

Commission Review
Log of Permanent Rule Filings
February 23, 2016 through March 21, 2016

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

PESTICIDE BOARD

The rules in Chapter 9 are from the Food and Drug Protection Division of the Department of Agriculture and Consumer Services.

The rules in Subchapter 9L are from the N.C. Pesticide Board and include organizational rules (.0100); registration (.0300); samples and submissions (.0400); pesticide licenses (.0500); pesticide and pesticide container disposal (.0600); declaration of pests and restrictions on their control (.0700); bulk distribution of pesticides (.0800); aerial application of pesticides (.1000); private pesticide applicator certification (.1100); arsenic trioxide (.1200); availability of restricted use pesticides (.1300); ground application of pesticides (.1400); worker protection standards for agricultural pesticides (.1800); pesticide storage (.1900); chemigation (any process whereby pesticides are applied to land, crops, or plants using an irrigation system) (.2000); hearing rules of the North Carolina pesticide board (.2100); and interim protection measures for the Carolina heelsplitter mussel (.2200).

<u>Definitions</u>	02	NCAC 09L .0504
Amend/*		
<u>Classifications</u>	02	NCAC 09L .0505
Amend/*		
<u>Categories of Consultants</u>	02	NCAC 09L .0507
Amend/*		
<u>Recertification Options</u>	02	NCAC 09L .0522
Amend/*		
<u>Definitions</u>	02	NCAC 09L .1102
Amend/*		
<u>Single Purchase Emergency Certification Permit</u>	02	NCAC 09L .1104
Amend/*		
<u>Term of Certification; Recertification</u>	02	NCAC 09L .1108
Amend/*		

CHILD CARE COMMISSION

The rules in Chapter 9 are child care rules and include definitions (.0100); general provisions related to licensing (.0200); procedures for obtaining a license (.0300); issuance of provisional and temporary licenses (.0400); age and developmentally appropriate environments for centers (.0500); safety requirements for child care centers (.0600); health and other standards for center staff (.0700); health standards for children (.0800); nutrition standards (.0900); transportation standards (.1000); building code requirements for child care centers (.1300); space requirements (.1400); temporary care requirements (.1500); family child care home requirements (.1700); discipline (.1800); special procedures concerning abuse/neglect in child care (.1900); rulemaking and contested case procedures (.2000); religious-sponsored child care center requirements (.2100); administrative actions and civil penalties (.2200); forms (.2300); child care for mildly ill children (.2400); care for school-age children (.2500); child care for children who are medically fragile (.2600); criminal records checks (.2700); voluntary rated licenses (.2800); developmental day services (.2900); and NC pre-kindergarten services (.3000).

Requirements for Daily Operations
Amend/*

10A NCAC 09 .1718

RADIATION PROTECTION COMMISSION

The rules in Chapter 15 are from the Radiation Protection Commission and include general provisions (.0100); registration of radiation machines, facilities and services (.0200); licensing of radioactive material (.0300); safety requirements for industrial radiography operations (.0500); x-rays in the healing arts (.0600); use of radioactive sources in the healing arts (.0700); requirements for analytical x-ray equipment (.0800); requirements for particle accelerators (.0900); notices, instructions, reports and inspections (.1000); fees (.1100); land disposal of radioactive waste (.1200); requirements for wire-line service operators and subsurface-tracer studies (.1300); tanning facilities (.1400); licenses for disposal site access (.1500); and standards for protections against radiation (.1600).

Definitions
Amend/*

10A NCAC 15 .1403

Warning Signs Required
Amend/*

10A NCAC 15 .1414

Equipment
Amend/*

10A NCAC 15 .1415

Records: Reports and Operating Requirements
Amend/*

10A NCAC 15 .1418

Communication with the Agency: Agency Address
Amend/*

10A NCAC 15 .1419

Fees and Payment
Amend/*

10A NCAC 15 .1423

CRIMINAL JUSTICE EDUCATION AND TRAINING STANDARDS COMMISSION

The rules in Subchapter 9F cover concealed handgun training.

Sanctions
Amend/*

12 NCAC 09F .0106

REVENUE, DEPARTMENT OF

The rules in Chapter 1 are the departmental rules of the Department of Revenue.

Subchapter 1C rules deal with general administration and contain definitions (.0100); hearing procedures (.0200); forms (.0300); interest requirements (.0400); form of payment (.0500); substitution of forms (.0600); and electronic filing forms (.0700).

Forms and Required Account Identification Information
Amend/*

17 NCAC 01C .0322

The rules in Chapter 6 deal with individual income taxes.

The rules in Subchapter 6B concern individual income tax including filing rules (.0100); personal exemptions (.0300); annuities and pensions (.0400); general (.0500); other tax credits (.0600); active and reserve duty military pay (.0700); installment sales (.0800); sale of principal residence (.0900); private annuity transactions (.1000); involuntary conversation (.1100); cost basis of property (.1200);

tenancy by the entirety (.1300); income and deductions of decedents (.1400); stock dividends and stock rights (.1500); basis of divested stock (.1600); exempt income (.1700); scholarship and fellowship grants (.1800); employee death benefits (.1900); depreciation and depletion (.2000); conservation and land clearing (.2100); travel expenses (.2200); education expenses (.2300); moving expenses (.2400); retirement plans (.2500); carry-over loss (.2600); interest deduction (.2700); taxes paid (.2800); casualty and theft losses (.2900); contributions (.3000); medical expenses (.3100); penalties individual income tax (.3200); accounting periods and methods (.3300); statute of limitations and federal changes (.3400); partnerships (.3500); life estate and remainder interest (.3600); estates and trusts (.3700); miscellaneous rules (.3800); non-residents and part-year residents (.3900) and S corporation (.4000).

<u>Completing a Return</u>	17	NCAC 06B .0104
Readopt with Changes/*		
<u>Federal Forms</u>	17	NCAC 06B .0106
Readopt with Changes/*		
<u>Extensions</u>	17	NCAC 06B .0107
Readopt with Changes/*		
<u>Filing Requirements - General Statement</u>	17	NCAC 06B .0109
Readopt with Changes/*		
<u>Joint Federal but Separate State Return</u>	17	NCAC 06B .0112
Readopt with Changes/*		
<u>Taxpayers Domiciled in Community Property States</u>	17	NCAC 06B .0113
Readopt with Changes/*		
<u>Computation of Taxable Income - General</u>	17	NCAC 06B .0114
Readopt with Changes/*		
<u>Additions to Adjusted Gross Income</u>	17	NCAC 06B .0115
Readopt with Changes/*		
<u>Deductions From Adjusted Gross Income</u>	17	NCAC 06B .0116
Readopt with Changes/*		
<u>Reporting Income from Conveyance of Real Property Held in...</u>	17	NCAC 06B .0119
Adopt/*		
<u>Penalties for Failure to File and Pay</u>	17	NCAC 06B .3203
Readopt with Changes/*		
<u>Negligence Penalties</u>	17	NCAC 06B .3204
Readopt with Changes/*		
<u>Service Members Civil Relief Act</u>	17	NCAC 06B .3407
Readopt with Changes/*		
<u>General</u>	17	NCAC 06B .3501
Readopt with Changes/*		
<u>Partnership Returns</u>	17	NCAC 06B .3503
Readopt with Changes/*		
<u>NonResident Partners</u>	17	NCAC 06B .3513
Readopt with Changes/*		
<u>Interest Income Passed Through to Partners</u>	17	NCAC 06B .3529
Readopt with Changes/*		
<u>Payment of Tax</u>	17	NCAC 06B .3718
Readopt with Changes/*		
<u>Allocation of Adjustments</u>	17	NCAC 06B .3723
Readopt with Changes/*		

<u>Deposit of Payment</u> Readopt with Changes/*	17	NCAC 06B .3804
<u>Taxable Income of Nonresidents and Part-Year Residents</u> Readopt with Changes/*	17	NCAC 06B .3904
<u>NonResident Members of Professional Athletic Teams</u> Readopt with Changes/*	17	NCAC 06B .3905
<u>Purchase of Real Property Located in North Carolina from ...</u> Adopt/*	17	NCAC 06B .3906
<u>Nonresident Shareholders</u> Readopt with Changes/*	17	NCAC 06B .4003
<u>Basis In Stock</u> Readopt with Changes/*	17	NCAC 06B .4005
<u>General</u> Readopt with Changes/*	17	NCAC 06B .4101
<u>Exempt Interest Dividends</u> Readopt with Changes/*	17	NCAC 06B .4102
<u>Ordinary Dividends</u> Readopt with Changes/*	17	NCAC 06B .4103

The rules in Subchapter 6C concern the withholding of individual income taxes including withholding requirements (.0100), and the regulation of reporting and paying of income tax withheld (.0200).

<u>Common Carriers</u> Readopt with Changes/*	17	NCAC 06C .0110
<u>Supplemental Wage Payments</u> Readopt with Changes/*	17	NCAC 06C .0117
<u>Employee's Withholding Allowance Certificate</u> Readopt with Changes/*	17	NCAC 06C .0123
<u>Additional Withholding Allowances</u> Readopt with Changes/*	17	NCAC 06C .0124
<u>Submission of Certain Withholding Allowance Certificates</u> Readopt with Changes/*	17	NCAC 06C .0126
<u>Annual Reports</u> Readopt with Changes/*	17	NCAC 06C .0203
<u>Amounts Withheld are Held in Trust for Secretary of Revenue</u> Readopt with Changes/*	17	NCAC 06C .0204

The rules in Subchapter 6D concern estimated tax including filing estimated income tax payments (.0100) and penalties for underpayment of estimated income tax (.0200).

<u>Requirements for Filing</u> Readopt with Changes/*	17	NCAC 06D .0102
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DENTAL EXAMINERS, BOARD OF

The rules in Subchapter 16T concern patient records.

<u>Record Content</u> Amend/*	21	NCAC 16T .0101
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ELECTRICAL CONTRACTORS, BOARD OF EXAMINERS OF

The rules in Chapter 18 are from the State Board of Examiners of Electrical Contractors.

The rules in Chapter 18B are from the Board of Electrical Contractors including general provisions (.0100); examinations and qualifications (.0200); terms and definitions applicable to licensing (.0300); licensing requirements (.0400); reciprocal licensing agreements with other states (.0700); special restricted licenses (.0800); violations and contested case hearings (.0900); forms, certificates, and publications of the board (.1000); and continuing education courses and requirements (.1100).

<u>Fees</u>	21	NCAC 18B .0209
Amend/*		
<u>Waiting Period Between Examinations</u>	21	NCAC 18B .0211
Amend/*		
<u>Renewal After Expiration of Annual License</u>	21	NCAC 18B .0406
Amend/*		
<u>Listed Qualified Individual Changing from One License to ...</u>	21	NCAC 18B .0502
Amend/*		

MEDICAL BOARD

The rules in Subchapter 32T concern clinical pharmacist practitioner including clinical pharmacist practitioner (.0100).

<u>Clinical Pharmacist Practitioner</u>	21	NCAC 32T .0101
Amend/*		

MIDWIFERY JOINT COMMITTEE

The rules in Chapter 33 are from the Midwifery Joint Committee.

<u>Reporting Criteria</u>	21	NCAC 33 .0110
Adopt/*		

PHARMACY, BOARD OF

The rules in Chapter 46 cover organization of the board (.1200); general definitions (.1300); hospitals and other health facilities (.1400); admission requirements and examinations (.1500); licenses and permits (.1600); drugs dispensed by nurse and physician assistants (.1700); prescriptions (.1800); forms (.1900); administrative provisions (.2000); elections (.2100); continuing education (.2200); prescription information and records (.2300); dispensing in health departments (.2400); miscellaneous provisions (.2500); devices (.2600); nuclear pharmacy (.2700); compounding (.2800); product selection (.2900); disposal of unwanted drugs (.3000); clinical pharmacist practitioner (.3100); impaired pharmacist peer review program (.3200); and registry of pharmacist technicians (.3300).

<u>Clinical Pharmacist Practitioner</u>	21	NCAC 46 .3101
Amend/*		

REAL ESTATE COMMISSION

The rules in Chapter 58 are from the North Carolina Real Estate Commission. The rules in Subchapter 58A are rules relating to real estate brokers and salesmen including rules dealing with general brokerage (.0100); application for license (.0300); examinations (.0400); licensing (.0500); real estate commission hearings (.0600); petitions for rules (.0700); rulemaking (.0800); declaratory rulings (.0900); real estate education and recovery fund (.1400); discriminatory practices prohibited (.1600); mandatory continuing education (.1700); limited nonresident commercial licensing (.1800); post-licensure education (.1900); annual reports (.2000); brokers in military service (.2100); and broker price opinions and comparative market analyses (.2200).

<u>Broker Name and Address</u> Amend/*	21	NCAC 58A .0103
<u>Retention of Records</u> Amend/*	21	NCAC 58A .0108
<u>Reporting Criminal Convictions and Disciplinary Actions</u> Amend/*	21	NCAC 58A .0113
<u>Postponement of Postlicensing Education</u> Amend/*	21	NCAC 58A .2104
<u>Proof of Eligibility</u> Amend/*	21	NCAC 58A .2105

The rules in Subchapter 58B deal with time shares including time share project registration (.0100); public offering statement (.0200); cancellation (.0300); time share sales operation (.0400); handling and accounting of funds (.0500); project broker (.0600); and time share forms (.0700)

<u>Registration Fee</u> Amend/*	21	NCAC 58B .0102
<u>Renewal of Time Share Project Registration</u> Amend/*	21	NCAC 58B .0103