;"> </div> <div style="font-size: 0.8em;"> *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Dedra Alston Title: Rulemaking Coordinator </div>
RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

 FILED
 2015 MAR 20 AM 11:14
 OFFICE OF
 ADMIN HEARINGS

SUBMISSION FOR PERMANENT RULE

ORIGINAL


3/20/15

1. Rule-Making Agency: NC CHILD CARE COMMISSION	
2. Rule citation & name (name not required for repeal): 10A NCAC 09 .1720 SAFTEY, MEDICATION, AND SANITATION REQUIREMENTS	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: April 1, 2014 Link to Agency notice: http://ncchildcare.dhhs.state.nc.us/general/mb_ccrulespublic.asp Hearing on: May 12, 2014 Adoption by agency on: November 17, 2014 Notice not required under G.S.: Adoption by agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input checked="" type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input checked="" type="checkbox"/> Approved by OSBM No fiscal note required
<div style="text-align: center;">9. REASON FOR ACTION</div> 9A. What prompted this action? Check all that apply: <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: </div> <div style="width: 45%;"> <input type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: </div> </div> 9B. Explain: This rule is a part of a group of rules that strengthens the current requirements related to Emergency Preparedness and Response (EPR) to promote the safety of children while in child care. This amendment determines how often fire and EPR related drills are practiced by family child care home operators.	
10. Rule-making Coordinator: Dedra Alston Address: 820 South Boylan Ave. Raleigh, NC 27603 Phone: 919-527-6502 E-Mail: Dedra.Alston@dhhs.nc.gov Agency Contact, if any: Same as above Phone: Same as above E-Mail: Dedra.Alston@dhhs.nc.gov	11. Signature of Agency Head* or Rule-making Coordinator: <div style="text-align: center; margin-top: 20px;"> </div> <hr style="border: 0; border-top: 1px solid black; margin: 5px 0;"/> *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Dedra Alston Title: Rulemaking Coordinator
RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

 FILED
 2015 MAR 20 AM 11:11
 OFFICE OF
 ADMIN HEARINGS

SUBMISSION FOR PERMANENT RULE

3/20/15
ORIGINAL

1. Rule-Making Agency: NC CHILD CARE COMMISSION	
2. Rule citation & name (name not required for repeal): 10A NCAC 09 .1721 REQUIREMENTS FOR RECORDS	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: April 1, 2014 Link to Agency notice: http://ncchildcare.dhhs.state.nc.us/general/mb_ccrulespublic.asp Hearing on: May 12, 2014 Adoption by agency on: November 17, 2014 Notice not required under G.S.: Adoption by agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input checked="" type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input checked="" type="checkbox"/> Approved by OSBM No fiscal note required
<div style="text-align: center;">9. REASON FOR ACTION</div> 9A. What prompted this action? Check all that apply: <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: </div> <div style="width: 45%;"> <input type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: </div> </div> 9B. Explain: This rule is a part of a group of rules that strengthens the current requirements related to Emergency Preparedness and Response (EPR) to promote the safety of children while in child care. This amendment requires that family child care home operators maintain the EPR plan on a template that's provided by the Division.	
10. Rule-making Coordinator: Dedra Alston Address: 820 South Boylan Ave. Raleigh, NC 27603 Phone: 919-527-6502 E-Mail: Dedra.Alston@dhhs.nc.gov Agency Contact, if any: Same as above Phone: Same as above E-Mail: Dedra.Alston@dhhs.nc.gov	11. Signature of Agency Head* or Rule-making Coordinator: <div style="text-align: center; margin-top: 20px;">  </div> <hr/> <small>*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.</small> Typed Name: Dedra Alston Title: Rulemaking Coordinator
RRC AND OAH USE ONLY	
Action taken: <div style="margin-top: 20px;"> <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other: </div>	

FILED


2015 MAR 20 AM 11:15

OFFICE OF
ADMIN HEARINGS

3/20/15

SUBMISSION FOR PERMANENT RULE

ORIGINAL

1. Rule-Making Agency: NC CHILD CARE COMMISSION	
2. Rule citation & name (name not required for repeal): 10A NCAC 09 .2318 RETENTION OF FORMS AND REPORTS BY A CHILD CARE OPERATOR	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: X Notice Required Notice of Text published on: April 1, 2014 Link to Agency notice: http://ncchildcare.dhhs.state.nc.us/general/mb_ccrulespublic.asp Hearing on: May 12, 2014 Adoption by agency on: November 17, 2014 Notice not required under G.S.: Adoption by agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input checked="" type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (\geq \$1,000,000) <input checked="" type="checkbox"/> Approved by OSBM No fiscal note required
9. REASON FOR ACTION	
9A. What prompted this action? Check all that apply: <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: <input type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other:	
9B. Explain: This rule is a part of a group of rules that strengthens the current requirements related to Emergency Preparedness and Response (EPR) to promote the safety of children while in child care. This amendment sets the retention schedule for child care center operators to maintain the EPR plan, and other EPR related drills.	
10. Rule-making Coordinator: Dedra Alston Address: 820 South Boylan Ave. Raleigh, NC 27603 Phone: 919-527-6502 E-Mail: Dedra.Alston@dhhs.nc.gov Agency Contact, if any: Same as above Phone: Same as above E-Mail: Dedra.Alston@dhhs.nc.gov	11. Signature of Agency Head* or Rule-making Coordinator:  *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Dedra Alston Title: Rulemaking Coordinator
RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

 FILED
 2015 MAR 20 AM 11:1
 OFFICE OF
 ADMIN HEARINGS

SUBMISSION FOR PERMANENT RULE

ORIGINAL

3/20/15

1. Rule-Making Agency: NC CHILD CARE COMMISSION	
2. Rule citation & name (name not required for repeal): 10A NCAC 09 .2829 QUALITY POINT OPTIONS	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: April 1, 2014 Link to Agency notice: http://ncchildcare.dhhs.state.nc.us/general/mb_ccrulespublic.asp Hearing on: May 12, 2014 Adoption by agency on: November 17, 2014 Notice not required under G.S.: Adoption by agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input checked="" type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input checked="" type="checkbox"/> Approved by OSBM No fiscal note required
<p style="text-align: center;">9. REASON FOR ACTION</p> 9A. What prompted this action? Check all that apply: <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: </div> <div style="width: 45%;"> <input type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: </div> </div> 9B. Explain: This rule is a part of a group of rules that strengthens the current requirements related to Emergency Preparedness and Response (EPR) to promote the safety of children while in child care. This amendment deletes having an EPR plan as a way to obtain a quality point because all facilities are required to have one.	
10. Rule-making Coordinator: Dedra Alston Address: 820 South Boylan Ave. Raleigh, NC 27603 Phone: 919-527-6502 E-Mail: Dedra.Alston@dhhs.nc.gov Agency Contact, if any: Same as above Phone: Same as above E-Mail: Dedra.Alston@dhhs.nc.gov	11. Signature of Agency Head* or Rule-making Coordinator: <div style="text-align: center; margin-top: 20px;"> </div> <hr/> *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Dedra Alston Title: Rulemaking Coordinator
RRC AND OAH USE ONLY	
Action taken: <div style="margin-top: 20px;"> <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other: </div>	

FILED

2015 MAR 20 AM 11:11

OFFICE OF

ADMIN HEARINGS

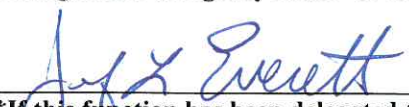
SUBMISSION FOR PERMANENT RULE

original
3/17/15

1. Rule-Making Agency: NC Environmental Management Commission	
2. Rule citation & name (name not required for repeal): 15A NCAC 02B .0269 RIPARIAN BUFFER MITIGATION FEES TO THE NC ECOSYSTEM ENHANCEMENT PROGRAM	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input type="checkbox"/> Notice Required Notice of Text published on: Link to Agency notice: Hearing on: Adoption by agency on: <input checked="" type="checkbox"/> Notice not required under G.S.: 150b-21.5(a)(3) Adoption by agency on: 3/12/2015	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required
9. REASON FOR ACTION 9A. What prompted this action? Check all that apply: <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: </div> <div style="width: 45%;"> <input type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: </div> </div> 9B. Explain: Division of Water Resources staff propose the transfer of this rule to Subchapter 02R to facilitate use of the Administrative Code by moving this rule to the subchapter that establishes the NC Ecosystems Enhancement Program and its policies and procedures. Amendments proposed serve only to maintain accuracy once the transfer has occurred by updating the citations therein.	
10. Rule-making Coordinator: Jennifer Everett Address: N.C. Dept. of Environment & Natural Resources 1601 Mail Service Center, Raleigh, NC 27699-1601 Phone: (919)-707-8614 E-Mail: jennifer.everett@ncdenr.gov Agency Contact, if any: Kelly Williams, NCEEP Phone: (919) 707-8915 E-Mail: Kelly.williams@ncdenr.gov	11. Signature of Agency Head* or Rule-making Coordinator: <div style="text-align: center; margin-top: 20px;"> </div> <hr style="border: 0; border-top: 1px solid black; margin: 5px 0;"/> <small>*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.</small> Typed Name: Jennifer Everett Title: DENR Rulemaking Coordinator
RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

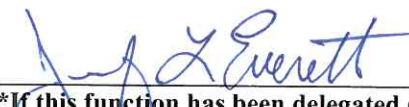
SUBMISSION FOR PERMANENT RULE

original
3/19/15

1. Rule-Making Agency: Environmental Management Commission	
2. Rule citation & name (name not required for repeal): 15A NCAC 02Q .0711, Emission Rates Requiring A Permit	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: October 15, 2014 Link to Agency notice: http://www.ncair.org/rules/hearing/ Hearing on: December 3, 2014 Adoption by agency on: March 12, 2015 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required
<p style="text-align: center;">9. REASON FOR ACTION</p> 9A. What prompted this action? Check all that apply: <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: </div> <div style="width: 45%;"> <input type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: </div> </div> <p>9B. Explain: Rule amendments to the air toxics permitting requirements incorporating Session Law 2012-91 were approved in the March 2014 EMC meeting and became effective May 1, 2014. One of the amendments was to Rule 15A NCAC 02Q .0711, Emission Rates Requiring a Permit, which added an additional set of TPERs that would apply to those situations where air pollutant emission release points at a given facility are non-obstructed and vertically oriented. Staff identified clerical issues in the spreadsheet used to calculate the TPER values that was transferred into the table in Paragraph (b) of the rule. The rule was revised to reflect the TPER values for three pollutants in the appropriate columns.</p>	
10. Rule-making Coordinator: Jennifer Everett Address: 1601 Mail Service Center Raleigh, NC 27699-1601 Phone: (919) 707-8614 E-Mail: Jennifer.Everett@ncdenr.gov Agency Contact, if any: Joelle Bureson Phone: (919) 707-8720 E-Mail: joelle.bureson@ncdenr.gov	11. Signature of Agency Head* or Rule-making Coordinator: <div style="text-align: center; margin-top: 20px;">  <hr style="width: 80%; margin: 0 auto;"/> </div> <p>*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.</p> <p>Typed Name: Jennifer Everett Title: Rulemaking Coordinator</p>
RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

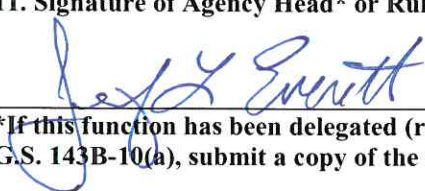
SUBMISSION FOR PERMANENT RULE

original
3/11/15

1. Rule-Making Agency: N.C. MARINE FISHERIES COMMISSION	
2. Rule citation & name (name not required for repeal): 15A NCAC 03I .0101 DEFINITIONS	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: OCT. 1, 2014 Link to Agency notice: http://portal.ncdenr.org/web/mf/mfc-proposed-rules-links Hearing on: OCT. 28 AND 29, 2014 Adoption by agency on: FEB. 19, 2015 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input checked="" type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input checked="" type="checkbox"/> Approved by OSBM <input type="checkbox"/> No fiscal note required
9. REASON FOR ACTION 9A. What prompted this action? Check all that apply: <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: </div> <div style="width: 45%;"> <input checked="" type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: S.L. 2013-360, Section 14.8 (e), (f) and (o) <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: </div> </div> 9B. Explain: [FOR-HIRE ISSUE AND SHRIMP FISHERY MANAGEMENT PLAN] <p>In accordance with Session Law 2013-360, proposed amendments implement statutory changes affecting for-hire licensing. In order to improve fisheries data from the for-hire industry, logbooks detailing catch and discard will be required from licensed charter and guide captains. In support of that, proposed amendments to this rule add a definition for logbook and modify the definition of trip ticket for consistency. Also, in accordance with the N.C. Shrimp Fishery Management Plan Amendment 1, proposed amendments modify the definition of mesh length so that it can be applied to diamond-mesh nets as well as square-mesh nets. This change is in support of a management strategy to require one additional bycatch reduction device in all skimmer and otter trawls, which can include a diamond-mesh "T-90" panel.</p>	
10. Rule-making Coordinator: JENNIFER EVERETT Address: 1601 MAIL SERVICE CENTER RALEIGH, NC 27699-1601 Phone: 919-707-8614 E-Mail: JENNIFER.EVERETT@NCDENR.GOV Agency Contact, if any: CATHERINE BLUM Phone: 252-808-8014 E-Mail: CATHERINE.BLUM@NCDENR.GOV	11. Signature of Agency Head* or Rule-making Coordinator: <div style="text-align: center; margin-top: 20px;">  </div> <hr/> <p>*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.</p> <p>Typed Name: Jennifer Everett Title: DENR Rulemaking Coordinator</p>
RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

SUBMISSION FOR PERMANENT RULE

original
3/11/15

1. Rule-Making Agency: N.C. MARINE FISHERIES COMMISSION	
2. Rule citation & name (name not required for repeal): 15A NCAC 03I .0122 USER CONFLICT RESOLUTION	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: OCT. 1, 2014 Link to Agency notice: http://portal.ncdenr.org/web/mf/mfc-proposed-rules-links Hearing on: OCT. 28 AND 29, 2014 Adoption by agency on: FEB. 19, 2015 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input checked="" type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required
<p style="text-align: center;">9. REASON FOR ACTION</p> 9A. What prompted this action? Check all that apply: <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: </div> <div style="width: 45%;"> <input type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: </div> </div> 9B. Explain: This rule is proposed for adoption to improve organization and public clarity by updating and relocating the procedure for resolving user conflicts concerning public trust resources from Subchapter 03J, Fishing Devices (see 15A NCAC 03J .0301.)	
10. Rule-making Coordinator: JENNIFER EVERETT Address: 1601 MAIL SERVICE CENTER RALEIGH, NC 27699-1601 Phone: 919-707-8614 E-Mail: JENNIFER.EVERETT@NCDENR.GOV Agency Contact, if any: CATHERINE BLUM Phone: 252-808-8014 E-Mail: CATHERINE.BLUM@NCDENR.GOV	11. Signature of Agency Head* or Rule-making Coordinator: <div style="text-align: center; margin-top: 20px;">  </div> <hr/> *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Jennifer Everett Title: DENR Rulemaking Coordinator
RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

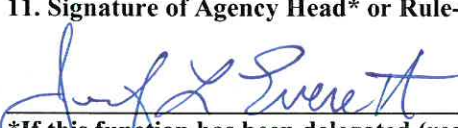
FILED

2015 MAR 11 PM 3:59

OFFICE OF
ADMIN HEARINGS

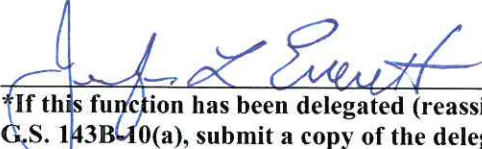
SUBMISSION FOR PERMANENT RULE

original
3/11/15

1. Rule-Making Agency: N.C. MARINE FISHERIES COMMISSION	
2. Rule citation & name (name not required for repeal): 15A NCAC 03J .0207 DUKE ENERGY PROGRESS BRUNSWICK NUCLEAR PLANT INTAKE CANAL	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: OCT. 1, 2014 Link to Agency notice: http://portal.ncdenr.org/web/mf/mfc-proposed-rules-links Hearing on: OCT. 28 AND 29, 2014 Adoption by agency on: FEB. 19, 2015 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input checked="" type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required
<div style="text-align: center;">9. REASON FOR ACTION</div> 9A. What prompted this action? Check all that apply: <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: </div> <div style="width: 45%;"> <input type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: </div> </div> 9B. Explain: Proposed amendments update the name of a canal in Brunswick County.	
10. Rule-making Coordinator: JENNIFER EVERETT Address: 1601 MAIL SERVICE CENTER RALEIGH, NC 27699-1601 Phone: 919-707-8614 E-Mail: JENNIFER.EVERETT@NCDENR.GOV Agency Contact, if any: CATHERINE BLUM Phone: 252-808-8014 E-Mail: CATHERINE.BLUM@NCDENR.GOV	11. Signature of Agency Head* or Rule-making Coordinator: <div style="text-align: center; margin-top: 20px;">  <hr style="width: 100%;"/> </div> <p><small>*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.</small></p> <p>Typed Name: Jennifer Everett Title: DENR Rulemaking Coordinator</p>
RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

SUBMISSION FOR PERMANENT RULE

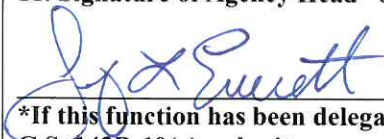
original
3/11/15

1. Rule-Making Agency: N.C. MARINE FISHERIES COMMISSION	
2. Rule citation & name (name not required for repeal): 15A NCAC 03J .0208 NEW RIVER	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: OCT. 1, 2014 Link to Agency notice: http://portal.ncdenr.org/web/mf/mfc-proposed-rules-links Hearing on: OCT. 28 AND 29, 2014 Adoption by agency on: FEB. 19, 2015 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input checked="" type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input checked="" type="checkbox"/> Approved by OSBM <input type="checkbox"/> No fiscal note required
9. REASON FOR ACTION	
9A. What prompted this action? Check all that apply: <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: </div> <div style="width: 45%;"> <input type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: </div> </div>	
9B. Explain: In accordance with the 2006 N.C. Shrimp Fishery Management Plan and Amendment 1 to the plan, proposed amendments prohibit the use of otter trawls above the Highway 172 Bridge in Onslow County by moving restrictions from proclamation into rule to continue reducing bycatch and protecting the New River Special Secondary Nursery Area.	
10. Rule-making Coordinator: JENNIFER EVERETT Address: 1601 MAIL SERVICE CENTER RALEIGH, NC 27699-1601 Phone: 919-707-8614 E-Mail: JENNIFER.EVERETT@NCDENR.GOV Agency Contact, if any: CATHERINE BLUM Phone: 252-808-8014 E-Mail: CATHERINE.BLUM@NCDENR.GOV	11. Signature of Agency Head* or Rule-making Coordinator:  <hr style="border: 0; border-top: 1px solid black; margin: 5px 0;"/> *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Jennifer Everett Title: DENR Rulemaking Coordinator
RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

2015 MAR 11 PM 3:57
 OFFICE OF
 ADMIN HEARINGS
 FILED

SUBMISSION FOR PERMANENT RULE

original
3/11/15

1. Rule-Making Agency: N.C. MARINE FISHERIES COMMISSION	
2. Rule citation & name (name not required for repeal): 15A NCAC 03J .0209 ALBEMARLE SOUND/CHOWAN RIVER RIVER HERRING MANAGEMENT AREAS	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: OCT. 1, 2014 Link to Agency notice: http://portal.ncdenr.org/web/mf/mfc-proposed-rules-links Hearing on: OCT. 28 AND 29, 2014 Adoption by agency on: FEB. 19, 2015 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input checked="" type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required
<div style="text-align: center;">9. REASON FOR ACTION</div> 9A. What prompted this action? Check all that apply: <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: </div> <div style="width: 45%;"> <input type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: </div> </div> 9B. Explain: In accordance with the N.C. River Herring Fishery Management Plan Amendment 2, proposed amendments relocate the description and boundaries of the Albemarle Sound and Chowan River River Herring Management Areas from Subchapter 03J to Subchapter 03R for improved organization and public clarity (see 15A NCAC 03R .0202.)	
10. Rule-making Coordinator: JENNIFER EVERETT Address: 1601 MAIL SERVICE CENTER RALEIGH, NC 27699-1601 Phone: 919-707-8614 E-Mail: JENNIFER.EVERETT@NCDENR.GOV Agency Contact, if any: CATHERINE BLUM Phone: 252-808-8014 E-Mail: CATHERINE.BLUM@NCDENR.GOV	11. Signature of Agency Head* or Rule-making Coordinator: <div style="text-align: center; margin-top: 20px;">  _____ *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Jennifer Everett Title: DENR Rulemaking Coordinator </div>
RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

FILED
 2015 MAR 11 PM 3:58
 OFFICE OF
 ADMIN HEARINGS

SUBMISSION FOR PERMANENT RULE

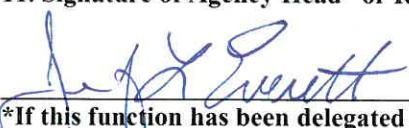
original
3/11/15

1. Rule-Making Agency: N.C. MARINE FISHERIES COMMISSION	
2. Rule citation & name (name not required for repeal): 15A NCAC 03J .0301 POTS	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: OCT. 1, 2014 Link to Agency notice: http://portal.ncdenr.org/web/mf/mfc-proposed-rules-links Hearing on: OCT. 28 AND 29, 2014 Adoption by agency on: FEB. 19, 2015 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input checked="" type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required
<div style="text-align: center;">9. REASON FOR ACTION</div> 9A. What prompted this action? Check all that apply: <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: </div> <div style="width: 45%;"> <input type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: </div> </div> 9B. Explain: [AMERICAN EEL FISHERY MANAGEMENT PLAN AND USER CONFLICT ISSUE] In accordance with Addendum III to the Atlantic States Marine Fisheries Commission Fishery Management Plan for American Eel, proposed amendments implement a minimum mesh length requirement of one-half by one-half inch mesh for eel pots, allowing for a phase-in period until January 1, 2017. Also, proposed amendments remove the paragraph concerning user conflicts concerning public trust resources so that it can be moved to Subchapter 031, General Rules for improved organization and public clarity (see 15A NCAC 031 .0122.) Additional proposed amendments correct capitalization of proper names and clarify the Fisheries Director's proclamation authority for crab pot escape ring requirements by making the rule consistent with other rules containing proclamation authority; there is no change in the management of blue crabs.	
10. Rule-making Coordinator: JENNIFER EVERETT Address: 1601 MAIL SERVICE CENTER RALEIGH, NC 27699-1601 Phone: 919-707-8614 E-Mail: JENNIFER.EVERETT@NCDENR.GOV Agency Contact, if any: CATHERINE BLUM Phone: 252-808-8014 E-Mail: CATHERINE.BLUM@NCDENR.GOV	11. Signature of Agency Head* or Rule-making Coordinator: <div style="text-align: center; margin-top: 20px;"> </div> <hr/> *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Jennifer Everett Title: DENR Rulemaking Coordinator
RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

2015 MAR 11 PM 3:55
 OFFICE OF
 ADMIN HEARINGS
 FILED

SUBMISSION FOR PERMANENT RULE

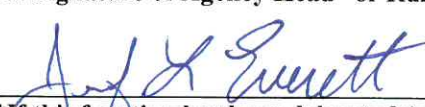
original
3/11/15

1. Rule-Making Agency: N.C. MARINE FISHERIES COMMISSION	
2. Rule citation & name (name not required for repeal): 15A NCAC 03K .0111 PERMITS TO USE MECHANICAL METHODS FOR SHELLFISH ON SHELLFISH LEASES OR FRANCHISES	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: OCT. 1, 2014 Link to Agency notice: http://portal.ncdenr.org/web/mf/mfc-proposed-rules-links Hearing on: OCT. 28 AND 29, 2014 Adoption by agency on: FEB. 19, 2015 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input checked="" type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required
<p style="text-align: center;">9. REASON FOR ACTION</p> 9A. What prompted this action? Check all that apply: <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: </div> <div style="width: 45%;"> <input type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: </div> </div> 9B. Explain: <p>In accordance with the N.C. Bay Scallop Fishery Management Plan Amendment 2, this rule is proposed for adoption to create a permit to use mechanical methods on shellfish leases or franchises for all shellfish species, instead of having multiple species-specific permits (see 15A NCAC 03K .0206 and .0303.)</p>	
10. Rule-making Coordinator: JENNIFER EVERETT Address: 1601 MAIL SERVICE CENTER RALEIGH, NC 27699-1601 Phone: 919-707-8614 E-Mail: JENNIFER.EVERETT@NCDENR.GOV Agency Contact, if any: CATHERINE BLUM Phone: 252-808-8014 E-Mail: CATHERINE.BLUM@NCDENR.GOV	11. Signature of Agency Head* or Rule-making Coordinator: <div style="text-align: center; margin-top: 20px;">  _____ </div> <p><small>*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.</small></p> Typed Name: Jennifer Everett Title: DENR Rulemaking Coordinator
RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

FILED
2015 MAR 11 PM 3:55
OFFICE OF
ADMIN HEARINGS

SUBMISSION FOR PERMANENT RULE


original
3/11/15

1. Rule-Making Agency: N.C. MARINE FISHERIES COMMISSION	
2. Rule citation & name (name not required for repeal): 15A NCAC 03K .0206 AND .0303	
3. Action: <input type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input checked="" type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: OCT. 1, 2014 Link to Agency notice: http://portal.ncdenr.org/web/mf/mfc-proposed-rules-links Hearing on: OCT. 28 AND 29, 2014 Adoption by agency on: FEB. 19, 2015 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input checked="" type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required
9. REASON FOR ACTION 9A. What prompted this action? Check all that apply: <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: </div> <div style="width: 45%;"> <input type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: </div> </div> 9B. Explain: In accordance with the N.C. Bay Scallop Fishery Management Plan Amendment 2, these rules are proposed for repeal in order to have only a single rule to permit the use of mechanical methods on shellfish leases or franchises for all shellfish species (see 15A NCAC 03K .0111).	
10. Rule-making Coordinator: JENNIFER EVERETT Address: 1601 MAIL SERVICE CENTER RALEIGH, NC 27699-1601 Phone: 919-707-8614 E-Mail: JENNIFER.EVERETT@NCDENR.GOV Agency Contact, if any: CATHERINE BLUM Phone: 252-808-8014 E-Mail: CATHERINE.BLUM@NCDENR.GOV	11. Signature of Agency Head* or Rule-making Coordinator: <div style="text-align: center; margin-top: 20px;">  </div> <hr/> *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Jennifer Everett Title: DENR Rulemaking Coordinator
RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

FILED
 2015 MAR 11 PM 3:56
 OFFICE OF
 ADMIN HEARINGS

SUBMISSION FOR PERMANENT RULE

original
3/11/15

1. Rule-Making Agency: N.C. MARINE FISHERIES COMMISSION	
2. Rule citation & name (name not required for repeal): 15A NCAC 03K .0501 BAY SCALLOP HARVEST MANAGEMENT	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: OCT. 1, 2014 Link to Agency notice: http://portal.ncdenr.org/web/mf/mfc-proposed-rules-links Hearing on: OCT. 28 AND 29, 2014 Adoption by agency on: FEB. 19, 2015 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input checked="" type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required
<div style="text-align: center;">9. REASON FOR ACTION</div> 9A. What prompted this action? Check all that apply: <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: </div> <div style="width: 45%;"> <input type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: </div> </div> 9B. Explain: <p>In accordance with the N.C. Bay Scallop Fishery Management Plan Amendment 2, proposed amendments eliminate the open season from August 1 through September 15, adjust the maximum daily commercial harvest possession limit to be consistent with the adaptive management trip limit measures, and clarify proclamation authority of the Fisheries Director to manage bay scallop harvest. Additional amendments clarify the seasons and harvest limits for bay scallops are only for public bottom, not shellfish leases and franchises.</p>	
10. Rule-making Coordinator: JENNIFER EVERETT Address: 1601 MAIL SERVICE CENTER RALEIGH, NC 27699-1601 Phone: 919-707-8614 E-Mail: JENNIFER.EVERETT@NCDENR.GOV Agency Contact, if any: CATHERINE BLUM Phone: 252-808-8014 E-Mail: CATHERINE.BLUM@NCDENR.GOV	11. Signature of Agency Head* or Rule-making Coordinator: <div style="text-align: center; margin-top: 20px;">  <hr style="width: 80%; margin: 0 auto;"/> </div> <p>*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.</p> <p>Typed Name: Jennifer Everett Title: DENR Rulemaking Coordinator</p>
RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

FILED
2015 MAR 11 PM 3:55
OFFICE OF
ADMIN HEARINGS

SUBMISSION FOR PERMANENT RULE


original
3/11/15

1. Rule-Making Agency: N.C. MARINE FISHERIES COMMISSION	
2. Rule citation & name (name not required for repeal): 15A NCAC 03K .0502 TAKING BAY SCALLOPS AT NIGHT AND ON WEEKENDS	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: OCT. 1, 2014 Link to Agency notice: http://portal.ncdenr.org/web/mf/mfc-proposed-rules-links Hearing on: OCT. 28 AND 29, 2014 Adoption by agency on: FEB. 19, 2015 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input checked="" type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required
<div style="text-align: center;">9. REASON FOR ACTION</div> 9A. What prompted this action? Check all that apply: <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: </div> <div style="width: 45%;"> <input type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: </div> </div> 9B. Explain: In accordance with the N.C. Bay Scallop Fishery Management Plan Amendment 2, proposed amendments allow harvest of bay scallops on weekends from shellfish leases and franchises.	
10. Rule-making Coordinator: JENNIFER EVERETT Address: 1601 MAIL SERVICE CENTER RALEIGH, NC 27699-1601 Phone: 919-707-8614 E-Mail: JENNIFER.EVERETT@NCDENR.GOV Agency Contact, if any: CATHERINE BLUM Phone: 252-808-8014 E-Mail: CATHERINE.BLUM@NCDENR.GOV	11. Signature of Agency Head* or Rule-making Coordinator: <div style="text-align: center; margin-top: 20px;"> </div> <hr style="border: 0; border-top: 1px solid black; margin: 5px 0;"/> *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Jennifer Everett Title: DENR Rulemaking Coordinator
RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

FILED
2015 MAR 11 PM 3:54
OFFICE OF
ADMINISTRATIVE
HEARINGS

SUBMISSION FOR PERMANENT RULE

original
3/11/15

1. Rule-Making Agency: N.C. MARINE FISHERIES COMMISSION	
2. Rule citation & name (name not required for repeal): 15A NCAC 03K .0507 MARKETING SCALLOPS TAKEN FROM SHELLFISH LEASES OR FRANCHISES	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: OCT. 1, 2014 Link to Agency notice: http://portal.ncdenr.org/web/mf/mfc-proposed-rules-links Hearing on: OCT. 28 AND 29, 2014 Adoption by agency on: FEB. 19, 2015 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input checked="" type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required
9. REASON FOR ACTION	
9A. What prompted this action? Check all that apply: <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: </div> <div style="width: 45%;"> <input type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: </div> </div>	
9B. Explain: In accordance with the N.C. Bay Scallop Fishery Management Plan Amendment 2, this rule is proposed for adoption to include a certification requirement to market scallops during closed public harvest seasons and prohibit the take or possession of scallops from public bottom while possessing scallops from shellfish leases and franchises.	
10. Rule-making Coordinator: JENNIFER EVERETT Address: 1601 MAIL SERVICE CENTER RALEIGH, NC 27699-1601 Phone: 919-707-8614 E-Mail: JENNIFER.EVERETT@NCDENR.GOV Agency Contact, if any: CATHERINE BLUM Phone: 252-808-8014 E-Mail: CATHERINE.BLUM@NCDENR.GOV	11. Signature of Agency Head* or Rule-making Coordinator: <div style="text-align: center; margin-top: 20px;">  <hr style="width: 80%; margin: 0 auto;"/> </div> <p><small>*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.</small></p> Typed Name: Jennifer Everett Title: DENR Rulemaking Coordinator
RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	


FILED

2015 MAR 11 PM 3:54

OFFICE OF
ADMIN HEARINGS

SUBMISSION FOR PERMANENT RULE

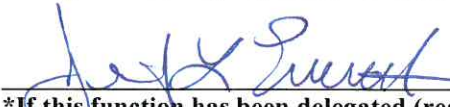
original
3/11/15

1. Rule-Making Agency: N.C. MARINE FISHERIES COMMISSION	
2. Rule citation & name (name not required for repeal): 15A NCAC 03K .0508 SCALLOP SEASON AND HARVEST LIMIT EXEMPTIONS	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: OCT. 1, 2014 Link to Agency notice: http://portal.ncdenr.org/web/mf/mfc-proposed-rules-links Hearing on: OCT. 28 AND 29, 2014 Adoption by agency on: FEB. 19, 2015 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input checked="" type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required
9. REASON FOR ACTION	
9A. What prompted this action? Check all that apply: <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: </div> <div style="width: 45%;"> <input type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: </div> </div>	
9B. Explain: In accordance with the N.C. Bay Scallop Fishery Management Plan Amendment 2, this rule is proposed for adoption to exempt shellfish lease and franchise holders and aquaculture operations from seasons and harvest limit restrictions.	
10. Rule-making Coordinator: JENNIFER EVERETT Address: 1601 MAIL SERVICE CENTER RALEIGH, NC 27699-1601 Phone: 919-707-8614 E-Mail: JENNIFER.EVERETT@NCDENR.GOV Agency Contact, if any: CATHERINE BLUM Phone: 252-808-8014 E-Mail: CATHERINE.BLUM@NCDENR.GOV	11. Signature of Agency Head* or Rule-making Coordinator: <div style="text-align: center; margin-top: 20px;">  <hr style="width: 100%;"/> </div> <p>*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.</p> <p>Typed Name: Jennifer Everett Title: DENR Rulemaking Coordinator</p>
RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

FILED
 2015 MAR 11 PM 3:52
 OFFICE OF
 ADMIN HEARINGS

SUBMISSION FOR PERMANENT RULE

original
3/11/15

1. Rule-Making Agency: N.C. MARINE FISHERIES COMMISSION	
2. Rule citation & name (name not required for repeal): 15A NCAC 03L .0101 SHRIMP HARVEST RESTRICTIONS	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: OCT. 1, 2014 Link to Agency notice: http://portal.ncdenr.org/web/mf/mfc-proposed-rules-links Hearing on: OCT. 28 AND 29, 2014 Adoption by agency on: FEB. 19, 2015 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input checked="" type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input checked="" type="checkbox"/> Approved by OSBM <input type="checkbox"/> No fiscal note required
<p style="text-align: center;">9. REASON FOR ACTION</p> 9A. What prompted this action? Check all that apply: <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: </div> <div style="width: 45%;"> <input type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: </div> </div> 9B. Explain: In accordance with the N.C. Shrimp Fishery Management Plan Amendment 1, proposed amendments clarify the Fisheries Director's proclamation authority for shrimp harvest restrictions by making the rule consistent with other rules containing proclamation authority.	
10. Rule-making Coordinator: JENNIFER EVERETT Address: 1601 MAIL SERVICE CENTER RALEIGH, NC 27699-1601 Phone: 919-707-8614 E-Mail: JENNIFER.EVERETT@NCDENR.GOV Agency Contact, if any: CATHERINE BLUM Phone: 252-808-8014 E-Mail: CATHERINE.BLUM@NCDENR.GOV	11. Signature of Agency Head* or Rule-making Coordinator: <div style="text-align: center; margin-top: 20px;">  </div> <hr style="border: 0; border-top: 1px solid black; margin: 5px 0;"/> *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Jennifer Everett Title: DENR Rulemaking Coordinator
RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

FILED
 2015 MAR 11 PM 3:53
 OFFICE OF
 ADMIN HEARINGS

SUBMISSION FOR PERMANENT RULE

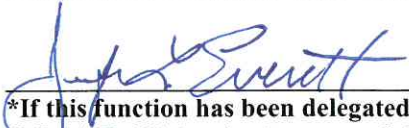
original
3/11/15

1. Rule-Making Agency: N.C. MARINE FISHERIES COMMISSION	
2. Rule citation & name (name not required for repeal): 15A NCAC 03L .0103 PROHIBITED NETS, MESH LENGTHS AND AREAS	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: OCT. 1, 2014 Link to Agency notice: http://portal.ncdenr.org/web/mf/mfc-proposed-rules-links Hearing on: OCT. 28 AND 29, 2014 Adoption by agency on: FEB. 19, 2015 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input checked="" type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input checked="" type="checkbox"/> Approved by OSBM <input type="checkbox"/> No fiscal note required
<p style="text-align: center;">9. REASON FOR ACTION</p> 9A. What prompted this action? Check all that apply: <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: </div> <div style="width: 45%;"> <input type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: </div> </div> 9B. Explain: In accordance with the N.C. Shrimp Fishery Management Plan Amendment 1, proposed amendments establish a maximum combined headrope length of 220 feet in all internal coastal waters where there are no existing maximum combined headrope requirements; a phase-out period is provided until January 1, 2017.	
10. Rule-making Coordinator: JENNIFER EVERETT Address: 1601 MAIL SERVICE CENTER RALEIGH, NC 27699-1601 Phone: 919-707-8614 E-Mail: JENNIFER.EVERETT@NCDENR.GOV Agency Contact, if any: CATHERINE BLUM Phone: 252-808-8014 E-Mail: CATHERINE.BLUM@NCDENR.GOV	11. Signature of Agency Head* or Rule-making Coordinator: <div style="text-align: center; margin-top: 20px;"> </div> <hr style="border: 0; border-top: 1px solid black; margin: 5px 0;"/> *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Jennifer Everett Title: DENR Rulemaking Coordinator
RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

FILED
2015 MAR 11 PM 3:54
OFFICE OF
ADMIN HEARINGS

SUBMISSION FOR PERMANENT RULE

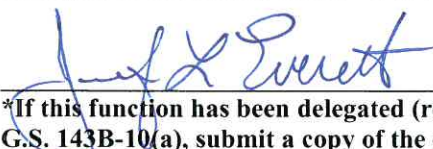
original
3/11/15

1. Rule-Making Agency: N.C. MARINE FISHERIES COMMISSION	
2. Rule citation & name (name not required for repeal): 15A NCAC 03L .0105 RECREATIONAL SHRIMP LIMITS	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: OCT. 1, 2014 Link to Agency notice: http://portal.ncdenr.org/web/mf/mfc-proposed-rules-links Hearing on: OCT. 28 AND 29, 2014 Adoption by agency on: FEB. 19, 2015 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input checked="" type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input checked="" type="checkbox"/> Approved by OSBM <input type="checkbox"/> No fiscal note required
<p style="text-align: center;">9. REASON FOR ACTION</p> 9A. What prompted this action? Check all that apply: <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: </div> <div style="width: 45%;"> <input type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: </div> </div> 9B. Explain: In accordance with the N.C. Shrimp Fishery Management Plan Amendment 1, proposed amendments allow cast-netting of shrimp in all areas otherwise closed to shrimping and increase the harvest limit.	
10. Rule-making Coordinator: JENNIFER EVERETT Address: 1601 MAIL SERVICE CENTER RALEIGH, NC 27699-1601 Phone: 919-707-8614 E-Mail: JENNIFER.EVERETT@NCDENR.GOV Agency Contact, if any: CATHERINE BLUM Phone: 252-808-8014 E-Mail: CATHERINE.BLUM@NCDENR.GOV	11. Signature of Agency Head* or Rule-making Coordinator: <div style="text-align: center; margin-top: 10px;">  _____ </div> <p><small>*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.</small></p> Typed Name: Jennifer Everett Title: DENR Rulemaking Coordinator
RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

FILED
2015 MAR 11 PM 3:52
OFFICE OF
ADMIN HEARINGS

SUBMISSION FOR PERMANENT RULE

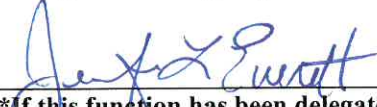
original
3/11/15

1. Rule-Making Agency: N.C. MARINE FISHERIES COMMISSION	
2. Rule citation & name (name not required for repeal): 15A NCAC 03M .0101 MUTILATED FINFISH	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: OCT. 1, 2014 Link to Agency notice: http://portal.ncdenr.org/web/mf/mfc-proposed-rules-links Hearing on: OCT. 28 AND 29, 2014 Adoption by agency on: FEB. 19, 2015 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input checked="" type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required
<div style="text-align: center;">9. REASON FOR ACTION</div> 9A. What prompted this action? Check all that apply: <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: </div> <div style="width: 45%;"> <input type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: </div> </div> 9B. Explain: In accordance with the N.C. River Herring Fishery Management Plan Amendment 2, proposed amendments remove blueback herring and alewife (river herring) from the exemption for possession of mutilated finfish, supporting proposed amendments to 15A NCAC 03M .0513.	
10. Rule-making Coordinator: JENNIFER EVERETT Address: 1601 MAIL SERVICE CENTER RALEIGH, NC 27699-1601 Phone: 919-707-8614 E-Mail: JENNIFER.EVERETT@NCDENR.GOV Agency Contact, if any: CATHERINE BLUM Phone: 252-808-8014 E-Mail: CATHERINE.BLUM@NCDENR.GOV	11. Signature of Agency Head* or Rule-making Coordinator: <div style="text-align: center; margin-top: 20px;">  </div> <hr/> *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Jennifer Everett Title: DENR Rulemaking Coordinator
RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

FILED
 2015 MAR 11 PM 3:52
 OFFICE OF
 ADMIN HEARINGS

SUBMISSION FOR PERMANENT RULE


original
3/11/15

1. Rule-Making Agency: N.C. MARINE FISHERIES COMMISSION	
2. Rule citation & name (name not required for repeal): 15A NCAC 03M .0510 AMERICAN EEL	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: OCT. 1, 2014 Link to Agency notice: http://portal.ncdenr.org/web/mf/mfc-proposed-rules-links Hearing on: OCT. 28 AND 29, 2014 Adoption by agency on: FEB. 19, 2015 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input checked="" type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required
<div style="text-align: center;">9. REASON FOR ACTION</div> 9A. What prompted this action? Check all that apply: <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: </div> <div style="width: 45%;"> <input type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: </div> </div> 9B. Explain: <p>In accordance with Addendum III to the Atlantic States Marine Fisheries Commission Fishery Management Plan for American Eel, proposed amendments implement a nine-inch minimum size limit, a 25-fish recreational possession limit, and a no-possession requirement for American eels from September 1 to December 31 unless they are taken with baited pots.</p>	
10. Rule-making Coordinator: JENNIFER EVERETT Address: 1601 MAIL SERVICE CENTER RALEIGH, NC 27699-1601 Phone: 919-707-8614 E-Mail: JENNIFER.EVERETT@NCDENR.GOV Agency Contact, if any: CATHERINE BLUM Phone: 252-808-8014 E-Mail: CATHERINE.BLUM@NCDENR.GOV	11. Signature of Agency Head* or Rule-making Coordinator: <div style="text-align: center; margin-top: 20px;">  <hr style="border: 0; border-top: 1px solid black;"/> </div> <p><small>*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.</small></p> Typed Name: Jennifer Everett Title: DENR Rulemaking Coordinator
RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

FILED
 2015 MAR 11 PM 3:52
 OFFICE OF
 ADMIN HEARINGS

SUBMISSION FOR PERMANENT RULE

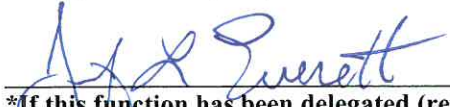
original
3/11/15

1. Rule-Making Agency: N.C. MARINE FISHERIES COMMISSION	
2. Rule citation & name (name not required for repeal): 15A NCAC 03M .0513 RIVER HERRING	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: OCT. 1, 2014 Link to Agency notice: http://portal.ncdenr.org/web/mf/mfc-proposed-rules-links Hearing on: OCT. 28 AND 29, 2014 Adoption by agency on: FEB. 19, 2015 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input checked="" type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required
<div style="text-align: center;">9. REASON FOR ACTION</div> 9A. What prompted this action? Check all that apply: <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: </div> <div style="width: 45%;"> <input type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: </div> </div> 9B. Explain: <p>In accordance with the N.C. River Herring Fishery Management Plan Amendment 2, proposed amendments make it unlawful to take or possess river herring from North Carolina Coastal Fishing Waters and limit possession of river herring less than or equal to six inches total length, while fishing or boating.</p>	
10. Rule-making Coordinator: JENNIFER EVERETT Address: 1601 MAIL SERVICE CENTER RALEIGH, NC 27699-1601 Phone: 919-707-8614 E-Mail: JENNIFER.EVERETT@NCDENR.GOV Agency Contact, if any: CATHERINE BLUM Phone: 252-808-8014 E-Mail: CATHERINE.BLUM@NCDENR.GOV	11. Signature of Agency Head* or Rule-making Coordinator: <div style="text-align: center; margin-top: 20px;">  <hr style="width: 80%; margin: 0 auto;"/> </div> <p><small>*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.</small></p> Typed Name: Jennifer Everett Title : DENR Rulemaking Coordinator
RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

FILED
 2015 MAR 11 PM 3:48
 OFFICE OF
 ADMIN HEARINGS

SUBMISSION FOR PERMANENT RULE

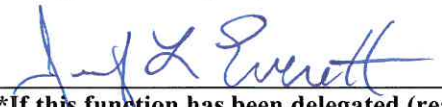
original
3/11/15

1. Rule-Making Agency: N.C. MARINE FISHERIES COMMISSION	
2. Rule citation & name (name not required for repeal): 15A NCAC 03O .0101 PROCEDURES AND REQUIREMENTS TO OBTAIN LICENSES, ENDORSEMENTS AND COMMERCIAL FISHING VESSEL REGISTRATIONS	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: OCT. 1, 2014 Link to Agency notice: http://portal.ncdenr.org/web/mf/mfc-proposed-rules-links Hearing on: OCT. 28 AND 29, 2014 Adoption by agency on: FEB. 19, 2015 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input checked="" type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input checked="" type="checkbox"/> Approved by OSBM <input type="checkbox"/> No fiscal note required
9. REASON FOR ACTION	
9A. What prompted this action? Check all that apply: <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: </div> <div style="width: 45%;"> <input checked="" type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: S.L. 2013-360, Section 14.8 (e), (f), (j), and (o) <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: </div> </div>	
9B. Explain: [FOR-HIRE ISSUE AND OCEAN PIER ISSUE] <p>In accordance with Session Law 2013-360, proposed amendments implement statutory changes affecting for-hire licensing. In order to broaden options for licensees and improve the Division's fisheries statistics, rule changes are proposed to eliminate the current For-Hire Permit and blanket licenses and replace them with a captain's for-hire license, a blanket for-hire vessel license, and a non-blanket for-hire vessel license. Proposed changes also implement a for-hire endorsement on the commercial fishing vessel registration and require weekly logbook reporting from for-hire licensees. In support of that, proposed amendments to this rule update the names of the for-hire licenses and amend requirements to obtain a for-hire license. Also, in accordance with Session Law 2013-360, proposed amendments implement statutory changes affecting pier licensing by combining two separate ocean pier licenses into one Ocean Fishing Pier License with the same net cost. In support of that, proposed amendments to this rule remove references to the outdated licenses.</p>	
10. Rule-making Coordinator: JENNIFER EVERETT Address: 1601 MAIL SERVICE CENTER RALEIGH, NC 27699-1601 Phone: 919-707-8614 E-Mail: JENNIFER.EVERETT@NCDENR.GOV Agency Contact, if any: CATHERINE BLUM Phone: 252-808-8014 E-Mail: CATHERINE.BLUM@NCDENR.GOV	11. Signature of Agency Head* or Rule-making Coordinator: <div style="text-align: center; margin-top: 20px;">  <hr style="width: 80%; margin: 0 auto;"/> </div> <p>*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.</p> <p>Typed Name: Jennifer Everett Title : DENR Rulemaking Coordinator</p>
RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

FILED
2015 MAR 11 PM 3:49
OFFICE OF
ADMIN HEARINGS

SUBMISSION FOR PERMANENT RULE


original
3/11/15

1. Rule-Making Agency: N.C. MARINE FISHERIES COMMISSION	
2. Rule citation & name (name not required for repeal): 15A NCAC 03O .0106 DISPLAY OF LICENSES AND REGISTRATIONS	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: OCT. 1, 2014 Link to Agency notice: http://portal.ncdenr.org/web/mf/mfc-proposed-rules-links Hearing on: OCT. 28 AND 29, 2014 Adoption by agency on: FEB. 19, 2015 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input checked="" type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input checked="" type="checkbox"/> Approved by OSBM <input type="checkbox"/> No fiscal note required
9. REASON FOR ACTION	
9A. What prompted this action? Check all that apply: <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: </div> <div style="width: 45%;"> <input checked="" type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: S.L. 2013-360, Section 14.8 (e), (f), (j), and (o) <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: </div> </div>	
9B. Explain: [FOR-HIRE ISSUE AND OCEAN PIER ISSUE] <p>In accordance with Session Law 2013-360, proposed amendments implement statutory changes affecting for-hire licensing. One proposed change implements a for-hire endorsement on the commercial fishing vessel registration. In support of that, proposed amendments to this rule add the requirement to display a current For-Hire License decal on the vessel. Also, in accordance with Session Law 2013-360, proposed amendments implement statutory changes affecting pier licensing by combining two separate ocean pier licenses into one Ocean Fishing Pier License with the same net cost. In support of that, proposed amendments to this rule remove a reference to an outdated license.</p>	
10. Rule-making Coordinator: JENNIFER EVERETT Address: 1601 MAIL SERVICE CENTER RALEIGH, NC 27699-1601 Phone: 919-707-8614 E-Mail: JENNIFER.EVERETT@NCDENR.GOV Agency Contact, if any: CATHERINE BLUM Phone: 252-808-8014 E-Mail: CATHERINE.BLUM@NCDENR.GOV	11. Signature of Agency Head* or Rule-making Coordinator: <div style="text-align: center; margin-top: 20px;">  <hr style="width: 80%; margin: 0 auto;"/> </div> <p>*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.</p> <p>Typed Name: Jennifer Everett Title : DENR Rulemaking Coordinator</p>
RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

FILED
 2015 MAR 11 PM 3:50
 OFFICE OF
 ADMIN HEARINGS

SUBMISSION FOR PERMANENT RULE


original
3/11/15

1. Rule-Making Agency: N.C. MARINE FISHERIES COMMISSION	
2. Rule citation & name (name not required for repeal): 15A NCAC 03O .0113 OCEAN FISHING PIER REPORTING REQUIREMENTS	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: OCT. 1, 2014 Link to Agency notice: http://portal.ncdenr.org/web/mf/mfc-proposed-rules-links Hearing on: OCT. 28 AND 29, 2014 Adoption by agency on: FEB. 19, 2015 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input checked="" type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required
<p style="text-align: center;">9. REASON FOR ACTION</p> 9A. What prompted this action? Check all that apply: <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: </div> <div style="width: 45%;"> <input checked="" type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: S.L. 2013-360, Section 14.8 (j) <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: </div> </div> 9B. Explain: In accordance with Session Law 2013-360, proposed amendments implement statutory changes affecting pier licensing by combining two separate ocean pier licenses into one Ocean Fishing Pier License with the same net cost. In support of that, proposed amendments to this rule remove references to the outdated licenses.	
10. Rule-making Coordinator: JENNIFER EVERETT Address: 1601 MAIL SERVICE CENTER RALEIGH, NC 27699-1601 Phone: 919-707-8614 E-Mail: JENNIFER.EVERETT@NCDENR.GOV Agency Contact, if any: CATHERINE BLUM Phone: 252-808-8014 E-Mail: CATHERINE.BLUM@NCDENR.GOV	11. Signature of Agency Head* or Rule-making Coordinator: <div style="text-align: center; margin-top: 20px;">  <hr style="width: 80%; margin: 0 auto;"/> </div> *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Jennifer Everett Title : DENR Rulemaking Coordinator
RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

FILED
2015 MAR 11 PM 3:48
OFFICE OF
ADMIN HEARINGS

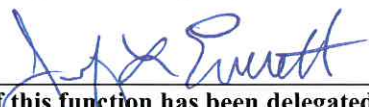
SUBMISSION FOR PERMANENT RULE

original
3/11/15

1. Rule-Making Agency: N.C. MARINE FISHERIES COMMISSION	
2. Rule citation & name (name not required for repeal): 15A NCAC 030 .0501 PROCEDURES AND REQUIREMENTS TO OBTAIN PERMITS	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: OCT. 1, 2014 Link to Agency notice: http://portal.ncdenr.org/web/mf/mfc-proposed-rules-links Hearing on: OCT. 28 AND 29, 2014 Adoption by agency on: FEB. 19, 2015 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input checked="" type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input checked="" type="checkbox"/> Approved by OSBM <input type="checkbox"/> No fiscal note required
<p style="text-align: center;">9. REASON FOR ACTION</p> 9A. What prompted this action? Check all that apply: <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: </div> <div style="width: 45%;"> <input checked="" type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: S.L. 2013-360, Section 14.8 (e), (f) and (o) <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: </div> </div> 9B. Explain: [FOR-HIRE ISSUE, ATLANTIC OCEAN STRIPED BASS COMMERCIAL GEAR PERMIT CHANGES, AND BAY SCALLOP FISHERY MANAGEMENT PLAN] In accordance with Session Law 2013-360, proposed amendments implement statutory changes affecting for-hire licensing. In order to broaden options for licensees and improve the Division's fisheries statistics, rule changes are proposed to eliminate the current For-Hire Permit and blanket licenses and replace them with a captain's for-hire license, a blanket for-hire vessel license, and a non-blanket for-hire vessel license. In support of that, proposed amendments to this rule remove references to the For-Hire Fishing Permit. Additional proposed amendments remove the permit fee for the Atlantic Ocean Striped Bass Commercial Gear Permit since it is provided in statute; the November 1 deadline to purchase the annual permit is also removed. Also, in accordance with the N.C. Bay Scallop Fishery Management Plan Amendment 2, this rule is proposed for amendment to align rule cross-references with changes made in accordance with the fishery management plan and to update the name of a shellfish permit.	
10. Rule-making Coordinator: JENNIFER EVERETT Address: 1601 MAIL SERVICE CENTER RALEIGH, NC 27699-1601 Phone: 919-707-8614 E-Mail: JENNIFER.EVERETT@NCDENR.GOV Agency Contact, if any: CATHERINE BLUM Phone: 252-808-8014 E-Mail: CATHERINE.BLUM@NCDENR.GOV	11. Signature of Agency Head* or Rule-making Coordinator: <div style="text-align: center; margin-top: 20px;">  <hr style="width: 100%;"/> </div> <p>*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.</p> <p>Typed Name: Jennifer Everett Title: : DENR Rulemaking Coordinator </p>
RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

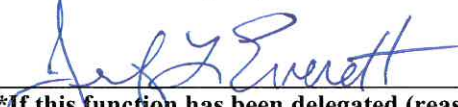
SUBMISSION FOR PERMANENT RULE

original
3/11/15

1. Rule-Making Agency: N.C. MARINE FISHERIES COMMISSION	
2. Rule citation & name (name not required for repeal): 15A NCAC 03O .0503 PERMIT CONDITIONS; SPECIFIC	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: OCT. 1, 2014 Link to Agency notice: http://portal.ncdenr.org/web/mf/mfc-proposed-rules-links Hearing on: OCT. 28 AND 29, 2014 Adoption by agency on: FEB. 19, 2015 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input checked="" type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input checked="" type="checkbox"/> Approved by OSBM <input type="checkbox"/> No fiscal note required
<div style="text-align: center;">9. REASON FOR ACTION</div> 9A. What prompted this action? Check all that apply: <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: </div> <div style="width: 45%;"> <input checked="" type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: S.L. 2013-360, Section 14.8 (e), (f) and (o) <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: </div> </div> 9B. Explain: [FOR-HIRE ISSUE AND RIVER HERRING FISHERY MANAGEMENT PLAN] <p>In accordance with Session Law 2013-360, proposed amendments implement statutory changes affecting for-hire licensing. In order to broaden options for licensees and improve the Division's fisheries statistics, rule changes are proposed to eliminate the current For-Hire Permit and blanket licenses and replace them with a captain's for-hire license, a blanket for-hire vessel license, and a non-blanket for-hire vessel license. In support of that, proposed amendments to this rule remove the For Hire Fishing Permit. Also, in accordance with the N.C. River Herring Fishery Management Plan Amendment 2, proposed amendments update a cross-reference to the rule found in the description and boundaries of the Albemarle Sound Management Area for River Herring.</p>	
10. Rule-making Coordinator: JENNIFER EVERETT Address: 1601 MAIL SERVICE CENTER RALEIGH, NC 27699-1601 Phone: 919-707-8614 E-Mail: JENNIFER.EVERETT@NCDENR.GOV Agency Contact, if any: CATHERINE BLUM Phone: 252-808-8014 E-Mail: CATHERINE.BLUM@NCDENR.GOV	11. Signature of Agency Head* or Rule-making Coordinator: <div style="text-align: center; margin-top: 20px;">  </div> <hr/> *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Jennifer Everett Title: : DENR Rulemaking Coordinator
RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

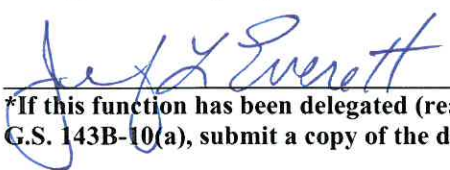
SUBMISSION FOR PERMANENT RULE

original
3/11/15

1. Rule-Making Agency: N.C. MARINE FISHERIES COMMISSION	
2. Rule citation & name (name not required for repeal): 15A NCAC 03Q .0202 DESCRIPTIVE BOUNDARIES FOR COASTAL-JOINT-INLAND WATERS	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: OCT. 1, 2014 Link to Agency notice: http://portal.ncdenr.org/web/mf/mfc-proposed-rules-links Hearing on: OCT. 28 AND 29, 2014 Adoption by agency on: FEB. 19, 2015 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input checked="" type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required
<div style="text-align: center;">9. REASON FOR ACTION</div> 9A. What prompted this action? Check all that apply: <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: </div> <div style="width: 45%;"> <input type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: </div> </div> 9B. Explain: Proposed amendments correct an error in the Inland/Coastal Waters boundary line in Queens Creek, Onslow County that was discovered during a review of boundary coordinates. Additional amendments correct inconsistent punctuation, spacing and wording and also update the name of a canal in Brunswick County.	
10. Rule-making Coordinator: JENNIFER EVERETT Address: 1601 MAIL SERVICE CENTER RALEIGH, NC 27699-1601 Phone: 919-707-8614 E-Mail: JENNIFER.EVERETT@NCDENR.GOV Agency Contact, if any: CATHERINE BLUM Phone: 252-808-8014 E-Mail: CATHERINE.BLUM@NCDENR.GOV	11. Signature of Agency Head* or Rule-making Coordinator: <div style="text-align: center; margin-top: 20px;">  <hr style="width: 80%; margin: 0 auto;"/> </div> *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: JENNIFER EVERETT Title: RULEMAKING COORDINATOR
RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

SUBMISSION FOR PERMANENT RULE

original
3/11/15

1. Rule-Making Agency: N.C. MARINE FISHERIES COMMISSION	
2. Rule citation & name (name not required for repeal): 15A NCAC 03R .0114 SHRIMP TRAWL PROHIBITED AREAS	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: OCT. 1, 2014 Link to Agency notice: http://portal.ncdenr.org/web/mf/mfc-proposed-rules-links Hearing on: OCT. 28 AND 29, 2014 Adoption by agency on: FEB. 19, 2015 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input checked="" type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input checked="" type="checkbox"/> Approved by OSBM <input type="checkbox"/> No fiscal note required
<p style="text-align: center;">9. REASON FOR ACTION</p> 9A. What prompted this action? Check all that apply: <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: </div> <div style="width: 45%;"> <input type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: </div> </div> 9B. Explain: <p>In accordance with the N.C. Shrimp Fishery Management Plan Amendment 1, proposed amendments prohibit shrimp trawling in the Intracoastal Waterway channel from the Sunset Beach Bridge to the South Carolina state line, including Shallotte River, Eastern Channel and lower Calabash River. These areas are proposed to be closed to protect small shrimp.</p>	
10. Rule-making Coordinator: JENNIFER EVERETT Address: 1601 MAIL SERVICE CENTER RALEIGH, NC 27699-1601 Phone: 919-707-8614 E-Mail: JENNIFER.EVERETT@NCDENR.GOV Agency Contact, if any: CATHERINE BLUM Phone: 252-808-8014 E-Mail: CATHERINE.BLUM@NCDENR.GOV	11. Signature of Agency Head* or Rule-making Coordinator: <div style="text-align: center; margin-top: 20px;">  _____ *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Jennifer Everett Title: DENR Rulemaking Coordinator </div>
RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

FILED
 2015 MAR 11 PM 3:45
 OFFICE OF
 ADMIN HEARINGS

SUBMISSION FOR PERMANENT RULE

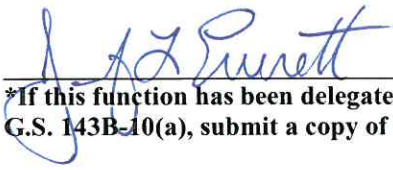
Original
3/11/15

1. Rule-Making Agency: N.C. MARINE FISHERIES COMMISSION	
2. Rule citation & name (name not required for repeal): 15A NCAC 03R .0115 ANADROMOUS FISH SPAWNING AREAS	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: OCT. 1, 2014 Link to Agency notice: http://portal.ncdenr.org/web/mf/mfc-proposed-rules-links Hearing on: OCT. 28 AND 29, 2014 Adoption by agency on: FEB. 19, 2015 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input checked="" type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required
<div style="text-align: center;">9. REASON FOR ACTION</div> <div style="display: flex; justify-content: space-between;"> <div style="width: 48%;"> 9A. What prompted this action? Check all that apply: <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: </div> <div style="width: 48%;"> <input type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: </div> </div> 9B. Explain: In accordance with the N.C. River Herring Fishery Management Plan Amendment 2, proposed amendments change the boundary coordinates of the Anadromous Fish Spawning Area to reflect companion changes previously made to the Albemarle Sound and Roanoke River management areas, helping maintain consistency for management and enforcement purposes. Additional proposed amendments correct capitalization of proper names.	
10. Rule-making Coordinator: JENNIFER EVERETT Address: 1601 MAIL SERVICE CENTER RALEIGH, NC 27699-1601 Phone: 919-707-8614 E-Mail: JENNIFER.EVERETT@NCDENR.GOV Agency Contact, if any: CATHERINE BLUM Phone: 252-808-8014 E-Mail: CATHERINE.BLUM@NCDENR.GOV	11. Signature of Agency Head* or Rule-making Coordinator: <div style="text-align: center; margin-top: 20px;"> </div> <hr style="border: 0; border-top: 1px solid black; margin: 5px 0;"/> *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Jennifer Everett Title: DENR Rulemaking Coordinator
RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

FILED
2015 MAR 11 PM 3:46
OFFICE OF
ADMIN. HEARINGS

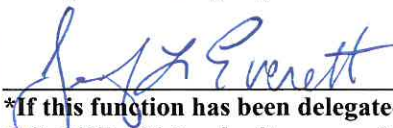
Original
3/11/15

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: N.C. MARINE FISHERIES COMMISSION	
2. Rule citation & name (name not required for repeal): 15A NCAC 03R .0202 RIVER HERRING MANAGEMENT AREAS	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: OCT. 1, 2014 Link to Agency notice: http://portal.ncdenr.org/web/mf/mfc-proposed-rules-links Hearing on: OCT. 28 AND 29, 2014 Adoption by agency on: FEB. 19, 2015 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact ($\geq \$1,000,000$) <input checked="" type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required
9. REASON FOR ACTION 9A. What prompted this action? Check all that apply: <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: <input type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other:	
9B. Explain: In accordance with the N.C. River Herring Fishery Management Plan Amendment 2, this rule is proposed for adoption to relocate the description and boundaries of the Albemarle Sound and Chowan River River Herring Management Areas from Subchapter 03J to Subchapter 03R for improved organization and public clarity (see 15A NCAC 03J .0209.)	
10. Rule-making Coordinator: JENNIFER EVERETT Address: 1601 MAIL SERVICE CENTER RALEIGH, NC 27699-1601 Phone: 919-707-8614 E-Mail: JENNIFER.EVERETT@NCDENR.GOV Agency Contact, if any: CATHERINE BLUM Phone: 252-808-8014 E-Mail: CATHERINE.BLUM@NCDENR.GOV	11. Signature of Agency Head* or Rule-making Coordinator:  *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Jennifer Everett Title: DENR Rulemaking Coordinator
RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

SUBMISSION FOR PERMANENT RULE


original
3/11/15

1. Rule-Making Agency: Coastal Resources Commission	
2. Rule citation & name (name not required for repeal): 15A NCAC 07K .0208 Single Family Residences Exempted	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: 12/1/14 Link to Agency notice: http://www.nccoastalmanagement.net/web/cm/proposed-rules Hearing on: December 17, 2014 Adoption by agency on: February 18, 2015 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input checked="" type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input checked="" type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input checked="" type="checkbox"/> Approved by OSBM <input type="checkbox"/> No fiscal note required
9. REASON FOR ACTION	
9A. What prompted this action? Check all that apply: <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: </div> <div style="width: 45%;"> <input type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: </div> </div>	
9B. Explain: 7K.0208 exempts single family residences from CAMA permit requirements that are 40 feet landward of normal high water or normal water level. The proposed rule change deletes the requirement of obtaining a signed statement of no objection from adjacent property owners, extends the permit timeframe to three years and allows materials other than wood to be used for an accessway to the water.	
10. Rule-making Coordinator: Jennifer Everett Address: 1601 MSC Raleigh, NC 27699-1601 Phone: (919) 707-8614 E-Mail: Jennifer.Everett@ncdenr.gov Agency Contact, if any: Mike Lopazanski Phone: (252) 808-2808 E-Mail: Mike.Lopazanski@ncdenr.gov	11. Signature of Agency Head* or Rule-making Coordinator: <div style="text-align: center; margin-top: 20px;">  <hr style="width: 80%; margin: 0 auto;"/> </div> <p>*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.</p> <p>Typed Name: Jennifer Everett Title: DENR Rulemaking Coordinator</p>
RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

FILED
 2015 MAR 11 PM 3:44
 OFFICE OF
 ADMIN HEARINGS

SUBMISSION FOR PERMANENT RULE

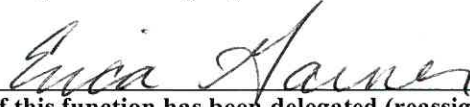
March 20, 2015

1. Rule-Making Agency: N.C. Wildlife Resources Commission	
2. Rule citation & name (name not required for repeal): 15A NCAC 10B .0105 Migratory game birds	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: December 1, 2014 Link to Agency notice: http://www.ncwildlife.org/ProposedRegulations.aspx Hearing on: January 6 at Auditorium, Bladen Community College, 7418 NC Hwy 41W, Dublin, N.C. 28332 January 7 at Courthouse, 212 W Elm St., Graham, N.C. 27253 January 8 at South Stanly High School, 40488 South Stanly School Road, Norwood, N.C. 28128 January 13 at Enloe Multi-purpose Room, Tri-County Community College, 21 Campus Circle, Murphy, N.C. 28906 January 14 at Morganton Municipal Auditorium, 401 S. College Street, Morganton, NC 28655 January 15 at Wilkes Community College, The Walker Center, 1328 S. Collegiate Drive, Wilkesboro, N.C. 28697 January 20 at Swain Auditorium, 200 E. Church St., Edenton, N.C. 27932 January 21 at Courthouse, 302 Broad St., New Bern, N.C. 28560 January 22 at Johnston Community College, 245 College Rd, Smithfield, NC 27577 Adoption by agency on: March 5, 2015	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input checked="" type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input checked="" type="checkbox"/> Approved by OSBM <input type="checkbox"/> No fiscal note required
9. REASON FOR ACTION 9A. What prompted this action? Check all that apply: <div style="display: flex; justify-content: space-between;"> <div style="width: 48%;"> <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: </div> <div style="width: 48%;"> <input type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: <input type="checkbox"/> Petition for rule-making <input checked="" type="checkbox"/> Other: public requests </div> </div>	
9B. Explain: Every year the Wildlife Resources Commission adjusts the regulation of hunting, trapping, fishing, and land use through rule-making. The proposed amendments to 15A NCAC 10B .0105 will expand waterfowl hunting opportunities.	
10. Rule-making Coordinator: Erica Garner Address: 1701 Mail Service Center Raleigh, NC. 27699-1722 Phone: 919-707-0014 E-Mail: erica.garner@ncwildlife.org Agency Contact, if any: Kate Pipkin Phone: 919-707-0064 E-Mail: kathryn.pipkin@ncwildlife.org	11. Signature of Agency Head* or Rule-making Coordinator:  *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Erica Garner Title: General Counsel, Rule-making Coordinator

SUBMISSION FOR PERMANENT RULE

March 20, 2015


ORIGINAL

1. Rule-Making Agency: N.C. Wildlife Resources Commission	
2. Rule citation & name (name not required for repeal): 15A NCAC 10B .0106 Wildlife Taken for Depredation	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: January 15, 2015 Link to Agency notice: http://www.ncwildlife.org/ProposedRegulations.aspx Hearing on: February 3, 2015 Columbia N.C. February 17, 2015 Raleigh, N.C. Adoption by agency on: March 18, 2015	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input checked="" type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input checked="" type="checkbox"/> Approved by OSBM <input type="checkbox"/> No fiscal note required
<div style="text-align: center;">9. REASON FOR ACTION</div> <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> 9A. What prompted this action? Check all that apply: <input checked="" type="checkbox"/> Agency <input checked="" type="checkbox"/> Court order / cite: 2:13-cv-00060-BO. <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: </div> <div style="width: 45%;"> <input type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: public requests </div> </div> <div style="margin-top: 10px;"> 9B. Explain: As amended, the rule regulating taking depredating wildlife, 15A NCAC 10B .0106, would restrict issuance of depredation permits to Commission employees only. </div>	
10. Rule-making Coordinator: Erica Garner Address: 1701 Mail Service Center Raleigh, NC. 27699-1722 Phone: 919-707-0014 E-Mail: erica.garner@ncwildlife.org Agency Contact, if any: Kate Pipkin Phone: 919-707-0064 E-Mail: kathryn.pipkin@ncwildlife.org	11. Signature of Agency Head* or Rule-making Coordinator: <div style="text-align: center;">  <hr style="width: 80%; margin: 0 auto;"/> </div> <p>*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.</p> <p>Typed Name: Erica Garner Title: General Counsel, Rule-making Coordinator</p>

 FILED
 2015 MAR 20 PM 4:36
 OFFICE OF
 ADMIN HEARINGS


SUBMISSION FOR PERMANENT RULE

March 20, 2015

1. Rule-Making Agency: N.C. Wildlife Resources Commission	
2. Rule citation & name (name not required for repeal): 15A NCAC 10B .0114 Dog Training and Field Trials	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: December 1, 2014 Link to Agency notice: http://www.ncwildlife.org/ProposedRegulations.aspx Hearing on: January 6 at Auditorium, Bladen Community College, 7418 NC Hwy 41W, Dublin, N.C. 28332 January 7 at Courthouse, 212 W Elm St., Graham, N.C. 27253 January 8 at South Stanly High School, 40488 South Stanly School Road, Norwood, N.C. 28128 January 13 at Enloe Multi-purpose Room, Tri-County Community College, 21 Campus Circle, Murphy, N.C. 28906 January 14 at Morganton Municipal Auditorium, 401 S. College Street, Morganton, NC 28655 January 15 at Wilkes Community College, The Walker Center, 1328 S. Collegiate Drive, Wilkesboro, N.C. 28697 January 20 at Swain Auditorium, 200 E. Church St., Edenton, N.C. 27932 January 21 at Courthouse, 302 Broad St., New Bern, N.C. 28560 January 22 at Johnston Community College, 245 College Rd, Smithfield, NC 27577 Adoption by agency on: March 5, 2015	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input checked="" type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input checked="" type="checkbox"/> Approved by OSBM <input type="checkbox"/> No fiscal note required
9. REASON FOR ACTION 9A. What prompted this action? Check all that apply: <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: <input type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: <input type="checkbox"/> Petition for rule-making <input checked="" type="checkbox"/> Other: public requests	
9B. Explain: Every year the Wildlife Resources Commission adjusts the regulation of hunting, trapping, fishing, and land use through rule-making. The proposed amendments to 15A NCAC 10B .0114 will clarify which constituents need a hunting in order to train dogs or participate in field trials.	
10. Rule-making Coordinator: Erica Garner Address: 1701 Mail Service Center Raleigh, N.C. 27699-1722 Phone: 919-707-0014 E-Mail: erica.garner@ncwildlife.org Agency Contact, if any: Kate Pipkin Phone: 919-707-0064 E-Mail: kathryn.pipkin@ncwildlife.org	11. Signature of Agency Head* or Rule-making Coordinator:  *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Erica Garner Title: General Counsel, Rule-making Coordinator

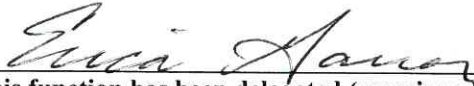
SUBMISSION FOR PERMANENT RULE

March 20, 2015

1. Rule-Making Agency: N.C. Wildlife Resources Commission	
2. Rule citation & name (name not required for repeal): 15A NCAC 10B .0202 Bear	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: December 1, 2014 Link to Agency notice: http://www.ncwildlife.org/ProposedRegulations.aspx Hearing on: January 6 at Auditorium, Bladen Community College, 7418 NC Hwy 41W, Dublin, N.C. 28332 January 7 at Courthouse, 212 W Elm St., Graham, N.C. 27253 January 8 at South Stanly High School, 40488 South Stanly School Road, Norwood, N.C. 28128 January 13 at Enloe Multi-purpose Room, Tri-County Community College, 21 Campus Circle, Murphy, N.C. 28906 January 14 at Morganton Municipal Auditorium, 401 S. College Street, Morganton, NC 28655 January 15 at Wilkes Community College, The Walker Center, 1328 S. Collegiate Drive, Wilkesboro, N.C. 28697 January 20 at Swain Auditorium, 200 E. Church St., Edenton, N.C. 27932 January 21 at Courthouse, 302 Broad St., New Bern, N.C. 28560 January 22 at Johnston Community College, 245 College Rd, Smithfield, NC 27577 Adoption by agency on: March 5, 2015	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input checked="" type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input checked="" type="checkbox"/> Approved by OSBM <input type="checkbox"/> No fiscal note required
9. REASON FOR ACTION 9A. What prompted this action? Check all that apply: <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: </div> <div style="width: 45%;"> <input type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: <input type="checkbox"/> Petition for rule-making <input checked="" type="checkbox"/> Other: public requests </div> </div> 9B. Explain: Every year the Wildlife Resources Commission adjusts the regulation of hunting, trapping, fishing, and land use through rule-making. The proposed amendments to 15A NCAC 10B .0202 will clarify what substances are, and are not, bait.	
10. Rule-making Coordinator: Erica Garner Address: 1701 Mail Service Center Raleigh, N.C. 27699-1722 Phone: 919-707-0014 E-Mail: erica.garner@ncwildlife.org Agency Contact, if any: Kate Pipkin Phone: 919-707-0064 E-Mail: kathryn.pipkin@ncwildlife.org	11. Signature of Agency Head* or Rule-making Coordinator:  *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Erica Garner Title: General Counsel, Rule-making Coordinator

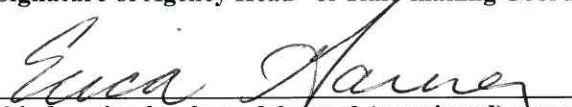
SUBMISSION FOR PERMANENT RULE

March 20, 2015

1. Rule-Making Agency: N.C. Wildlife Resources Commission	
2. Rule citation & name (name not required for repeal): 15A NCAC 10B .0203 Deer (White-tailed)	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: December 1, 2014 Link to Agency notice: http://www.ncwildlife.org/ProposedRegulations.aspx Hearing on: January 6 at Auditorium, Bladen Community College, 7418 NC Hwy 41W, Dublin, N.C. 28332 January 7 at Courthouse, 212 W Elm St., Graham, N.C. 27253 January 8 at South Stanly High School, 40488 South Stanly School Road, Norwood, N.C. 28128 January 13 at Enloe Multi-purpose Room, Tri-County Community College, 21 Campus Circle, Murphy, N.C. 28906 January 14 at Morganton Municipal Auditorium, 401 S. College Street, Morganton, NC 28655 January 15 at Wilkes Community College, The Walker Center, 1328 S. Collegiate Drive, Wilkesboro, N.C. 28697 January 20 at Swain Auditorium, 200 E. Church St., Edenton, N.C. 27932 January 21 at Courthouse, 302 Broad St., New Bern, N.C. 28560 January 22 at Johnston Community College, 245 College Rd, Smithfield, NC 27577 Adoption by agency on: March 5, 2015	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input checked="" type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input checked="" type="checkbox"/> Approved by OSBM <input type="checkbox"/> No fiscal note required
9. REASON FOR ACTION 9A. What prompted this action? Check all that apply: <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: <input type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: <input type="checkbox"/> Petition for rule-making <input checked="" type="checkbox"/> Other: public requests	
9B. Explain: Every year the Wildlife Resources Commission adjusts the regulation of hunting, trapping, fishing, and land use through rule-making. The proposed amendments to 15A NCAC 10B .0203 will add some deer hunting seasons.	
10. Rule-making Coordinator: Erica Garner Address: 1701 Mail Service Center Raleigh, N.C. 27699-1722 Phone: 919-707-0014 E-Mail: erica.garner@ncwildlife.org Agency Contact, if any: Kate Pipkin Phone: 919-707-0064 E-Mail: kathryn.pipkin@ncwildlife.org	11. Signature of Agency Head* or Rule-making Coordinator:  *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Erica Garner Title: General Counsel, Rule-making Coordinator

SUBMISSION FOR PERMANENT RULE

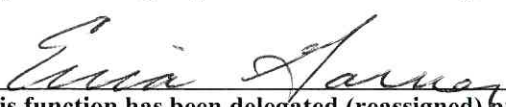
ORIGINAL
March 20, 2015

1. Rule-Making Agency: N.C. Wildlife Resources Commission	
2. Rule citation & name (name not required for repeal): 15A NCAC 10B .0219 Coyote	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: January 15, 2015 Link to Agency notice: http://www.ncwildlife.org/ProposedRegulations.aspx Hearing on: February 3, 2015 Columbia N.C. February 17, 2015 Raleigh, N.C. Adoption by agency on: March 18, 2015	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input checked="" type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input checked="" type="checkbox"/> Approved by OSBM <input type="checkbox"/> No fiscal note required
<div style="text-align: center;">9. REASON FOR ACTION</div> <div style="display: flex; justify-content: space-between;"> <div style="width: 48%;"> 9A. What prompted this action? Check all that apply: <input checked="" type="checkbox"/> Agency <input checked="" type="checkbox"/> Court order / cite: 2:13-cv-00060-BO. <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: </div> <div style="width: 48%;"> <input type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: public requests </div> </div> <p>9B. Explain: As amended, the rule regulating coyote hunting, 15A NCAC 10B .0219, would prohibit all nighttime hunting coyotes in the counties of Dare, Tyrrell, Hyde, Beaufort and Washington counties. Daytime hunting would be allowed on private property with a coyote hunting permit.</p>	
10. Rule-making Coordinator: Erica Garner Address: 1701 Mail Service Center Raleigh, NC. 27699-1722 Phone: 919-707-0014 E-Mail: erica.garner@ncwildlife.org Agency Contact, if any: Kate Pipkin Phone: 919-707-0064 E-Mail: kathryn.pipkin@ncwildlife.org	11. Signature of Agency Head* or Rule-making Coordinator: <div style="text-align: center; margin-top: 20px;">  <hr style="width: 80%; margin: 0 auto;"/> </div> <p>*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.</p> <p>Typed Name: Erica Garner Title: General Counsel, Rule-making Coordinator</p>

FILED
 2015 MAR 20 PM 4:37
 OFFICE OF
 ADMIN HEARINGS

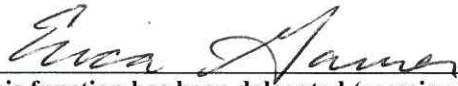
SUBMISSION FOR PERMANENT RULE

March 20, 2015

1. Rule-Making Agency: N.C. Wildlife Resources Commission	
2. Rule citation & name (name not required for repeal): 15A NCAC 10B .0223 Feral Swine	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: December 1, 2014 Link to Agency notice: http://www.ncwildlife.org/ProposedRegulations.aspx Hearing on: January 6 at Auditorium, Bladen Community College, 7418 NC Hwy 41W, Dublin, N.C. 28332 January 7 at Courthouse, 212 W Elm St., Graham, N.C. 27253 January 8 at South Stanly High School, 40488 South Stanly School Road, Norwood, N.C. 28128 January 13 at Enloe Multi-purpose Room, Tri-County Community College, 21 Campus Circle, Murphy, N.C. 28906 January 14 at Morganton Municipal Auditorium, 401 S. College Street, Morganton, NC 28655 January 15 at Wilkes Community College, The Walker Center, 1328 S. Collegiate Drive, Wilkesboro, N.C. 28697 January 20 at Swain Auditorium, 200 E. Church St., Edenton, N.C. 27932 January 21 at Courthouse, 302 Broad St., New Bern, N.C. 28560 January 22 at Johnston Community College, 245 College Rd, Smithfield, NC 27577 Adoption by agency on: March 5, 2015	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input checked="" type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input checked="" type="checkbox"/> Approved by OSBM <input type="checkbox"/> No fiscal note required
9. REASON FOR ACTION 9A. What prompted this action? Check all that apply: <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: <input type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: <input type="checkbox"/> Petition for rule-making <input checked="" type="checkbox"/> Other: public requests	
9B. Explain: Every year the Wildlife Resources Commission adjusts the regulation of hunting, trapping, fishing, and land use through rule-making. The proposed amendments to 15A NCAC 10B .0223 will alter the manner of take for feral swine.	
10. Rule-making Coordinator: Erica Garner Address: 1701 Mail Service Center Raleigh, N.C. 27699-1722 Phone: 919-707-0014 E-Mail: erica.garner@ncwildlife.org Agency Contact, if any: Kate Pipkin Phone: 919-707-0064 E-Mail: kathryn.pipkin@ncwildlife.org	11. Signature of Agency Head* or Rule-making Coordinator:  *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Erica Garner Title: General Counsel, Rule-making Coordinator

SUBMISSION FOR PERMANENT RULE

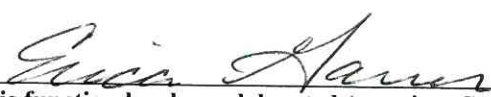
March 20, 2015

1. Rule-Making Agency: N.C. Wildlife Resources Commission	
2. Rule citation & name (name not required for repeal): 15A NCAC 10B .0404 Trappers and hunters	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: December 1, 2014 Link to Agency notice: http://www.ncwildlife.org/ProposedRegulations.aspx Hearing on: January 6 at Auditorium, Bladen Community College, 7418 NC Hwy 41W, Dublin, N.C. 28332 January 7 at Courthouse, 212 W Elm St., Graham, N.C. 27253 January 8 at South Stanly High School, 40488 South Stanly School Road, Norwood, N.C. 28128 January 13 at Enloe Multi-purpose Room, Tri-County Community College, 21 Campus Circle, Murphy, N.C. 28906 January 14 at Morganton Municipal Auditorium, 401 S. College Street, Morganton, NC 28655 January 15 at Wilkes Community College, The Walker Center, 1328 S. Collegiate Drive, Wilkesboro, N.C. 28697 January 20 at Swain Auditorium, 200 E. Church St., Edenton, N.C. 27932 January 21 at Courthouse, 302 Broad St., New Bern, N.C. 28560 January 22 at Johnston Community College, 245 College Rd, Smithfield, NC 27577 Adoption by agency on: March 5, 2015	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input checked="" type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input checked="" type="checkbox"/> Approved by OSBM <input type="checkbox"/> No fiscal note required
9. REASON FOR ACTION 9A. What prompted this action? Check all that apply: <div style="display: flex; justify-content: space-between;"> <div style="width: 48%;"> <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: </div> <div style="width: 48%;"> <input type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: <input type="checkbox"/> Petition for rule-making <input checked="" type="checkbox"/> Other: public requests </div> </div> 9B. Explain: Every year the Wildlife Resources Commission adjusts the regulation of hunting, trapping, fishing, and land use through rule-making. The proposed amendments to 15A NCAC 10B .0404 will alter tagging requirements for fur-bearing animals.	
10. Rule-making Coordinator: Erica Garner Address: 1701 Mail Service Center Raleigh, N.C. 27699-1722 Phone: 919-707-0014 E-Mail: erica.garner@ncwildlife.org Agency Contact, if any: Kate Pipkin Phone: 919-707-0064 E-Mail: kathryn.pipkin@ncwildlife.org	11. Signature of Agency Head* or Rule-making Coordinator:  *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Erica Garner Title: General Counsel, Rule-making Coordinator

 OFFICE OF
ADMINISTRATIVE
HEARINGS
2015 MAR 20 PM 4:45
FILED

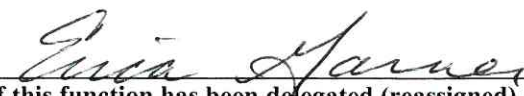
SUBMISSION FOR PERMANENT RULE

March 20, 2015

1. Rule-Making Agency: N.C. Wildlife Resources Commission	
2. Rule citation & name (name not required for repeal): 15A NCAC 10C .0205 Public mountain trout waters	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: December 1, 2014 Link to Agency notice: http://www.ncwildlife.org/ProposedRegulations.aspx Hearing on: January 6 at Auditorium, Bladen Community College, 7418 NC Hwy 41W, Dublin, N.C. 28332 January 7 at Courthouse, 212 W Elm St., Graham, N.C. 27253 January 8 at South Stanly High School, 40488 South Stanly School Road, Norwood, N.C. 28128 January 13 at Enloe Multi-purpose Room, Tri-County Community College, 21 Campus Circle, Murphy, N.C. 28906 January 14 at Morganton Municipal Auditorium, 401 S. College Street, Morganton, NC 28655 January 15 at Wilkes Community College, The Walker Center, 1328 S. Collegiate Drive, Wilkesboro, N.C. 28697 January 20 at Swain Auditorium, 200 E. Church St., Edenton, N.C. 27932 January 21 at Courthouse, 302 Broad St., New Bern, N.C. 28560 January 22 at Johnston Community College, 245 College Rd, Smithfield, NC 27577 Adoption by agency on: March 5, 2015	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input checked="" type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input checked="" type="checkbox"/> Approved by OSBM <input type="checkbox"/> No fiscal note required
9. REASON FOR ACTION 9A. What prompted this action? Check all that apply: <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: </div> <div style="width: 45%;"> <input type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: <input type="checkbox"/> Petition for rule-making <input checked="" type="checkbox"/> Other: public requests </div> </div>	
9B. Explain: Every year the Wildlife Resources Commission adjusts the regulation of hunting, trapping, fishing, and land use through rule-making. The proposed amendments to 15A NCAC 10C .0205 will add and remove waters to the program. The Commission has also re-formatted the Rule to increase clarity and functionality.	
10. Rule-making Coordinator: Erica Garner Address: 1701 Mail Service Center Raleigh, N.C. 27699-1722 Phone: 919-707-0014 E-Mail: erica.garner@ncwildlife.org Agency Contact, if any: Kate Pipkin Phone: 919-707-0064 E-Mail: kathryn.pipkin@ncwildlife.org	11. Signature of Agency Head* or Rule-making Coordinator:  *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Erica Garner Title: General Counsel, Rule-making Coordinator

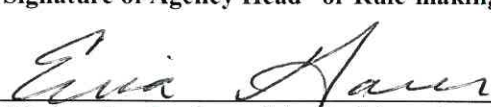
SUBMISSION FOR PERMANENT RULE

March 20, 2015

1. Rule-Making Agency: N.C. Wildlife Resources Commission	
2. Rule citation & name (name not required for repeal): 15A NCAC 10C .0206 Trotlines and set-hooks	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: December 1, 2014 Link to Agency notice: http://www.ncwildlife.org/ProposedRegulations.aspx Hearing on: January 6 at Auditorium, Bladen Community College, 7418 NC Hwy 41W, Dublin, N.C. 28332 January 7 at Courthouse, 212 W Elm St., Graham, N.C. 27253 January 8 at South Stanly High School, 40488 South Stanly School Road, Norwood, N.C. 28128 January 13 at Enloe Multi-purpose Room, Tri-County Community College, 21 Campus Circle, Murphy, N.C. 28906 January 14 at Morganton Municipal Auditorium, 401 S. College Street, Morganton, NC 28655 January 15 at Wilkes Community College, The Walker Center, 1328 S. Collegiate Drive, Wilkesboro, N.C. 28697 January 20 at Swain Auditorium, 200 E. Church St., Edenton, N.C. 27932 January 21 at Courthouse, 302 Broad St., New Bern, N.C. 28560 January 22 at Johnston Community College, 245 College Rd, Smithfield, NC 27577 Adoption by agency on: March 5, 2015	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input checked="" type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input checked="" type="checkbox"/> Approved by OSBM <input type="checkbox"/> No fiscal note required
9. REASON FOR ACTION 9A. What prompted this action? Check all that apply: <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: <input type="checkbox"/> Legislation enacted by the General Assembly <input type="checkbox"/> Cite Session Law: <input type="checkbox"/> Petition for rule-making <input checked="" type="checkbox"/> Other: public requests	
9B. Explain: Every year the Wildlife Resources Commission adjusts the regulation of hunting, trapping, fishing, and land use through rule-making. The proposed amendments to 15A NCAC 10C .0206 will add definitions for fishing devices.	
10. Rule-making Coordinator: Erica Garner Address: 1701 Mail Service Center Raleigh, N.C. 27699-1722 Phone: 919-707-0014 E-Mail: erica.garner@ncwildlife.org Agency Contact, if any: Kate Pipkin Phone: 919-707-0064 E-Mail: kathryn.pipkin@ncwildlife.org	11. Signature of Agency Head* or Rule-making Coordinator:  *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Erica Garner Title: General Counsel, Rule-making Coordinator

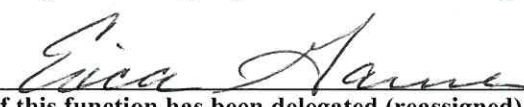
SUBMISSION FOR PERMANENT RULE

March 20, 2015

1. Rule-Making Agency: N.C. Wildlife Resources Commission	
2. Rule citation & name (name not required for repeal): 15A NCAC 10C .0306 Crappie	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: December 1, 2014 Link to Agency notice: http://www.ncwildlife.org/ProposedRegulations.aspx Hearing on: January 6 at Auditorium, Bladen Community College, 7418 NC Hwy 41W, Dublin, N.C. 28332 January 7 at Courthouse, 212 W Elm St., Graham, N.C. 27253 January 8 at South Stanly High School, 40488 South Stanly School Road, Norwood, N.C. 28128 January 13 at Enloe Multi-purpose Room, Tri-County Community College, 21 Campus Circle, Murphy, N.C. 28906 January 14 at Morganton Municipal Auditorium, 401 S. College Street, Morganton, NC 28655 January 15 at Wilkes Community College, The Walker Center, 1328 S. Collegiate Drive, Wilkesboro, N.C. 28697 January 20 at Swain Auditorium, 200 E. Church St., Edenton, N.C. 27932 January 21 at Courthouse, 302 Broad St., New Bern, N.C. 28560 January 22 at Johnston Community College, 245 College Rd, Smithfield, NC 27577 Adoption by agency on: March 5, 2015	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input checked="" type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact ($\geq \$1,000,000$) <input checked="" type="checkbox"/> Approved by OSBM <input type="checkbox"/> No fiscal note required
9. REASON FOR ACTION 9A. What prompted this action? Check all that apply: <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: <input type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: <input type="checkbox"/> Petition for rule-making <input checked="" type="checkbox"/> Other: public requests	
9B. Explain: Every year the Wildlife Resources Commission adjusts the regulation of hunting, trapping, fishing, and land use through rule-making. The proposed amendments to 15A NCAC 10C .0306 will change creel limits.	
10. Rule-making Coordinator: Erica Garner Address: 1701 Mail Service Center Raleigh, N.C. 27699-1722 Phone: 919-707-0014 E-Mail: erica.garner@ncwildlife.org Agency Contact, if any: Kate Pipkin Phone: 919-707-0064 E-Mail: kathryn.pipkin@ncwildlife.org	11. Signature of Agency Head* or Rule-making Coordinator:  *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Erica Garner Title: General Counsel, Rule-making Coordinator

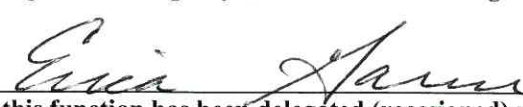
SUBMISSION FOR PERMANENT RULE

March 20, 2015

1. Rule-Making Agency: N.C. Wildlife Resources Commission	
2. Rule citation & name (name not required for repeal): 15A NCAC 10C .0314 Striped bass	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: December 1, 2014 Link to Agency notice: http://www.ncwildlife.org/ProposedRegulations.aspx Hearing on: January 6 at Auditorium, Bladen Community College, 7418 NC Hwy 41W, Dublin, N.C. 28332 January 7 at Courthouse, 212 W Elm St., Graham, N.C. 27253 January 8 at South Stanly High School, 40488 South Stanly School Road, Norwood, N.C. 28128 January 13 at Enloe Multi-purpose Room, Tri-County Community College, 21 Campus Circle, Murphy, N.C. 28906 January 14 at Morganton Municipal Auditorium, 401 S. College Street, Morganton, NC 28655 January 15 at Wilkes Community College, The Walker Center, 1328 S. Collegiate Drive, Wilkesboro, N.C. 28697 January 20 at Swain Auditorium, 200 E. Church St., Edenton, N.C. 27932 January 21 at Courthouse, 302 Broad St., New Bern, N.C. 28560 January 22 at Johnston Community College, 245 College Rd, Smithfield, NC 27577 Adoption by agency on: March 5, 2015	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input checked="" type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input checked="" type="checkbox"/> Approved by OSBM <input type="checkbox"/> No fiscal note required
9. REASON FOR ACTION 9A. What prompted this action? Check all that apply: <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: <input type="checkbox"/> Legislation enacted by the General Assembly <input type="checkbox"/> Cite Session Law: <input type="checkbox"/> Petition for rule-making <input checked="" type="checkbox"/> Other: public requests	
9B. Explain: Every year the Wildlife Resources Commission adjusts the regulation of hunting, trapping, fishing, and land use through rule-making. The proposed amendments to 15A NCAC 10C .0314 will change creel limits and seasons.	
10. Rule-making Coordinator: Erica Garner Address: 1701 Mail Service Center Raleigh, N.C. 27699-1722 Phone: 919-707-0014 E-Mail: erica.garner@ncwildlife.org Agency Contact, if any: Kate Pipkin Phone: 919-707-0064 E-Mail: kathryn.pipkin@ncwildlife.org	11. Signature of Agency Head* or Rule-making Coordinator:  *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Erica Garner Title: General Counsel, Rule-making Coordinator

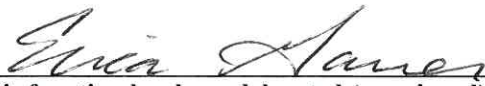
SUBMISSION FOR PERMANENT RULE

March 20, 2015

1. Rule-Making Agency: N.C. Wildlife Resources Commission	
2. Rule citation & name (name not required for repeal): 15A NCAC 10C .0316 Trout	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: December 1, 2014 Link to Agency notice: http://www.ncwildlife.org/ProposedRegulations.aspx Hearing on: January 6 at Auditorium, Bladen Community College, 7418 NC Hwy 41W, Dublin, N.C. 28332 January 7 at Courthouse, 212 W Elm St., Graham, N.C. 27253 January 8 at South Stanly High School, 40488 South Stanly School Road, Norwood, N.C. 28128 January 13 at Enloe Multi-purpose Room, Tri-County Community College, 21 Campus Circle, Murphy, N.C. 28906 January 14 at Morganton Municipal Auditorium, 401 S. College Street, Morganton, NC 28655 January 15 at Wilkes Community College, The Walker Center, 1328 S. Collegiate Drive, Wilkesboro, N.C. 28697 January 20 at Swain Auditorium, 200 E. Church St., Edenton, N.C. 27932 January 21 at Courthouse, 302 Broad St., New Bern, N.C. 28560 January 22 at Johnston Community College, 245 College Rd, Smithfield, NC 27577 Adoption by agency on: March 5, 2015	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input checked="" type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (\geq \$1,000,000) <input checked="" type="checkbox"/> Approved by OSBM <input type="checkbox"/> No fiscal note required
9. REASON FOR ACTION 9A. What prompted this action? Check all that apply: <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: <input type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: <input type="checkbox"/> Petition for rule-making <input checked="" type="checkbox"/> Other: public requests	
9B. Explain: Every year the Wildlife Resources Commission adjusts the regulation of hunting, trapping, fishing, and land use through rule-making. The proposed amendments to 15A NCAC 10C .0316 will change seasons.	
10. Rule-making Coordinator: Erica Garner Address: 1701 Mail Service Center Raleigh, N.C. 27699-1722 Phone: 919-707-0014 E-Mail: erica.garner@ncwildlife.org Agency Contact, if any: Kate Pipkin Phone: 919-707-0064 E-Mail: kathryn.pipkin@ncwildlife.org	11. Signature of Agency Head* or Rule-making Coordinator:  *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Erica Garner Title: General Counsel, Rule-making Coordinator

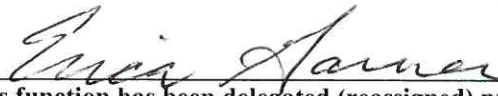
SUBMISSION FOR PERMANENT RULE

March 20, 2015

1. Rule-Making Agency: N.C. Wildlife Resources Commission	
2. Rule citation & name (name not required for repeal): 15A NCAC 10C .0401 Manner of taking nongame fishes: purchase and sale	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: December 1, 2014 Link to Agency notice: http://www.ncwildlife.org/ProposedRegulations.aspx Hearing on: January 6 at Auditorium, Bladen Community College, 7418 NC Hwy 41W, Dublin, N.C. 28332 January 7 at Courthouse, 212 W Elm St., Graham, N.C. 27253 January 8 at South Stanly High School, 40488 South Stanly School Road, Norwood, N.C. 28128 January 13 at Enloe Multi-purpose Room, Tri-County Community College, 21 Campus Circle, Murphy, N.C. 28906 January 14 at Morganton Municipal Auditorium, 401 S. College Street, Morganton, NC 28655 January 15 at Wilkes Community College, The Walker Center, 1328 S. Collegiate Drive, Wilkesboro, N.C. 28697 January 20 at Swain Auditorium, 200 E. Church St., Edenton, N.C. 27932 January 21 at Courthouse, 302 Broad St., New Bern, N.C. 28560 January 22 at Johnston Community College, 245 College Rd, Smithfield, NC 27577 Adoption by agency on: March 5, 2015	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input checked="" type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact ($\geq \$1,000,000$) <input checked="" type="checkbox"/> Approved by OSBM <input type="checkbox"/> No fiscal note required
9. REASON FOR ACTION 9A. What prompted this action? Check all that apply: <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: <input type="checkbox"/> Legislation enacted by the General Assembly <input type="checkbox"/> Cite Session Law: <input type="checkbox"/> Petition for rule-making <input checked="" type="checkbox"/> Other: public requests	
9B. Explain: Every year the Wildlife Resources Commission adjusts the regulation of hunting, trapping, fishing, and land use through rule-making. The proposed amendments to 15A NCAC 10C .0401 will restrict possession of eels.	
10. Rule-making Coordinator: Erica Garner Address: 1701 Mail Service Center Raleigh, N.C. 27699-1722 Phone: 919-707-0014 E-Mail: erica.garner@ncwildlife.org Agency Contact, if any: Kate Pipkin Phone: 919-707-0064 E-Mail: kathryn.pipkin@ncwildlife.org	11. Signature of Agency Head* or Rule-making Coordinator:  *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Erica Garner Title: General Counsel, Rule-making Coordinator


SUBMISSION FOR PERMANENT RULE

March 20, 2015

1. Rule-Making Agency: N.C. Wildlife Resources Commission	
2. Rule citation & name (name not required for repeal): 15A NCAC 10C .0402 Manner of taking nongame fishes for bait or consumption	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: December 1, 2014 Link to Agency notice: http://www.ncwildlife.org/ProposedRegulations.aspx Hearing on: January 6 at Auditorium, Bladen Community College, 7418 NC Hwy 41W, Dublin, N.C. 28332 January 7 at Courthouse, 212 W Elm St., Graham, N.C. 27253 January 8 at South Stanly High School, 40488 South Stanly School Road, Norwood, N.C. 28128 January 13 at Enloe Multi-purpose Room, Tri-County Community College, 21 Campus Circle, Murphy, N.C. 28906 January 14 at Morganton Municipal Auditorium, 401 S. College Street, Morganton, NC 28655 January 15 at Wilkes Community College, The Walker Center, 1328 S. Collegiate Drive, Wilkesboro, N.C. 28697 January 20 at Swain Auditorium, 200 E. Church St., Edenton, N.C. 27932 January 21 at Courthouse, 302 Broad St., New Bern, N.C. 28560 January 22 at Johnston Community College, 245 College Rd, Smithfield, NC 27577 Adoption by agency on: March 5, 2015	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input checked="" type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact ($\geq \$1,000,000$) <input checked="" type="checkbox"/> Approved by OSBM <input type="checkbox"/> No fiscal note required
9. REASON FOR ACTION 9A. What prompted this action? Check all that apply: <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: <input type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: <input type="checkbox"/> Petition for rule-making <input checked="" type="checkbox"/> Other: public requests	
9B. Explain: Every year the Wildlife Resources Commission adjusts the regulation of hunting, trapping, fishing, and land use through rule-making. The proposed amendments to 15A NCAC 10C .0402 will add a special device that can be used to take nongame fishes.	
10. Rule-making Coordinator: Erica Garner Address: 1701 Mail Service Center Raleigh, N.C. 27699-1722 Phone: 919-707-0014 E-Mail: erica.garner@ncwildlife.org Agency Contact, if any: Kate Pipkin Phone: 919-707-0064 E-Mail: kathryn.pipkin@ncwildlife.org	11. Signature of Agency Head* or Rule-making Coordinator:  *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Erica Garner Title: General Counsel, Rule-making Coordinator

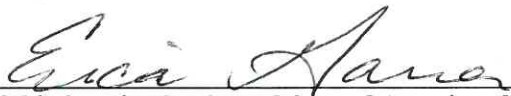
SUBMISSION FOR PERMANENT RULE

March 20, 2015

1. Rule-Making Agency: N.C. Wildlife Resources Commission	
2. Rule citation & name (name not required for repeal): 15A NCAC 10C .0407 Permitted special devices and open seasons	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: December 1, 2014 Link to Agency notice: http://www.ncwildlife.org/ProposedRegulations.aspx Hearing on: January 6 at Auditorium, Bladen Community College, 7418 NC Hwy 41W, Dublin, N.C. 28332 January 7 at Courthouse, 212 W Elm St., Graham, N.C. 27253 January 8 at South Stanly High School, 40488 South Stanly School Road, Norwood, N.C. 28128 January 13 at Enloe Multi-purpose Room, Tri-County Community College, 21 Campus Circle, Murphy, N.C. 28906 January 14 at Morganton Municipal Auditorium, 401 S. College Street, Morganton, NC 28655 January 15 at Wilkes Community College, The Walker Center, 1328 S. Collegiate Drive, Wilkesboro, N.C. 28697 January 20 at Swain Auditorium, 200 E. Church St., Edenton, N.C. 27932 January 21 at Courthouse, 302 Broad St., New Bern, N.C. 28560 January 22 at Johnston Community College, 245 College Rd, Smithfield, NC 27577 Adoption by agency on: March 5, 2015	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input checked="" type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact ($\geq \$1,000,000$) <input checked="" type="checkbox"/> Approved by OSBM <input type="checkbox"/> No fiscal note required
9. REASON FOR ACTION 9A. What prompted this action? Check all that apply: <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: <input type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: <input type="checkbox"/> Petition for rule-making <input checked="" type="checkbox"/> Other: public requests	
9B. Explain: Every year the Wildlife Resources Commission adjusts the regulation of hunting, trapping, fishing, and land use through rule-making. The proposed amendments to 15A NCAC 10C .0407 will fix an error in the Rule text.	
10. Rule-making Coordinator: Erica Garner Address: 1701 Mail Service Center Raleigh, N.C. 27699-1722 Phone: 919-707-0014 E-Mail: erica.garner@ncwildlife.org Agency Contact, if any: Kate Pipkin Phone: 919-707-0064 E-Mail: kathryn.pipkin@ncwildlife.org	11. Signature of Agency Head* or Rule-making Coordinator:  *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Erica Garner Title: General Counsel, Rule-making Coordinator


SUBMISSION FOR PERMANENT RULE

March 20, 2015

1. Rule-Making Agency: N.C. Wildlife Resources Commission	
2. Rule citation & name (name not required for repeal): 15A NCAC 10D .0102 General regulations regarding use	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: December 1, 2014 Link to Agency notice: http://www.ncwildlife.org/ProposedRegulations.aspx Hearing on: January 6 at Auditorium, Bladen Community College, 7418 NC Hwy 41W, Dublin, N.C. 28332 January 7 at Courthouse, 212 W Elm St., Graham, N.C. 27253 January 8 at South Stanly High School, 40488 South Stanly School Road, Norwood, N.C. 28128 January 13 at Enloe Multi-purpose Room, Tri-County Community College, 21 Campus Circle, Murphy, N.C. 28906 January 14 at Morganton Municipal Auditorium, 401 S. College Street, Morganton, NC 28655 January 15 at Wilkes Community College, The Walker Center, 1328 S. Collegiate Drive, Wilkesboro, N.C. 28697 January 20 at Swain Auditorium, 200 E. Church St., Edenton, N.C. 27932 January 21 at Courthouse, 302 Broad St., New Bern, N.C. 28560 January 22 at Johnston Community College, 245 College Rd, Smithfield, NC 27577 Adoption by agency on: March 5, 2015	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input checked="" type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input checked="" type="checkbox"/> Approved by OSBM <input type="checkbox"/> No fiscal note required
9. REASON FOR ACTION 9A. What prompted this action? Check all that apply: <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: </div> <div style="width: 45%;"> <input type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: <input type="checkbox"/> Petition for rule-making <input checked="" type="checkbox"/> Other: public requests </div> </div> 9B. Explain: Every year the Wildlife Resources Commission adjusts the regulation of hunting, trapping, fishing, and land use through rule-making. The proposed amendments to 15A NCAC 10D .0102 will add definitions, a new type of restricted zone, and clarify who needs a hunting license to participate in field trials.	
10. Rule-making Coordinator: Erica Garner Address: 1701 Mail Service Center Raleigh, N.C. 27699-1722 Phone: 919-707-0014 E-Mail: erica.garner@ncwildlife.org Agency Contact, if any: Kate Pipkin Phone: 919-707-0064 E-Mail: kathryn.pipkin@ncwildlife.org	11. Signature of Agency Head* or Rule-making Coordinator:  *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Erica Garner Title: General Counsel, Rule-making Coordinator


SUBMISSION FOR PERMANENT RULE

March 20, 2015

1. Rule-Making Agency: N.C. Wildlife Resources Commission	
2. Rule citation & name (name not required for repeal): 15A NCAC 10D .0103 Hunting on game lands	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: December 1, 2014 Link to Agency notice: http://www.ncwildlife.org/ProposedRegulations.aspx Hearing on: January 6 at Auditorium, Bladen Community College, 7418 NC Hwy 41W, Dublin, N.C. 28332 January 7 at Courthouse, 212 W Elm St., Graham, N.C. 27253 January 8 at South Stanly High School, 40488 South Stanly School Road, Norwood, N.C. 28128 January 13 at Enloe Multi-purpose Room, Tri-County Community College, 21 Campus Circle, Murphy, N.C. 28906 January 14 at Morganton Municipal Auditorium, 401 S. College Street, Morganton, NC 28655 January 15 at Wilkes Community College, The Walker Center, 1328 S. Collegiate Drive, Wilkesboro, N.C. 28697 January 20 at Swain Auditorium, 200 E. Church St., Edenton, N.C. 27932 January 21 at Courthouse, 302 Broad St., New Bern, N.C. 28560 January 22 at Johnston Community College, 245 College Rd, Smithfield, NC 27577 Adoption by agency on: March 5, 2015	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input checked="" type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (\geq \$1,000,000) <input checked="" type="checkbox"/> Approved by OSBM <input type="checkbox"/> No fiscal note required
9. REASON FOR ACTION 9A. What prompted this action? Check all that apply: <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: <input type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: <input type="checkbox"/> Petition for rule-making <input checked="" type="checkbox"/> Other: public requests	
9B. Explain: Every year the Wildlife Resources Commission adjusts the regulation of hunting, trapping, fishing, and land use through rule-making. The proposed amendments to 15A NCAC 10D .0103 will change seasons, prohibit some target shooting and palce requirements on horseback riders.	
10. Rule-making Coordinator: Erica Garner Address: 1701 Mail Service Center Raleigh, N.C. 27699-1722 Phone: 919-707-0014 E-Mail: erica.garner@ncwildlife.org Agency Contact, if any: Kate Pipkin Phone: 919-707-0064 E-Mail: kathryn.pipkin@ncwildlife.org	11. Signature of Agency Head* or Rule-making Coordinator:  *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Erica Garner Title: General Counsel, Rule-making Coordinator

SUBMISSION FOR PERMANENT RULE

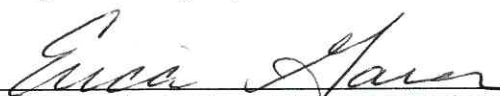
March 20, 2015

1. Rule-Making Agency: N.C. Wildlife Resources Commission	
2. Rule citation & name (name not required for repeal): 15A NCAC 10D .0104 Fishing on game lands	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: December 1, 2014 Link to Agency notice: http://www.ncwildlife.org/ProposedRegulations.aspx Hearing on: January 6 at Auditorium, Bladen Community College, 7418 NC Hwy 41W, Dublin, N.C. 28332 January 7 at Courthouse, 212 W Elm St., Graham, N.C. 27253 January 8 at South Stanly High School, 40488 South Stanly School Road, Norwood, N.C. 28128 January 13 at Enloe Multi-purpose Room, Tri-County Community College, 21 Campus Circle, Murphy, N.C. 28906 January 14 at Morganton Municipal Auditorium, 401 S. College Street, Morganton, NC 28655 January 15 at Wilkes Community College, The Walker Center, 1328 S. Collegiate Drive, Wilkesboro, N.C. 28697 January 20 at Swain Auditorium, 200 E. Church St., Edenton, N.C. 27932 January 21 at Courthouse, 302 Broad St., New Bern, N.C. 28560 January 22 at Johnston Community College, 245 College Rd, Smithfield, NC 27577 Adoption by agency on: March 5, 2015	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input checked="" type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input checked="" type="checkbox"/> Approved by OSBM <input type="checkbox"/> No fiscal note required
9. REASON FOR ACTION 9A. What prompted this action? Check all that apply: <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: </div> <div style="width: 45%;"> <input type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: <input type="checkbox"/> Petition for rule-making <input checked="" type="checkbox"/> Other: public requests </div> </div>	
9B. Explain: Every year the Wildlife Resources Commission adjusts the regulation of hunting, trapping, fishing, and land use through rule-making. The proposed amendments to 15A NCAC 10D .0104 will add a game land to public mountain trout waters.	
10. Rule-making Coordinator: Erica Garner Address: 1701 Mail Service Center Raleigh, N.C. 27699-1722 Phone: 919-707-0014 E-Mail: erica.garner@ncwildlife.org Agency Contact, if any: Kate Pipkin Phone: 919-707-0064 E-Mail: kathryn.pipkin@ncwildlife.org	11. Signature of Agency Head* or Rule-making Coordinator:  *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Erica Garner Title: General Counsel, Rule-making Coordinator

 FILED
 2015 MAR 20 PM 4:41
 OFFICE OF
 ADMIN HEARINGS

SUBMISSION FOR PERMANENT RULE

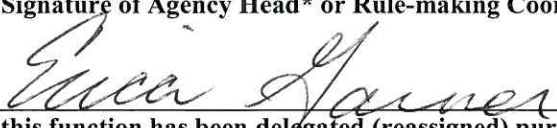
March 20, 2015

1. Rule-Making Agency: N.C. Wildlife Resources Commission	
2. Rule citation & name (name not required for repeal): 15A NCAC 10F .0340 Currituck county	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: December 1, 2014 Link to Agency notice: http://www.ncwildlife.org/ProposedRegulations.aspx Hearing on: January 20 at Swain Auditorium, 200 E. Church St., Edenton, N.C. 27932 Adoption by agency on: March 5, 2015	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input checked="" type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input checked="" type="checkbox"/> Approved by OSBM <input type="checkbox"/> No fiscal note required
9. REASON FOR ACTION 9A. What prompted this action? Check all that apply: <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: </div> <div style="width: 45%;"> <input type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: <input type="checkbox"/> Petition for rule-making <input checked="" type="checkbox"/> Other: public requests </div> </div> 9B. Explain: The proposed amendments to 15A NCAC 10F .0304 will add a no-wake zone.	
10. Rule-making Coordinator: Erica Garner Address: 1701 Mail Service Center Raleigh, NC. 27699-1722 Phone: 919-707-0014 E-Mail: erica.garner@ncwildlife.org Agency Contact, if any: Kate Pipkin Phone: 919-707-0064 E-Mail: kathryn.pipkin@ncwildlife.org	11. Signature of Agency Head* or Rule-making Coordinator:  *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Erica Garner Title: General Counsel, Rule-making Coordinator

 FILED
 2015 MAR 20 PM 4:39
 OFFICE OF
 ADMIN HEARINGS

SUBMISSION FOR PERMANENT RULE

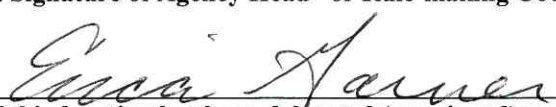
ORIGINAL
March 20, 2015

1. Rule-Making Agency: N.C. Wildlife Resources Commission	
2. Rule citation & name (name not required for repeal): 15A NCAC 10I .0102 Protection of endangered /threatened /special concern	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: January 15, 2015 Link to Agency notice: http://www.ncwildlife.org/ProposedRegulations.aspx Hearing on: February 3, 2015 Columbia N.C. February 17, 2015 Raleigh, N.C. Adoption by agency on: March 18, 2015	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input checked="" type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input checked="" type="checkbox"/> Approved by OSBM <input type="checkbox"/> No fiscal note required
9. REASON FOR ACTION 9A. What prompted this action? Check all that apply: <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input checked="" type="checkbox"/> Agency <input checked="" type="checkbox"/> Court order / cite: 2:13-cv-00060-BO. <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: </div> <div style="width: 45%;"> <input type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: public requests </div> </div> 9B. Explain: As amended, 15A NCAC 10I .0102 would allow red wolves to be taken or harassed pursuant to the conditions provided in 50 C.F.R. 17.84(c).	
10. Rule-making Coordinator: Erica Garner Address: 1701 Mail Service Center Raleigh, NC. 27699-1722 Phone: 919-707-0014 E-Mail: erica.garner@ncwildlife.org Agency Contact, if any: Kate Pipkin Phone: 919-707-0064 E-Mail: kathryn.pipkin@ncwildlife.org	11. Signature of Agency Head* or Rule-making Coordinator:  *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Erica Garner Title: General Counsel, Rule-making Coordinator

FILED
2015 MAR 20 PM 4:37
OFFICE OF
ADMIN HEARINGS

SUBMISSION FOR PERMANENT RULE


March 20, 2015

1. Rule-Making Agency: N.C. Wildlife Resources Commission	
2. Rule citation & name (name not required for repeal): 15A NCAC 10I .0104 Threatened species	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: January 15, 2015 Link to Agency notice: http://www.ncwildlife.org/ProposedRegulations.aspx Hearing on: February 3, 2015 Columbia N.C. February 17, 2015 Raleigh, N.C. Adoption by agency on: March 18, 2015	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input checked="" type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input checked="" type="checkbox"/> Approved by OSBM <input type="checkbox"/> No fiscal note required
9. REASON FOR ACTION 9A. What prompted this action? Check all that apply: <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input checked="" type="checkbox"/> Agency <input checked="" type="checkbox"/> Court order / cite: 2:13-cv-00060-BO. <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: </div> <div style="width: 45%;"> <input type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: public requests </div> </div> 9B. Explain: As amended, 15A NCAC 10I .0104, would designate the red wolf (<i>Canis rufus</i>) as state-listed threatened.	
10. Rule-making Coordinator: Erica Garner Address: 1701 Mail Service Center Raleigh, NC. 27699-1722 Phone: 919-707-0014 E-Mail: erica.garner@ncwildlife.org Agency Contact, if any: Kate Pipkin Phone: 919-707-0064 E-Mail: kathryn.pipkin@ncwildlife.org	11. Signature of Agency Head* or Rule-making Coordinator: <div style="text-align: center; margin-top: 20px;">  <hr style="width: 80%; margin: 0 auto;"/> </div> *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Erica Garner Title: General Counsel, Rule-making Coordinator

 FILED
 2015 MAR 20 PM 4:37
 OFFICE OF
 ADMIN HEARINGS

SUBMISSION FOR PERMANENT RULE

original
3/17/15

1. Rule-Making Agency: Well Contractors Certification Commission	
2. Rule citation & name (name not required for repeal): 15A NCAC 27 .0801 REQUIREMENTS	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: 12/15/2014 Link to Agency notice: portal.ncdenr.org/web/eh/rules Hearing on: 1/7/2015 Adoption by agency on: 2/23/2015 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required
9. REASON FOR ACTION 9A. What prompted this action? Check all that apply: <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: </div> <div style="width: 45%;"> <input checked="" type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: Session Law 2014-2 <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: </div> </div> 9B. Explain: The legislation enacted by the General Assembly reduces the continuing education requirements for well contractors, removes the ability to carry-over additional hours to the following year and removes time extensions provided for special cases. The effected sections of the rules are being changed to comply with the statute.	
10. Rule-making Coordinator: Jennifer Everett Address: 1601 Mail Service Center Raleigh, NC 27699-1601 Phone: 919-707-8614 E-Mail: Jennifer.Everett@ncdenr.gov Agency Contact, if any: Joanne Rutkofske Phone: 919-707-5881 E-Mail: joanne.rutkofske@dhhs.nc.gov	11. Signature of Agency Head* or Rule-making Coordinator: <div style="text-align: center;">  <hr style="width: 80%; margin: 0 auto;"/> </div> *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Jennifer Everett Title: DENR Rulemaking Coordinator
RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

FILED
 2015 MAR 17 AM 8:24
 OFFICE OF
 ADMIN HEARINGS

SUBMISSION FOR PERMANENT RULE

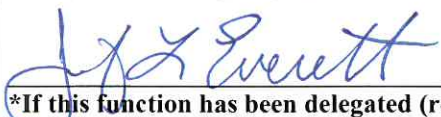
original
3/17/15

1. Rule-Making Agency: Well Contractors Certification Commission	
2. Rule citation & name (name not required for repeal): 15A NCAC 27 .0810 APPROVAL OF CONTINUING EDUCATION COURSES	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: 12/15/2014 Link to Agency notice: portal.ncdenr.org/web/eh/rules Hearing on: 1/7/2015 Adoption by agency on: 2/23/2015 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required
<div style="text-align: center;">9. REASON FOR ACTION</div> 9A. What prompted this action? Check all that apply: <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: </div> <div style="width: 45%;"> <input checked="" type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: Session Law 2014-2 <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: </div> </div> 9B. Explain: The legislation enacted by the General Assembly reduces the continuing education requirements for well contractors, removes the ability to carry-over additional hours to the following year and removes time extensions provided for special cases. The effected sections of the rules are being changed to comply with the statute.	
10. Rule-making Coordinator: Jennifer Everett Address: 1601 Mail Service Center Raleigh, NC 27699-1601 Phone: 919-707-8614 E-Mail: Jennifer.Everett@ncdenr.gov Agency Contact, if any: Joanne Rutkofske Phone: 919-707-5881 E-Mail: joanne.rutkofske@dhhs.nc.gov	11. Signature of Agency Head* or Rule-making Coordinator: <div style="text-align: center; margin-top: 10px;"> </div> <hr style="border: 0; border-top: 1px solid black; margin: 5px 0;"/> <small>*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.</small> Typed Name: Jennifer Everett Title: DENR Rulemaking Coordinator
RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

FILED
2015 MAR 17 AM 8:25
OFFICE OF
ADMIN HEARINGS

SUBMISSION FOR PERMANENT RULE

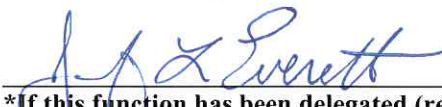
original
3/17/15

1. Rule-Making Agency: Well Contractors Certification Commission	
2. Rule citation & name (name not required for repeal): 15A NCAC 27 .0820 DETERMINATION OF CREDIT	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: 12/15/2014 Link to Agency notice: portal.ncdenr.org/web/eh/rules Hearing on: 1/7/2015 Adoption by agency on: 2/23/2015 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required
9. REASON FOR ACTION 9A. What prompted this action? Check all that apply: <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: </div> <div style="width: 45%;"> <input checked="" type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: Session Law 2014-2 <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: </div> </div> 9B. Explain: The legislation enacted by the General Assembly reduces the continuing education requirements for well contractors, removes the ability to carry-over additional hours to the following year and removes time extensions provided for special cases. The effected sections of the rules are being changed to comply with the statute.	
10. Rule-making Coordinator: Jennifer Everett Address: 1601 Mail Service Center Raleigh, NC 27699-1601 Phone: 919-707-8614 E-Mail: Jennifer.Everett@ncdenr.gov Agency Contact, if any: Joanne Rutkofske Phone: 919-707-5881 E-Mail: joanne.rutkofske@dhhs.nc.gov	11. Signature of Agency Head* or Rule-making Coordinator: <div style="text-align: center;">  <hr style="width: 80%; margin: 0 auto;"/> </div> *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Jennifer Everett Title: DENR Rulemaking Coordinator
RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

FILED
2015 MAR 17 AM 8:24
OFFICE OF
ADMIN HEARINGS

SUBMISSION FOR PERMANENT RULE

original
3/17/15

1. Rule-Making Agency: Well Contractors Certification Commission	
2. Rule citation & name (name not required for repeal): 15A NCAC 27 .0840	
3. Action: <input type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input checked="" type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: 12/15/2014 Link to Agency notice: portal.ncdenr.org/web/eh/rules Hearing on: 1/7/2015 Adoption by agency on: 2/23/2015 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required
9. REASON FOR ACTION 9A. What prompted this action? Check all that apply: <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: </div> <div style="width: 45%;"> <input checked="" type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: Session Law 2014-2 <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: </div> </div> 9B. Explain: The legislation enacted by the General Assembly reduces the continuing education requirements for well contractors, removes the ability to carry-over additional hours to the following year and removes time extensions provided for special cases. The effected sections of the rules are being changed to comply with the statute.	
10. Rule-making Coordinator: Jennifer Everett Address: 1601 Mail Service Center Raleigh, NC 27699-1601 Phone: 919-707-8614 E-Mail: Jennifer.Everett@ncdenr.gov Agency Contact, if any: Joanne Rutkofske Phone: 919-707-5881 E-Mail: joanne.rutkofske@dhhs.nc.gov	11. Signature of Agency Head* or Rule-making Coordinator:  *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Jennifer Everett Title: DENR Rulemaking Coordinator
RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

FILED
 2015 MAR 17 AM 8:24
 OFFICE OF
 ADMIN HEARINGS

Original
3/20/2015

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: North Carolina Medical Board	
2. Rule citation & name (name not required for repeal): 21 NCAC 32S .0201 DEFINITIONS	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input type="checkbox"/> Notice Required Notice of Text published on: 01/15/2015 Link to Agency notice: www.ncmedboard.org/about_the_board/rule_changes Hearing on: March 16, 2015 Adoption by agency on: March 19, 2015 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (\geq \$1,000,000) <input type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required
9. REASON FOR ACTION 9A. What prompted this action? Check all that apply: <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: <input type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: 9B. Explain: To clarify that the purpose of the rules related to the supervisory relationship between physician assistants and their supervising physicians is to fulfill the Board's directive to regulate, supervise and discipline physician assistants and their supervising physicians, and for no other purpose.	
10. Rule-making Coordinator: Wanda Long Address: 1203 Front Street Raleigh, NC 27609 Phone: 919.326.1109 E-Mail: wanda.long@ncmedboard.org Agency Contact, if any: Phone: E-Mail:	11. Signature of Agency Head* or Rule-making Coordinator: <u>Wanda Long</u> *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Wanda Long Title: Rule-making Coordinator
RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

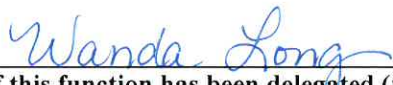
Original
3/20/2015

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: North Carolina Medical Board	
2. Rule citation & name (name not required for repeal): 21 NCAC 32S .0202 QUALIFICATIONS AND REQUIREMENTS FOR LICENSE	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input type="checkbox"/> Notice Required Notice of Text published on: 01/15/2015 Link to Agency notice: www.ncmedboard.org/about_the_board/rule_changes Hearing on: March 16, 2015 Adoption by agency on: March 19, 2015 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required
9. REASON FOR ACTION 9A. What prompted this action? Check all that apply: <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: <input type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: 9B. Explain: To increase the number of Category I continuing medical education hours a physician assistant must take every two years to maintain his or her license.	
10. Rule-making Coordinator: Wanda Long Address: 1203 Front Street Raleigh, NC 27609 Phone: 919.326.1109 E-Mail: wanda.long@ncmedboard.org Agency Contact, if any: Phone: E-Mail:	11. Signature of Agency Head* or Rule-making Coordinator: <u>Wanda Long</u> *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Wanda Long Title: Rule-making Coordinator
RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

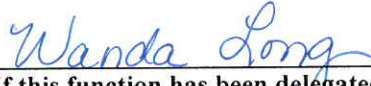
Original
3/20/2015

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: North Carolina Medical Board	
2. Rule citation & name (name not required for repeal): 21 NCAC 32S .0211	
3. Action: <input type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input checked="" type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: 01/15/2015 Link to Agency notice: www.ncmedboard.org/about_the_board/rule_changes Hearing on: March 16, 2015 Adoption by agency on: March 19, 2015 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (\geq \$1,000,000) <input type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required
9. REASON FOR ACTION	
9A. What prompted this action? Check all that apply: <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: <input type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other:	
9B. Explain: To clarify that the purpose of the rules related to the supervisory relationship between physician assistants and their supervising physicians is to fulfill the Board's directive to regulate, supervise and discipline physician assistants and their supervising physicians, and for no other purpose.	
10. Rule-making Coordinator: Wanda Long Address: 1203 Front Street Raleigh, NC 27609 Phone: 919.326.1109 E-Mail: wanda.long@ncmedboard.org Agency Contact, if any: Phone: E-Mail:	11. Signature of Agency Head* or Rule-making Coordinator:  *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Wanda Long Title: Rule-making Coordinator
RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

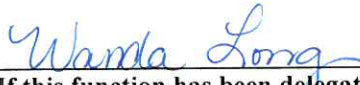
Original
3/20/2015

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: North Carolina Medical Board	
2. Rule citation & name (name not required for repeal): 21 NCAC 32S .0212 PRESCRIPTIVE AUTHORITY	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: 01/15/2015 Link to Agency notice: www.ncmedboard.org/about_the_board/rule_changes Hearing on: March 16, 2015 Adoption by agency on: March 19, 2015 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact ($\geq \$1,000,000$) <input type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required
9. REASON FOR ACTION 9A. What prompted this action? Check all that apply: <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: <input type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: 9B. Explain: To clarify that the purpose of the rules related to the supervisory relationship between physician assistants and their supervising physicians is to fulfill the Board's directive to regulate, supervise and discipline physician assistants and their supervising physicians, and for no other purpose.	
10. Rule-making Coordinator: Wanda Long Address: 1203 Front Street Raleigh, NC 27609 Phone: 919.326.1109 E-Mail: wanda.long@ncmedboard.org Agency Contact, if any: Phone: E-Mail:	11. Signature of Agency Head* or Rule-making Coordinator:  *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Wanda Long Title: Rule-making Coordinator
RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

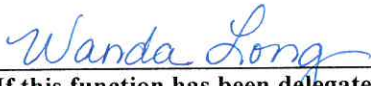
Original
3/20/2015

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: North Carolina Medical Board	
2. Rule citation & name (name not required for repeal): 21 NCAC 32S .0213 PHYSICIAN SUPERVISION OF PHYSICIAN ASSISTANTS	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: 01/15/2015 Link to Agency notice: www.ncmedboard.org/about_the_board/rule_changes Hearing on: March 16, 2015 Adoption by agency on: March 19, 2015 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact ($\geq \$1,000,000$) <input type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required
9. REASON FOR ACTION 9A. What prompted this action? Check all that apply: <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: <input type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: 9B. Explain: To clarify that the purpose of the rules related to the supervisory relationship between physician assistants and their supervising physicians is to fulfill the Board's directive to regulate, supervise and discipline physician assistants and their supervising physicians, and for no other purpose.	
10. Rule-making Coordinator: Wanda Long Address: 1203 Front Street Raleigh, NC 27609 Phone: 919.326.1109 E-Mail: wanda.long@ncmedboard.org Agency Contact, if any: Phone: E-Mail:	11. Signature of Agency Head* or Rule-making Coordinator:  *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Wanda Long Title: Rule-making Coordinator
RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

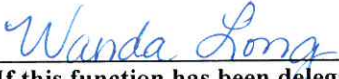
Original
3/20/2015

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: North Carolina Medical Board	
2. Rule citation & name (name not required for repeal): 21 NCAC 32S .0214	
3. Action: <input type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input checked="" type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: 01/15/2015 Link to Agency notice: www.ncmedboard.org/about_the_board/rule_changes Hearing on: March 16, 2015 Adoption by agency on: March 19, 2015 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact ($\geq \$1,000,000$) <input type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required
9. REASON FOR ACTION 9A. What prompted this action? Check all that apply: <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: <input type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: 9B. Explain: To clarify that the purpose of the rules related to the supervisory relationship between physician assistants and their supervising physicians is to fulfill the Board's directive to regulate, supervise and discipline physician assistants and their supervising physicians, and for no other purpose.	
10. Rule-making Coordinator: Wanda Long Address: 1203 Front Street Raleigh, NC 27609 Phone: 919.326.1109 E-Mail: wanda.long@ncmedboard.org Agency Contact, if any: Phone: E-Mail:	11. Signature of Agency Head* or Rule-making Coordinator:  *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Wanda Long Title: Rule-making Coordinator
RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

Original
3/20/2015

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: North Carolina Medical Board	
2. Rule citation & name (name not required for repeal): 21 NCAC 32S .0215 RESPONSIBILITIES OF PRIMARY SUPERVISING PHYSICIANS IN REGARD TO BACK-UP SUPERVISING PHYSICIANS	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: 01/15/2015 Link to Agency notice: www.ncmedboard.org/about_the_board/rule_changes Hearing on: March 16, 2015 Adoption by agency on: March 19, 2015 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (\geq \$1,000,000) <input type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required
9. REASON FOR ACTION 9A. What prompted this action? Check all that apply: <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: <input type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: 9B. Explain: To clarify that the purpose of the rules related to the supervisory relationship between physician assistants and their supervising physicians is to fulfill the Board's directive to regulate, supervise and discipline physician assistants and their supervising physicians, and for no other purpose.	
10. Rule-making Coordinator: Wanda Long Address: 1203 Front Street Raleigh, NC 27609 Phone: 919.326.1109 E-Mail: wanda.long@ncmedboard.org Agency Contact, if any: Phone: E-Mail:	11. Signature of Agency Head* or Rule-making Coordinator:  *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Wanda Long Title: Rule-making Coordinator
RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

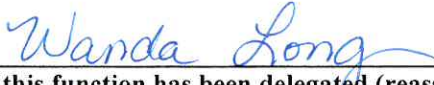
Original
3/20/2015

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: North Carolina Medical Board	
2. Rule citation & name (name not required for repeal): 21 NCAC 32S .0216 CONTINUING MEDICAL EDUCATION	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input type="checkbox"/> Notice Required Notice of Text published on: 01/15/2015 Link to Agency notice: www.ncmedboard.org/about_the_board/rule_changes Hearing on: March 16, 2015 Adoption by agency on: March 19, 2015 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact ($\geq \$1,000,000$) <input type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required
9. REASON FOR ACTION 9A. What prompted this action? Check all that apply: <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: <input type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: 9B. Explain: To increase the number of Category I continuing medical education hours a physician assistant must take every two years to maintain his or her license.	
10. Rule-making Coordinator: Wanda Long Address: 1203 Front Street Raleigh, NC 27609 Phone: 919.326.1109 E-Mail: wanda.long@ncmedboard.org Agency Contact, if any: Phone: E-Mail:	11. Signature of Agency Head* or Rule-making Coordinator: <u>Wanda Long</u> *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Wanda Long Title: Rule-making Coordinator
RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	


Original
3/20/2015

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: North Carolina Medical Board	
2. Rule citation & name (name not required for repeal): 21 NCAC 32S .0217 VIOLATIONS	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: 01/15/2015 Link to Agency notice: www.ncmedboard.org/about_the_board/rule_changes Hearing on: March 16, 2015 Adoption by agency on: March 19, 2015 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact ($\geq \$1,000,000$) <input type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required
9. REASON FOR ACTION	
9A. What prompted this action? Check all that apply: <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: <input type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other:	
9B. Explain: To clarify that the purpose of the rules related to the supervisory relationship between physician assistants and their supervising physicians is to fulfill the Board's directive to regulate, supervise and discipline physician assistants and their supervising physicians, and for no other purpose.	
10. Rule-making Coordinator: Wanda Long Address: 1203 Front Street Raleigh, NC 27609 Phone: 919.326.1109 E-Mail: wanda.long@ncmedboard.org Agency Contact, if any: Phone: E-Mail:	11. Signature of Agency Head* or Rule-making Coordinator:  *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Wanda Long Title: Rule-making Coordinator
RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

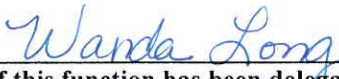
Original
3/20/2015

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: North Carolina Medical Board	
2. Rule citation & name (name not required for repeal): 21 NCAC 32S .0224 SCOPE OF RULES	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: 01/15/2015 Link to Agency notice: www.ncmedboard.org/about_the_board/rule_changes Hearing on: March 16, 2015 Adoption by agency on: March 19, 2015 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (\geq \$1,000,000) <input type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required
9. REASON FOR ACTION	
9A. What prompted this action? Check all that apply: <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: <input type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other:	
9B. Explain: To clarify that the purpose of the rules related to the supervisory relationship between physician assistants and their supervising physicians is to fulfill the Board's directive to regulate, supervise and discipline physician assistants and their supervising physicians, and for no other purpose.	
10. Rule-making Coordinator: Wanda Long Address: 1203 Front Street Raleigh, NC 27609 Phone: 919.326.1109 E-Mail: wanda.long@ncmedboard.org Agency Contact, if any: Phone: E-Mail:	11. Signature of Agency Head* or Rule-making Coordinator:  *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Wanda Long Title: Rule-making Coordinator
RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

Original
3/20/2015


SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: North Carolina Medical Board	
2. Rule citation & name (name not required for repeal): 21 NCAC 32Y .0101 REPORTING CRITERIA	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: 01/15/2015 Link to Agency notice: www.ncmedboard.org/about_the_board/rule_changes Hearing on: March 16, 2015 Adoption by agency on: March 19, 2015 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact ($\geq \$1,000,000$) <input type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required
9. REASON FOR ACTION	
9A. What prompted this action? Check all that apply: <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: <input type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other:	
9B. Explain: The General Assembly directed the Medical Board to promulgate the rule to ensure the Medical Board has information available through the Controlled Substance Reporting System concerning inappropriate or excessive prescribing of opioids by its licensees as part of a concerted statewide effect to stem prescription drug abuse, addiction and deaths due to overdose.	
10. Rule-making Coordinator: Wanda Long Address: 1203 Front Street Raleigh, NC 27609 Phone: 919.326.1109 E-Mail: wanda.long@ncmedboard.org Agency Contact, if any: Phone: E-Mail:	11. Signature of Agency Head* or Rule-making Coordinator:  *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Wanda Long Title: Rule-making Coordinator
RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

ORIGINAL

SUBMISSION FOR PERMANENT RULE

3/20/15

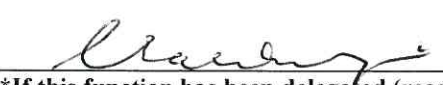
1. Rule-Making Agency: North Carolina Real Estate Commission	
2. Rule citation & name (name not required for repeal): 21 NCAC 58A .0104 AGENCY AGREEMENTS AND DISCLOSURE	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: December 15, 2014 Link to Agency notice: http://www.ncrec.gov Hearing on: January 14, 2015 Adoption by agency on: March 18, 2015 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required
9. REASON FOR ACTION 9A. What prompted this action? Check all that apply: <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: <input type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: 9B. Explain: To amend Paragraph (a) of the rule governing agency agreements to provide that early termination penalties included in property management agreements shall be prominently and conspicuously displayed. The amendment is needed to ensure that landlord clients are fully apprised of the penalties imposed for early termination. To also amend Paragraph (o) to provide that a broker selling commercial real estate as defined in Rule 58A .1802 in which the broker has less than a 25% ownership interest may represent a buyer of that property if the buyer consents to the representation after full written disclosure of the broker's ownership interest. The amendment is needed to permit brokers having an insignificant ownership interest in a commercial property offered for sale to represent a buyer of that property so long as full disclosure is made and the buyer's consent is obtained.	
10. Rule-making Coordinator: Curtis E. Aldendifer Address: 1313 Navaho Drive Raleigh, NC 27609 Phone: 919-875-3700 ext. 133 E-Mail: curtis@ncrec.gov Agency Contact, if any: Melissa Vuotto Phone: 919-875-3700 ext. 142 E-Mail: melissa@ncrec.gov	11. Signature of Agency Head* or Rule-making Coordinator:  *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Curtis E. Aldendifer Title: Rule-making Coordinator/ Associate Legal Counsel
RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

Save

Reset

ORIGINAL**SUBMISSION FOR PERMANENT RULE**

3/20/15

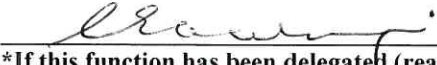
1. Rule-Making Agency: North Carolina Real Estate Commission	
2. Rule citation & name (name not required for repeal): 21 NCAC 58A .0105 ADVERTISING	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: December 15, 2014 Link to Agency notice: http://www.ncrec.gov Hearing on: January 14, 2015 Adoption by agency on: March 18, 2015 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required
9. REASON FOR ACTION 9A. What prompted this action? Check all that apply: <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: <input type="checkbox"/> Legislation enacted by the General Assembly <input type="checkbox"/> Cite Session Law: <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other:	
9B. Explain: To amend the rule governing advertising to omit the term "provisional" from Paragraph (a)(1). The amendment is needed to extend to all brokers the requirement that advertisements for brokerage services or the sale, purchase or lease of property for another must have the consent of the broker's broker-in-charge and that all such advertisements must contain the name of the broker or firm with whom the broker is associated.	
10. Rule-making Coordinator: Curtis E. Aldendifer Address: 1313 Navaho Drive Raleigh, NC 27609 Phone: 919-875-3700 ext. 133 E-Mail: curtis@ncrec.gov Agency Contact, if any: Melissa Vuotto Phone: 919-875-3700 ext. 142 E-Mail: melissa@ncrec.gov	11. Signature of Agency Head* or Rule-making Coordinator:  *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Curtis E. Aldendifer Title: Rule-making Coordinator/ Associate Legal Counsel
RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

Save

Reset

ORIGINAL**SUBMISSION FOR PERMANENT RULE**

3/20/15

1. Rule-Making Agency: North Carolina Real Estate Commission	
2. Rule citation & name (name not required for repeal): 21 NCAC 58A .0116 HANDLING OF TRUST MONEY	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: December 15, 2014 Link to Agency notice: http://www.ncrec.gov Hearing on: January 14, 2015 Adoption by agency on: March 18, 2015 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required
9. REASON FOR ACTION 9A. What prompted this action? Check all that apply: <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: </div> <div style="width: 45%;"> <input type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: </div> </div> 9B. Explain: To amend Paragraph (b) of the rule governing the handling of trust money to allow a broker to accept custody of a check made payable to the designated escrow agent in a sales transaction, but only for the purpose of delivering the instrument to the designated escrow agent. The amendment is needed to clarify the circumstances in which a broker may deliver a check directly to a designated payee.	
10. Rule-making Coordinator: Curtis E. Aldendifer Address: 1313 Navaho Drive Raleigh, NC 27609 Phone: 919-875-3700 ext. 133 E-Mail: curtis@ncrec.gov Agency Contact, if any: Melissa Vuotto Phone: 919-875-3700 ext. 142 E-Mail: melissa@ncrec.gov	11. Signature of Agency Head* or Rule-making Coordinator:  *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Curtis E. Aldendifer Title: Rule-making Coordinator/ Associate Legal Counsel
RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

Save

Reset

SUBMISSION FOR PERMANENT RULE

ORIGINAL

3/20/15

1. Rule-Making Agency: North Carolina Real Estate Commission	
2. Rule citation & name (name not required for repeal): 21 NCAC 58A .0119 MINERAL AND OIL AND GAS RIGHTS MANDATORY DISCLOSURE STATEMENT	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: December 15, 2014 Link to Agency notice: http://www.ncrec.gov Hearing on: January 14, 2015 Adoption by agency on: March 18, 2015 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required
9. REASON FOR ACTION 9A. What prompted this action? Check all that apply: <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: </div> <div style="width: 45%;"> <input checked="" type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: S.L. 2014-120, Section 49(a) <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: </div> </div> 9B. Explain: To adopt a permanent rule providing for mineral and oil and gas disclosures required by recent amendments to G.S. Chapter 47E. The permanent rule will replace the temporary rule.	
10. Rule-making Coordinator: Curtis E. Aldendifer Address: 1313 Navaho Drive Raleigh, NC 27609 Phone: 919-875-3700 ext. 133 E-Mail: curtis@ncrec.gov Agency Contact, if any: Melissa Vuotto Phone: 919-875-3700 ext. 142 E-Mail: melissa@ncrec.gov	11. Signature of Agency Head* or Rule-making Coordinator: <div style="text-align: center; margin-top: 20px;"> </div> <p><small>*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.</small></p> Typed Name: Curtis E. Aldendifer Title: Rule-making Coordinator/ Associate Legal Counsel
RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

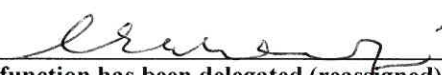
 FILED
 2015 MAR 20 AM 10:38
 OFFICE OF
 ADMIN HEARINGS

Save

Reset

SUBMISSION FOR PERMANENT RULE

3/20/15


1. Rule-Making Agency: North Carolina Real Estate Commission	
2. Rule citation & name (name not required for repeal): 21 NCAC 58A .0402 EXAMINATION SUBJECT MATTER, FORMAT, AND PASSING SCORES	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: December 15, 2014 Link to Agency notice: http://www.ncrec.gov Hearing on: January 14, 2015 Adoption by agency on: March 18, 2015 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (\geq \$1,000,000) <input type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required
9. REASON FOR ACTION 9A. What prompted this action? Check all that apply: <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: <input type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other:	
9B. Explain: To amend the rule governing examinations to incorporate minor technical changes. The reference in Paragraph (b) to the "letter contemplated in 21NCAC 58A .0616(b)" should instead refer to subsection (c) of the same rule. To further reorganize the rule by breaking up paragraph (b) into multiple paragraphs. The amendment is needed to update the reference to Rule 58A .0616 to reflect recent amendments to the Rule.	
10. Rule-making Coordinator: Curtis E. Aldendifer Address: 1313 Navaho Drive Raleigh, NC 27609 Phone: 919-875-3700 ext. 133 E-Mail: curtis@ncrec.gov Agency Contact, if any: Melissa Vuotto Phone: 919-875-3700 ext. 142 E-Mail: melissa@ncrec.gov	11. Signature of Agency Head* or Rule-making Coordinator:  *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Curtis E. Aldendifer Title: Rule-making Coordinator/ Associate Legal Counsel
RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

Save

Reset

SUBMISSION FOR PERMANENT RULE

3/20/15

1. Rule-Making Agency: North Carolina Real Estate Commission	
2. Rule citation & name (name not required for repeal): 21 NCAC 58A .0502 BUSINESS ENTITIES	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: December 15, 2014 Link to Agency notice: http://www.ncrec.gov Hearing on: January 14, 2015 Adoption by agency on: March 18, 2015 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required
9. REASON FOR ACTION 9A. What prompted this action? Check all that apply: <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: <input type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other:	
9B. Explain: To amend the rule governing the licensing of business entities to require LLC applicants to identify member managers down to the individual. The proposed amendment would also add Subparagraph (d)(9) requiring licensed entities to certify that they are in good standing with the NC Secretary of State at the time their licenses are renewed annually and to promptly notify the Commission regarding any revenue suspension or administrative dissolution imposed. The amendment is needed to ensure that licensed entities continue to maintain their authority to conduct business in this State. The amendment would also compel disclosure of each natural person acting as a partner, officer, or manager of an entity identified as the partner, officer, or manager of an entity applying for licensure, and thereby subject him or her to a character review.	
10. Rule-making Coordinator: Curtis E. Aldendifer Address: 1313 Navaho Drive Raleigh, NC 27609 Phone: 919-875-3700 ext. 133 E-Mail: curtis@ncrec.gov Agency Contact, if any: Melissa Vuotto Phone: 919-875-3700 ext. 142 E-Mail: melissa@ncrec.gov	11. Signature of Agency Head* or Rule-making Coordinator:  *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Curtis E. Aldendifer Title: Rule-making Coordinator/ Associate Legal Counsel
RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

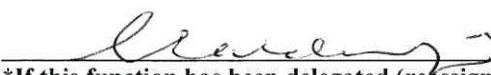
Save

Reset

ORIGINAL

SUBMISSION FOR PERMANENT RULE

3/20/15

1. Rule-Making Agency: North Carolina Real Estate Commission	
2. Rule citation & name (name not required for repeal): 21 NCAC 58A .1711 CONTINUING EDUCATION REQUIREMENTS OF NONRESIDENT LICENSEES	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: December 15, 2014 Link to Agency notice: http://www.ncrec.gov Hearing on: January 14, 2015 Adoption by agency on: March 18, 2015 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required
9. REASON FOR ACTION 9A. What prompted this action? Check all that apply: <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: </div> <div style="width: 45%;"> <input type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: </div> </div> 9B. Explain: To amend the rule governing CE requirements for non-resident brokers to require non-resident brokers to promptly notify the Commission upon establishing a North Carolina business, mailing, or residence address, and to further notify the Commission of any change in the status of his or her out-of-state license. The amendment is needed to eliminate a loophole in Paragraph (a)(1) whereby a non-resident broker can be on active status in another state and submit the required certification at the time of renewal, subsequently establish a North Carolina address, and then abandon the North Carolina address just prior to the next renewal, thereby allowing the broker to conduct brokerage in North Carolina without taking the CE required of resident brokers. Also, brokers should be required to promptly notify the Commission if the status of their out-of-state license changes from active to inactive to enable the Commission to properly enforce its CE requirements.	
10. Rule-making Coordinator: Curtis E. Aldendifer Address: 1313 Navaho Drive Raleigh, NC 27609 Phone: 919-875-3700 ext. 133 E-Mail: curtis@ncrec.gov Agency Contact, if any: Melissa Vuotto Phone: 919-875-3700 ext. 142 E-Mail: melissa@ncrec.gov	11. Signature of Agency Head* or Rule-making Coordinator:  *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Curtis E. Aldendifer Title: Rule-making Coordinator/ Associate Legal Counsel
RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

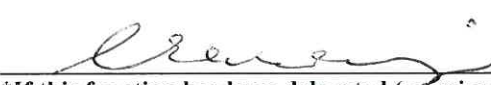
Save

Reset

ORIGINAL

SUBMISSION FOR PERMANENT RULE

3/20/15

1. Rule-Making Agency: North Carolina Real Estate Commission	
2. Rule citation & name (name not required for repeal): 21 NCAC 58C .0605 REQUEST FOR EXAMINATIONS AND VIDEO RECORDINGS	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: December 15, 2014 Link to Agency notice: http://www.ncrec.gov Hearing on: January 14, 2015 Adoption by agency on: March 18, 2015 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required
9. REASON FOR ACTION 9A. What prompted this action? Check all that apply: <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: <input type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other:	
9B. Explain: To amend the rule governing requests for examinations and video recordings to provide that video recordings requested by the Commission shall be submitted on a DVD, USB drive or similar medium. The amendment is needed to update the media upon which video recordings are to be submitted to the Commission.	
10. Rule-making Coordinator: Curtis E. Aldendifer Address: 1313 Navaho Drive Raleigh, NC 27609 Phone: 919-875-3700 ext. 133 E-Mail: curtis@ncrec.gov Agency Contact, if any: Melissa Vuotto Phone: 919-875-3700 ext. 142 E-Mail: melissa@ncrec.gov	11. Signature of Agency Head* or Rule-making Coordinator:  *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Curtis E. Aldendifer Title: Rule-making Coordinator/ Associate Legal Counsel
RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

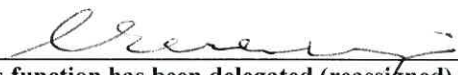
Save

Reset

ORIGINAL

SUBMISSION FOR PERMANENT RULE

3/20/15

1. Rule-Making Agency: North Carolina Real Estate Commission	
2. Rule citation & name (name not required for repeal): 21 NCAC 58E .0203 APPLICATION AND CRITERIA FOR ORIGINAL APPROVAL	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: December 15, 2014 Link to Agency notice: http://www.ncrec.gov Hearing on: January 14, 2015 Adoption by agency on: March 18, 2015 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact ($\geq \$1,000,000$) <input type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required
9. REASON FOR ACTION 9A. What prompted this action? Check all that apply: <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: <input type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: 9B. Explain: To amend the rule governing applications and criteria for original approval of update course instructors to set forth the information required of an applicant seeking original approval as an update course instructor and to provide that video recordings required by Paragraph (d) shall be submitted on a DVD, USB drive or similar medium. The amendment is needed to clarify the information required by the application for original approval and to update the media upon which video recordings are to be submitted to the Commission.	
10. Rule-making Coordinator: Curtis E. Aldendifer Address: 1313 Navaho Drive Raleigh, NC 27609 Phone: 919-875-3700 ext. 133 E-Mail: curtis@ncrec.gov Agency Contact, if any: Melissa Vuotto Phone: 919-875-3700 ext. 142 E-Mail: melissa@ncrec.gov	11. Signature of Agency Head* or Rule-making Coordinator:  *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Curtis E. Aldendifer Title: Rule-making Coordinator/ Associate Legal Counsel
RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	


Save

Reset

ORIGINAL

SUBMISSION FOR PERMANENT RULE

3/20/15

1. Rule-Making Agency: North Carolina Real Estate Commission	
2. Rule citation & name (name not required for repeal): 21 NCAC 58E .0204 ACTIVE AND INACTIVE STATUS; RENEWAL OF APPROVAL	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: December 15, 2014 Link to Agency notice: http://www.ncrec.gov Hearing on: January 14, 2015 Adoption by agency on: March 18, 2015 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required
9. REASON FOR ACTION 9A. What prompted this action? Check all that apply: <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: <input type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: 9B. Explain: To amend the rule governing the renewal and reinstatement of instructor approval to set forth the information to be provided by an applicant seeking renewal of approval and to add the requirement that an instructor seeking renewal or reinstatement must have completed at least three separate real estate instructor educational programs of at least six hours each during the preceding approval period. The amendment is needed to clarify the information required by the application for renewal, to establish the same educational requirements for update course instructors as those mandated for prelicensing and postlicensing instructors pursuant to Rule 21 NCAC 58C .0607, and to update the media upon which video recordings are to be submitted to the Commission.	
10. Rule-making Coordinator: Curtis E. Aldendifer Address: 1313 Navaho Drive Raleigh, NC 27609 Phone: 919-875-3700 ext. 133 E-Mail: curtis@ncrec.gov Agency Contact, if any: Melissa Vuotto Phone: 919-875-3700 ext. 142 E-Mail: melissa@ncrec.gov	11. Signature of Agency Head* or Rule-making Coordinator:  *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Curtis E. Aldendifer Title: Rule-making Coordinator/ Associate Legal Counsel
RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

FILED
2015 MAR 20 AM 10:39
OFFICE OF
ADMIN HEARINGS

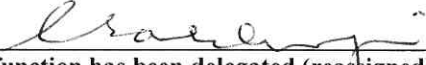
Save

Reset

ORIGINAL

SUBMISSION FOR PERMANENT RULE

3/20/15

1. Rule-Making Agency: North Carolina Real Estate Commission	
2. Rule citation & name (name not required for repeal): 21 NCAC 58E .0303 APPLICATION FOR ORIGINAL APPROVAL	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: December 15, 2014 Link to Agency notice: http://www.ncrec.gov Hearing on: January 14, 2015 Adoption by agency on: March 18, 2015 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (\geq \$1,000,000) <input type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required
9. REASON FOR ACTION 9A. What prompted this action? Check all that apply: <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: <input type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: 9B. Explain: To amend the rule governing applications for original approval to describe the information to be requested in the application form. The amendment is needed to comply with the RRC's request that the information to be included in the application form as prescribed by the Commission be specifically described in the rule.	
10. Rule-making Coordinator: Curtis E. Aldendifer Address: 1313 Navaho Drive Raleigh, NC 27609 Phone: 919-875-3700 ext. 133 E-Mail: curtis@ncrec.gov Agency Contact, if any: Melissa Vuotto Phone: 919-875-3700 ext. 142 E-Mail: melissa@ncrec.gov	11. Signature of Agency Head* or Rule-making Coordinator:  *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Curtis E. Aldendifer Title: Rule-making Coordinator/ Associate Legal Counsel
RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

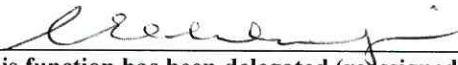
Save

Reset

ORIGINAL

SUBMISSION FOR PERMANENT RULE

3/20/15

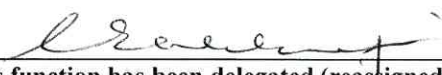
1. Rule-Making Agency: North Carolina Real Estate Commission	
2. Rule citation & name (name not required for repeal): 21 NCAC 58E .0308 REQUEST FOR A VIDEO RECORDING	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: December 15, 2014 Link to Agency notice: http://www.ncrec.gov Hearing on: January 14, 2015 Adoption by agency on: March 18, 2015 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required
9. REASON FOR ACTION 9A. What prompted this action? Check all that apply: <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: </div> <div style="width: 45%;"> <input type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: </div> </div> 9B. Explain: To amend the rule governing requests for video recordings to provide that video recordings requested by the Commission shall be submitted on a DVD, USB drive or similar medium. The amendment is needed to update the media upon which video recordings are to be submitted to the Commission.	
10. Rule-making Coordinator: Curtis E. Aldendifer Address: 1313 Navaho Drive Raleigh, NC 27609 Phone: 919-875-3700 ext. 133 E-Mail: curtis@ncrec.gov Agency Contact, if any: Melissa Vuotto Phone: 919-875-3700 ext. 142 E-Mail: melissa@ncrec.gov	11. Signature of Agency Head* or Rule-making Coordinator: <div style="text-align: center; margin-top: 20px;">  </div> *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Curtis E. Aldendifer Title: Rule-making Coordinator/ Associate Legal Counsel
RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

Save

Reset

SUBMISSION FOR PERMANENT RULE

3/20/15

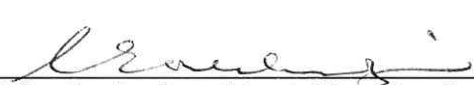
1. Rule-Making Agency: North Carolina Real Estate Commission	
2. Rule citation & name (name not required for repeal): 21 NCAC 58E .0408 CHANGE IN SPONSOR OWNERSHIP	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: December 15, 2014 Link to Agency notice: http://www.ncrec.gov Hearing on: January 14, 2015 Adoption by agency on: March 18, 2015 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required
9. REASON FOR ACTION 9A. What prompted this action? Check all that apply: <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: <input type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: 9B. Explain: To amend the rule governing a change in course sponsor ownership to provide that if, at any time after the original approval, an aggregate of fifty-percent (50%) or more of the sponsor's ownership interest is transferred to natural persons or entities other than those having an ownership interest at the time of the original application, the sponsor approval shall terminate. To further provide that the new sponsor owners must obtain an original course sponsor approval prior to advertising courses, accepting tuition, conducting courses or engaging in any sponsor activity. The amendment is needed to require sponsors that have changed majority ownership to undergo the application and review process required for new sponsors.	
10. Rule-making Coordinator: Curtis E. Aldendifer Address: 1313 Navaho Drive Raleigh, NC 27609 Phone: 919-875-3700 ext. 133 E-Mail: curtis@ncrec.gov Agency Contact, if any: Melissa Vuotto Phone: 919-875-3700 ext. 142 E-Mail: melissa@ncrec.gov	11. Signature of Agency Head* or Rule-making Coordinator:  *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Curtis E. Aldendifer Title: Rule-making Coordinator/ Associate Legal Counsel
RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

Save

Reset

SUBMISSION FOR PERMANENT RULE

ORIGINAL

1. Rule-Making Agency: North Carolina Real Estate Commission	
2. Rule citation & name (name not required for repeal): 21 NCAC 58E .0409 CHANGES DURING APPROVAL PERIOD	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: December 15, 2014 Link to Agency notice: http://www.ncrec.gov Hearing on: January 14, 2015 Adoption by agency on: March 18, 2015 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required
9. REASON FOR ACTION 9A. What prompted this action? Check all that apply: <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: </div> <div style="width: 45%;"> <input type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: </div> </div> 9B. Explain: To amend the rule governing changes in sponsor ownership to add a change in sponsor ownership to the list of items about which sponsors are required to notify the Commission during the approval period. The amendment is needed to keep the Commission informed regarding changes in sponsor ownership.	
10. Rule-making Coordinator: Curtis E. Aldendifer Address: 1313 Navaho Drive Raleigh, NC 27609 Phone: 919-875-3700 ext. 133 E-Mail: curtis@ncrec.gov Agency Contact, if any: Melissa Vuotto Phone: 919-875-3700 ext. 142 E-Mail: melissa@ncrec.gov	11. Signature of Agency Head* or Rule-making Coordinator: <div style="text-align: center; margin-top: 20px;">  </div> *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Curtis E. Aldendifer Title: Rule-making Coordinator/ Associate Legal Counsel
RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

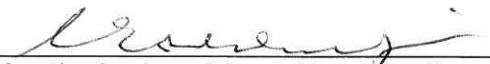
FILED
2015 MAR 20 AM 10:40
OFFICE OF
ADMIN HEARINGS

Save

Reset

SUBMISSION FOR PERMANENT RULE

3/20/15


1. Rule-Making Agency: North Carolina Real Estate Commission	
2. Rule citation & name (name not required for repeal): 21 NCAC 58E .0412 DENIAL OR WITHDRAWAL OF APPROVAL	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: December 15, 2014 Link to Agency notice: http://www.ncrec.gov Hearing on: January 14, 2015 Adoption by agency on: March 18, 2015 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required
9. REASON FOR ACTION 9A. What prompted this action? Check all that apply: <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: </div> <div style="width: 45%;"> <input type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: </div> </div> 9B. Explain: <p>To amend the rule to add a CE sponsor's failure to submit rosters and pay required fees in a timely manner as an additional ground for denying or withdrawing approval of the course or sponsor. The amendment is needed to correct a situation whereby sponsors fail to submit rosters and fees on a timely basis, resulting in the students not receiving credit unless and until the student notifies the Commission. If the staff does not receive notification prior to renewal, such a student would be renewed on inactive status even though he or she had completed the required CE.</p>	
10. Rule-making Coordinator: Curtis E. Aldendifer Address: 1313 Navaho Drive Raleigh, NC 27609 Phone: 919-875-3700 ext. 133 E-Mail: curtis@ncrec.gov Agency Contact, if any: Melissa Vuotto Phone: 919-875-3700 ext. 142 E-Mail: melissa@ncrec.gov	11. Signature of Agency Head* or Rule-making Coordinator:  *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Curtis E. Aldendifer Title: Rule-making Coordinator/ Associate Legal Counsel
RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

Save

Reset

SUBMISSION FOR PERMANENT RULE

3/20/15

1. Rule-Making Agency: North Carolina Real Estate Commission	
2. Rule citation & name (name not required for repeal): 21 NCAC 58E .0505 ADVERTISING; PROVIDING COURSE INFORMATION	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: December 15, 2014 Link to Agency notice: http://www.ncrec.gov Hearing on: January 14, 2015 Adoption by agency on: March 18, 2015 <input type="checkbox"/> Notice not required under G.S.: Adoption by agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required
9. REASON FOR ACTION 9A. What prompted this action? Check all that apply: <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: </div> <div style="width: 45%;"> <input type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: </div> </div> 9B. Explain: To amend the rule governing advertising by CE course sponsors to prohibit the use of endorsements or recommendations of any person or organization, by way of advertising or otherwise, unless the person or organization has consented in writing to the use of the endorsement or recommendation and is not compensated for such use. The amendment incorporates a provision similar to that found in 21 NCAC 58C .0214(c) governing advertising by schools and is needed to prevent the unauthorized and misleading use of purported "endorsements."	
10. Rule-making Coordinator: Curtis E. Aldendifer Address: 1313 Navaho Drive Raleigh, NC 27609 Phone: 919-875-3700 ext. 133 E-Mail: curtis@ncrec.gov Agency Contact, if any: Melissa Vuotto Phone: 919-875-3700 ext. 142 E-Mail: melissa@ncrec.gov	11. Signature of Agency Head* or Rule-making Coordinator:  *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Curtis E. Aldendifer Title: Rule-making Coordinator/ Associate Legal Counsel
RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC Extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	