

Commission Review
Log of Permanent Rule Filings
December 22, 2015 through January 20, 2016

* Approval Recommended, ** Objection Recommended, *** Other

COMMERCE, DEPARTMENT OF - CREDIT UNION DIVISION

The rules in Chapter 6 are from the Credit Union Division.

The rules in Subchapter 6C concern credit unions and include general information (.0100); organization of credit unions (.0200); basic internal controls: accounting procedures and operation standards for state-chartered credit unions (.0300); loans (.0400); impairment and insolvency (.0500); dividends deposits and interest rebate (.0600); accounts (.0700); reports to administrator (.0800); pension plans (.0900); retention of records (.1000); forms used by credit union division (.1100); investments (.1200); reserves (.1300); and signature guarantee services.

<u>Surety Bond and Insurance Coverage</u>	04	NCAC 06C .0311
Amend/*		
<u>Prohibited Fees</u>	04	NCAC 06C .0410
Adopt/*		
<u>Permanent Records</u>	04	NCAC 06C .1001
Amend/*		
<u>Non-permanent Records</u>	04	NCAC 06C .1002
Amend/*		
<u>Federal Funds</u>	04	NCAC 06C .1204
Amend/*		

ELECTIONS, STATE BOARD OF

The rules in Chapter 17 concern photo identification.

<u>Signage Notifying One-Stop Voters of the Option to Request...</u>	08	NCAC 17 .0106
Adopt/*		

INFORMATION TECHNOLOGY, DEPARTMENT OF

The rules in Subchapter 6B concern procurement requests including requisitioning (.0100); specifications (.0200); procurement authorization and procedures (.0300); rejection of offers (.0400); inspection and testing (.0500); guarantees and warranties (.0600); contracts (.0700); partial and multiple awards (.0800); waiver of competition (.0900); miscellaneous provisions (.1000); bid protest, contested case procedure (.1100); declaratory rulings; default proceedings; disqualifications; and debarment (.1200); exemptions, emergencies, and special delegations (.1300); and records (.1400).

<u>Procurement Procedures</u>	09	NCAC 06B .0301
Readopt without Changes/*		
<u>Methods of Source Selection</u>	09	NCAC 06B .0302
Readopt without Changes/*		
<u>Advertisement and Notice</u>	09	NCAC 06B .0314
Readopt without Changes/*		

<u>Mandatory Conferences/Site Visits</u> Readopt without Changes/*	09 NCAC 06B .0315
<u>Negotiation</u> Readopt without Changes/*	09 NCAC 06B .0316
<u>Debriefing Offerors</u> Readopt without Changes/*	09 NCAC 06B .0405
<u>Use and Description</u> Readopt without Changes/*	09 NCAC 06B .0701
<u>Conditions for Limited or Waived Competition</u> Readopt without Changes/*	09 NCAC 06B .0901
<u>Emergency Situations or Pressing Need</u> Amend/*	09 NCAC 06B .1302
<u>General Delegations</u> Amend/*	09 NCAC 06B .1304
<u>Procurement File Records</u> Amend/*	09 NCAC 06B .1402

ENVIRONMENTAL MANAGEMENT COMMISSION

The rules in Subchapter 2Q are from the EMC and relate to applying for and obtaining air quality permits and include general information (.0100); fees (.0200); application requirements (.0300); acid rain program requirements (.0400); establishment of an air quality permitting program (.0500); transportation facility requirements (.0600); toxic air pollutant procedures (.0700); exempt categories (.0800); and permit exemptions (.0900).

<u>Activities Exempted from Permit Requirements</u> Amend/*	15A NCAC 02Q .0102
<u>Facilities Not Likely to Contravene Demonstration</u> Repeal/*	15A NCAC 02Q .0302
<u>Changes Not Requiring Permit Revisions</u> Adopt/*	15A NCAC 02Q .0318
<u>Emergency Generators and Stationary Reciprocating Interna...</u> Amend/*	15A NCAC 02Q .0903

REVENUE, DEPARTMENT OF

The rules in Chapter 7 are sales and use tax.

The rules in Chapter 7B concern state sales and use tax including general provisions (.0100); general application of law to manufacturing and industrial processing (.0200); specific tangible personality classified for use by industrial users (.0300); specific industries (.0400); exempt sales to manufacturers (.0500); sales of mill machinery and accessories (.0600); specific industry purchases (.0700); adjustments, replacements and alterations and installation sales (.0800); advertising, advertising agencies and public relations firms (.0900); barbers, beauty shop operators, shoe and watch repairmen (.1000); sales of bulk tobacco barns and farm machines and equipment (.1100); hotels, motels, tourist camps and tourist cabins (.1200); sales in interstate commerce (.1300); sales of medicines, drugs and medical supplies (.1400); finance companies, finance charges and carrying charges (.1500); sales to or by hospitals, educational, charitable or religious institutions, and refunds thereto (.1600); sales to or by the state, counties, cities and other political subdivisions (.1700); hospitals and sanitariums (.1800); tire recappers and retreaders: and tire and tube repairs (.1900); sales and gifts by employers to employees or other users (.2000); electricity, piped natural gas, bottled gas, coal, coke, fuel oil, oxygen, acetylene,

hydrogen, liquefied petroleum gas and other combustibles (.2100); food and food products for human consumption (.2200); sales to out-of-state merchants for resale (.2300); sales of medical supplies and equipment to veterinarians (.2400); furniture and storage warehousemen (.2500); liability of contractors, use tax on equipment brought into state and building materials (.2600); dentists, dental laboratories and dental supply houses (.2700); florists, nurserymen, greenhouse operators and farmers (.2800); vending machines (.2900); articles taken in trade, trade-ins, repossessions, returned merchandise and used or secondhand merchandise (.3000); radio and television stations and motion picture theatres (.3100); telecommunications and telegraph companies (.3200); orthopedic appliances (.3300); memorial stone and monument dealers and monument manufactures (.3400); machinists, foundrymen and pattern makers (.3500); funeral expenses (.3600); lubricants and oils and greases (.3700); premiums and gifts and trading stamps (.3800); containers, wrapping and packing and shipping materials (.3900); fertilizer, seeds and feed and insecticides (.0400); artists, art dealers and photographers (.4100); sales to the United States government or agencies thereof (.4200); refunds to interstate carriers (.4300); lease or rental (.4400); laundries, dry cleaning plants, launderettes, linen rentals and solicitors for such businesses (.4500); motor vehicles and boats (.4600); printers and newspaper or magazine publishers (.4700); basis of reporting (.4800); transportation charges (.4900); eyeglasses and other ophthalmic aids and supplies, oculists and optometrists and opticians (.5000); leased departments and transient sellers (.5100); baby chicks and poults (.5200); certificate of authority and bond requirements (.5300); and forms used for sales and use tax purposes (.5400).

<u>Made to Order and Installation Sales: Generally</u> Repeal/*	17	NCAC 07B .0802
<u>Cabinetmakers</u> Repeal/*	17	NCAC 07B .0803
<u>Sign Fabricating and Painting</u> Repeal/*	17	NCAC 07B .0805
<u>Repairs and Alterations: Generally</u> Repeal/*	17	NCAC 07B .0806
<u>Clothing Alterations</u> Repeal/*	17	NCAC 07B .0807
<u>Reupholstering</u> Repeal/*	17	NCAC 07B .0808
<u>Laminating Services</u> Repeal/*	17	NCAC 07B .0809
<u>Bullets and Shells-Reloading</u> Repeal/*	17	NCAC 07B .0810
<u>Fire Extinguishers: Recharging</u> Repeal/*	17	NCAC 07B .0811
<u>Shoe Repairmen</u> Repeal/*	17	NCAC 07B .1002
<u>Watch: Clock and Jewelry Repairmen</u> Repeal/*	17	NCAC 07B .1003
<u>Tire Recapping Materials</u> Repeal/*	17	NCAC 07B .1901
<u>Tire Repair Materials</u> Repeal/*	17	NCAC 07B .1903
<u>Sales by Tire Recappers</u> Repeal/*	17	NCAC 07B .1904
<u>Memorial Stone Sales</u> Repeal/*	17	NCAC 07B .3401

<u>Supplies to Install Memorial Stones/Monuments/Bronze Grav...</u> Repeal/*	17	NCAC 07B .3403
<u>Funeral Expenses</u> Repeal/*	17	NCAC 07B .3601
<u>Lubricating Service</u> Repeal/*	17	NCAC 07B .3701
<u>Sales by Laundries: Linen Rentals: and Solicitors for suc...</u> Repeal/*	17	NCAC 07B .4501
<u>Garment Repairs and Storage</u> Repeal/*	17	NCAC 07B .4506
<u>Rug Reinstallation Charges</u> Repeal/*	17	NCAC 07B .4507
<u>Motor Vehicle Service Businesses</u> Repeal/*	17	NCAC 07B .4603
<u>Special Equipment-Accessories: Motor Vehicles</u> Repeal/*	17	NCAC 07B .4604
<u>Manufactured Homes</u> Repeal/*	17	NCAC 07B .4615

ARCHITECTURE, BOARD OF

The rules in Chapter 2 are from the Board of Architecture and include general provisions (.0100); practice of architecture (.0200); examination procedures (.0300); rules, petitions, and hearings (.0400); declaratory rulings (.0500); administrative hearings: procedures (.0600); administrative hearings: decisions and related rights (.0700); judicial review (.0800); and continuing education (.0900).

<u>Examination</u> Amend/*	21	NCAC 02 .0302
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DENTAL EXAMINERS, BOARD OF

The rules in Subchapter 16O concern nitrous-oxide-oxygen conscious sedation including definitions (.0300); and qualification to perform functions (.0400).

<u>Conscious Sedation</u> Amend/*	21	NCAC 16O .0301
<u>Nitrous Oxide Monitoring</u> Amend/*	21	NCAC 16O .0302
<u>Non-Delegable Functions</u> Amend/*	21	NCAC 16O .0401
<u>Educational Requirements</u> Amend/*	21	NCAC 16O .0402

The rules in Subchapter 16Q concern general anesthesia and sedation including definitions (.0100); general anesthesia (.0200); parenteral conscious sedation (.0300); enteral conscious sedation (.0400); renewal of permits (.0500); reporting and penalties (.0600); and penalty for non-compliance (.0700).

<u>General Anesthesia and Sedation Definitions</u> Amend/*	21	NCAC 16Q .0101
<u>General Anesthesia Equipment and Clinical Requirements</u> Amend/*	21	NCAC 16Q .0202

<u>Temporary Approval Prior to Site Evaluation</u> Repeal/*	21	NCAC 16Q .0203
<u>Procedure for General Anesthesia Evaluation or Inspection...</u> Amend/*	21	NCAC 16Q .0204
<u>Results of Site Evaluation and Reevaluation</u> Repeal/*	21	NCAC 16Q .0205
<u>Itinerant (Mobile) General Anesthesia Permit, Equipment a...</u> Adopt/*	21	NCAC 16Q .0206
<u>Annual Review of General Anesthesia and Itinerant (Mobile...</u> Adopt/*	21	NCAC 16Q .0207
<u>Credentials and Permits for Moderate Conscious Sedation</u> Amend/*	21	NCAC 16Q .0301
<u>Moderate Conscious Sedation Clinical Requirements and Equ...</u> Amend/*	21	NCAC 16Q .0302
<u>Temporary Approval Prior to Site Inspection</u> Repeal/*	21	NCAC 16Q .0303
<u>Off Site Use of Moderate Conscious Sedation Permits</u> Amend/*	21	NCAC 16Q .0304
<u>Annual Renewal of Moderate Conscious Sedation Permit Requ...</u> Adopt/*	21	NCAC 16Q .0305
<u>Procedure for Moderate Conscious Sedation Evaluation or I...</u> Adopt/*	21	NCAC 16Q .0306
<u>Minimal Conscious Sedation Credentials, Evaluation and Pe...</u> Repeal/*	21	NCAC 16Q .0401
<u>Minimal Conscious Sedation Permit Requirements, Clinical ...</u> Repeal/*	21	NCAC 16Q .0402
<u>Temporary Approval Prior to Site Inspection</u> Repeal/*	21	NCAC 16Q .0403
<u>Credentials and Permits for Moderate Pediatric Conscious ...</u> Adopt/*	21	NCAC 16Q .0404
<u>Moderate Pediatric Conscious Sedation Clinical Requirement...</u> Adopt/*	21	NCAC 16Q .0405
<u>Off Site Use of Moderate Pediatric Conscious Sedation Pe...</u> Adopt/*	21	NCAC 16Q .0406
<u>Annual Renewal of Moderate Pediatric Conscious Sedation P...</u> Adopt/*	21	NCAC 16Q .0407
<u>Procedure for Moderate Pediatric Conscious Sedation Evalu...</u> Adopt/*	21	NCAC 16Q .0408
<u>Annual Renewal Required</u> Repeal/*	21	NCAC 16Q .0501
<u>Payment of Fees</u> Repeal/*	21	NCAC 16Q .0502
<u>Inspection Authorized</u> Repeal/*	21	NCAC 16Q .0503
<u>Reports of Adverse Occurrences</u> Repeal/*	21	NCAC 16Q .0601
<u>Failure to Report</u> Repeal/*	21	NCAC 16Q .0602

Reports of Adverse Occurrences
Adopt/*

21 NCAC 16Q .0703

EXAMINERS OF FEE-BASED PRACTICING PASTORAL COUNSELORS, BOARD OF

The rules in Chapter 45 concern the Board of Examiners of Fee-Based Practicing Pastoral Counselors including general provisions (.0100); application for certification(.0200); examination (.0300); certification renewal (.0400); continuing education (.0500); definitions (.0600); temporary certificates (.0700); and supervision (.0800).

Certification Renewal Form
Amend/*

21 NCAC 45 .0401

PODIATRY EXAMINERS, BOARD OF

The rules in Chapter 52 concern Board of Podiatry Examiners including organization of the Board (.0100); examination and licensing (.0200); professional corporations (.0300); revocation or suspension of license (.0400); certification of podiatric assistants (.0500); general provisions (.0600); petitions for rules (.0700); notice of rulemaking hearings (.0800); rulemaking hearings (.0900); declaratory rulings (.1000); administrative hearing procedures (.1100); administrative hearings decisions related rights and procedures (.1200); nominations for podiatrist members of the board of podiatry examiners; the board of podiatry examiners constituting a board of podiatry elections; and procedures for holding an election (.1300); and scope of practice (.1400).

Continuing Education
Readopt with Changes/*

21 NCAC 52 .0208

RECREATIONAL THERAPY LICENSURE, BOARD OF

The rules in Chapter 65 cover the practice of recreational therapy including general provisions (.0100); requirements for practice (.0200); requirements for licensure (.0300); application (.0400); fees (.0500); license renewal requirements (.0600); reinstatement (.0700); inactive status (.0800); reciprocity (.0900); and revocation, suspension or denial of licensure (.1000).

Licensed Recreational Therapist Standards of Practice
Amend/*

21 NCAC 65 .0203

Licensed Recreational Therapy Assistant Standards of Prac...
Amend/*

21 NCAC 65 .0204

Supervision of a Licensed Recreational Therapy Assistant
Amend/*

21 NCAC 65 .0205

Minimum Level of Education and Competency for Licensed Re...
Amend/*

21 NCAC 65 .0301

Minimum Level of Education and Competency for Licensed Re...
Amend/*

21 NCAC 65 .0302

Application Procedures for Licensed Recreational Therapist...
Amend/*

21 NCAC 65 .0401

Licensure Fees
Amend/*

21 NCAC 65 .0501

Renewal Requirements for Licensed Recreational Therapist ...
Amend/*

21 NCAC 65 .0602

Change of Address or Name Requirements for Licensed Recre...
Amend/*

21 NCAC 65 .0603

<u>LRTA Renewal Supervision Requirement</u> Adopt/*	21	NCAC 65	.0604
<u>Inactive Status</u> Amend/*	21	NCAC 65	.0801
<u>Military Endorsement</u> Adopt/*	21	NCAC 65	.0902

ADMINISTRATIVE HEARINGS, OFFICE OF

The rules in Chapter 3 are from the Hearings Division and cover procedure (.0100); mediated settlement conferences (.0200); simplified procedures for Medicaid applicant and recipient appeals (.0400); and electronic filing (.0500).

<u>General</u> Amend/*	26	NCAC 03	.0101
<u>Definitions and Construction</u> Amend/*	26	NCAC 03	.0102
<u>Definitions</u> Adopt/*	26	NCAC 03	.0501
<u>General</u> Adopt/*	26	NCAC 03	.0502
<u>Registrants</u> Adopt/*	26	NCAC 03	.0503
<u>Integration with Other Rules</u> Adopt/*	26	NCAC 03	.0504

BUILDING CODE COUNCIL

<u>2012 NC Building Code/Panic and Fire Exit Hardware</u> Amend/*	1008.1.10
<u>2012 NC Building Code/Continuity</u> Amend/*	712.4
<u>2012 NC Building Code/Construction, Corridors</u> Amend/*	1018.1
<u>2012 NC Energy Conservation Code/Building Envelope Requir...</u> Amend/*	Table 502.1.2
<u>2012 NC Fire Code/Suite/Room Identification</u> Amend/*	505.1.1
<u>2012 NC Fire Code/Definitions</u> Amend/*	902
<u>2012 NC Mechanical Code/Load Calculations</u> Amend/*	312.1
<u>2012 NC Plumbing Code/Water Distribution Pipe</u> Amend/*	605.4
<u>2014 NEC with NC Amendments</u> Adopt/*	150609 Item B-6