

**Commission Review
Log of Permanent Rule Filings
April 21, 2016 through May 20, 2016**

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

STATE BUDGET AND MANAGEMENT, OFFICE OF

The rules in Subchapter 03A concern the organization and function of the Office of State Budget and Management.

Budget Manual 09 NCAC 03A .0103
Readopt with Changes/*

The rules in Chapter 3 are from the Office of State Budget and Management.

The rules in Subchapter 3M provide for the uniform administration of State grants including rules about organization and structure (.0100); responsibilities of grantees and subgrantees (.0200); responsibilities of the Office of the State Controller (.0300); responsibilities of agencies (.0400); responsibilities of the office of State Auditor (.0500); responsibilities of the Office of State Budget and Management (.0600); contracting monitoring and oversight (.0700); and sanctions (.0800).

Purpose 09 NCAC 03M .0101
Readopt with Changes/*

Definitions 09 NCAC 03M .0102
Readopt with Changes/*

Allowable Uses of State Funds 09 NCAC 03M .0201
Readopt with Changes/*

Recipient/Subrecipient Responsibilities 09 NCAC 03M .0202
Readopt with Changes/*

Subgrantee Responsibilities 09 NCAC 03M .0203
Readopt with Changes/*

Minimum Reporting Requirements for Recipients and Subreci... 09 NCAC 03M .0205
Readopt with Changes/*

Agency Responsibilities 09 NCAC 03M .0401
Readopt with Changes/*

Office of the State Auditor Responsibilities 09 NCAC 03M .0501
Readopt with Changes/*

Office of State Budget and Management Responsibilities 09 NCAC 03M .0601
Readopt with Changes/*

Grant Documentation 09 NCAC 03M .0701
Readopt with Changes/*

Subordination of Other Contracts Agreements 09 NCAC 03M .0702
Readopt without Changes/*

Required Contract Provisions 09 NCAC 03M .0703
Readopt with Changes/*

Grant Monitoring and Evaluation 09 NCAC 03M .0704
Readopt with Changes/*

Noncompliance with Rules 09 NCAC 03M .0801
Readopt with Changes/*

MEDICAL CARE COMMISSION

The rules in Chapter 13 are from the NC Medical Care Commission.

The rules in Subchapter 13D are rules for the licensing of nursing homes including general information (.2000); licensure (.2100); general standards of administration (.2200); patient and resident care and services (.2300); medical records (.2400); physician's services (.2500); pharmaceutical services (.2600); dietary services (.2700); activities, recreation and social services (.2800); special requirements (.2900); specially designated units (.3000); design and construction (.3100); functional requirements (.3200); fire and safety requirements (.3300); and mechanical, electrical, and plumbing requirements (.3400).

<u>Definitions</u> Readopt with Changes/*	10A NCAC 13D .2001
<u>Reporting and Investigating Abuse, Neglect or Misappropri...</u> Readopt without Changes/*	10A NCAC 13D .2210
<u>Nurse Staffing Requirements</u> Readopt without Changes/*	10A NCAC 13D .2303
<u>Preservation of Medical Records</u> Readopt with Changes/*	10A NCAC 13D .2402
<u>Use of Nurse Practitioners and Physician Assistants</u> Readopt with Changes/*	10A NCAC 13D .2503
<u>Required Spaces</u> Readopt with Changes/*	10A NCAC 13D .3201

PUBLIC HEALTH, COMMISSION FOR

The rules in Chapter 45 are general procedures for public health programs.

The rules in Subchapter 45A are rules about payment programs including general provisions (.0100); eligibility determinations (.0200); eligibility procedures (.0300); reimbursement (.0400); and quality control (.0500).

<u>General</u> Amend/*	10A NCAC 45A .0101
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CRIMINAL JUSTICE EDUCATION AND TRAINING STANDARDS COMMISSION

The rules in Chapter 9 are from the Criminal Justice Education and Training Standards Commission. This Commission has primary responsibility for setting statewide education, training, employment, and retention standards for criminal justice personnel (not including sheriffs).

The rules in Subchapter 9B cover minimum standards for: employment (.0100); schools and training programs (.0200); criminal justice instructors (.0300); completion of training (.0400); school directors (.0500); and certification of post-secondary criminal justice education programs (.0600).

<u>Basic Law Enforcement Training</u> Amend/*	12 NCAC 09B .0205
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<u>Basic Training - Juvenile Court Counselors and Chief Cour...</u> Amend/*	12	NCAC 09B .0235
<u>Basic Training - Juvenile Justice Officers</u> Amend/*	12	NCAC 09B .0236
<u>Terms and Conditions of Specialized Instructor Certification</u> Amend/*	12	NCAC 09B .0305
<u>Military Transferees</u> Adopt/**	12	NCAC 09B .0701

The rules in Subchapter 9E relate to the law enforcement officers' in-service training program.

<u>Instructors: Annual In-Service Training</u> Amend/*	12	NCAC 09E .0104
<u>Minimum Training Specifications: Annual In-Service Training</u> Amend/*	12	NCAC 09E .0105

ENVIRONMENTAL MANAGEMENT COMMISSION

The rules in Subchapter 2B pertain to surface water standards and monitoring including procedures for assignment of water quality standards (.0100); the standards used to classify the waters of the state (.0200); stream classifications (.0300); effluent limitations (.0400); monitoring and reporting requirements (.0500); and water quality management plans (.0600).

<u>Water Quality Management Plans</u> Amend/*	15A	NCAC 02B .0227
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COASTAL RESOURCES COMMISSION

The rules in Subchapter 7H are the state guidelines for areas of environmental concern (AECs) including introduction and general comments (.0100); the estuarine system (.0200); ocean hazard areas (.0300); public water supplies (.0400); natural and cultural resource areas (.0500); development standards (.0600); general permits for construction or maintenance of bulkheads and the placement of riprap for shoreline protection in estuarine and public trust waters (.1100); piers, docks and boat houses in estuarine and public trust waters (.1200); general permit to construct boat ramps along estuarine and public trust shorelines and into estuarine and public trust waters (.1300); groins in estuarine and public trust waters (.1400); excavation within or connecting to existing canals, channels, basins, or ditches in estuarine waters, public trust waters, and estuarine shoreline AECs (.1500); aerial and subaqueous utility lines with attendant structures in coastal wetlands, estuarine waters, public trust waters and estuarine shorelines (.1600); emergency work requiring a CAMA or a dredge and fill permit (.1700); beach bulldozing landward of the mean high-water mark in the ocean hazard AEC (.1800); temporary structures within the estuarine and ocean hazard AECs (.1900); authorizing minor modifications and repair to existing pier/mooring facilities in estuarine and public trust waters and ocean hazard areas (.2000); construction of sheetpile sill for shoreline protection in estuarine and public trust waters (.2100); construction of freestanding moorings in established waters and public trust areas (.2200); replacement of existing bridges and culverts in estuarine waters, estuarine shorelines, public trust areas and coastal wetlands (.2300); placement of riprap for wetland protection in estuarine and public trust waters (.2400); replacement of structures; the reconstruction of primary or frontal dune systems; and the maintenance excavation of existing canals, basins, channels, or ditches, damaged, destroyed, or filled in by hurricanes or tropical storms (.2500); construction of wetland, stream and buffer mitigation sites by the North Carolina Ecosystem Enhancement Program or the North Carolina Wetlands Restoration Program (.2600); and the construction of riprap sills for wetland enhancement in estuarine and public trust waters (.2700).

AECs Within Ocean Hazard Areas
Amend/*

15A NCAC 07H .0304

WILDLIFE RESOURCES COMMISSION

The rules in Subchapter 10F cover motorboats and water safety including boat registration (.0100); safety equipment and accident reports (.0200); and local water safety regulations covering speed limits, no-wake restrictions, restrictions on swimming and other activities, and placement of markers for designated counties or municipalities (.0300).

Craven County
Amend/*

15A NCAC 10F .0347

ENVIRONMENTAL MANAGEMENT COMMISSION

The rules in Chapter 13 cover hazardous and solid waste management, inactive hazardous substances, and waste disposal sites.

The rules in Subchapter 13A cover hazardous waste management and specifically HWTSD (hazardous waste treatment, storage, or disposal) facilities.

General
Amend/*

15A NCAC 13A .0101

Definitions
Amend/*

15A NCAC 13A .0102

Petitions - Part 260
Amend/*

15A NCAC 13A .0103

Identification and Listing of Hazardous Wastes - Part 261
Amend/*

15A NCAC 13A .0106

STDS Applicable to Generators of Hazardous Waste-Part 262
Amend/*

15A NCAC 13A .0107

STDS Applicable for Transporters of Hazardous Waste
Amend/*

15A NCAC 13A .0108

BARBER EXAMINERS, BOARD OF

The rules in Subchapter 06A are departmental rules including organizational rules (.0100); and rules about the executive secretary (.0300).

Physical and Mailing Address
Readopt without Changes/*

21 NCAC 06A .0102

The rules in Subchapter 06B concern rulemaking procedures including petitions for rulemaking (.0100); notice (.0200); hearings (.0300); temporary rules (.0400); and declaratory rulings (.0500).

Petition for Adoption of New Rule
Readopt without Changes/**

21 NCAC 06B .0101

Petition for Amendment or Repeal of Rule
Readopt without Changes/**

21 NCAC 06B .0103

Granting or Denying Petitions
Readopt without Changes/**

21 NCAC 06B .0105

<u>Mailing List</u>	21	NCAC 06B .0202
Readopt without Changes/*		
<u>Information Requests</u>	21	NCAC 06B .0204
Readopt without Changes/*		
<u>Locations of Hearings</u>	21	NCAC 06B .0301
Readopt without Changes/**		
<u>Oral Presentations</u>	21	NCAC 06B .0302
Readopt without Changes/**		
<u>Written Statement</u>	21	NCAC 06B .0305
Readopt without Changes/**		
<u>Acknowledgement</u>	21	NCAC 06B .0306
Readopt without Changes/*		
<u>Control of Hearings</u>	21	NCAC 06B .0307
Readopt without Changes/*		
<u>Request for Statement on Final Decision</u>	21	NCAC 06B .0308
Readopt without Changes/**		
<u>Records</u>	21	NCAC 06B .0309
Readopt without Changes/*		
<u>Request for Declaratory Ruling</u>	21	NCAC 06B .0501
Readopt with Changes/*		
<u>Contents of Request</u>	21	NCAC 06B .0502
Readopt with Changes/*		
<u>Refusal to Issue Declaratory Ruling</u>	21	NCAC 06B .0503
Readopt with Changes/**		
<u>Procedure</u>	21	NCAC 06B .0505
Readopt with Changes/**		

The rules in Subchapter 06C concern contested cases including general rules (.0100); request for a hearing (.0200); notice (.0500); who shall hear contested cases (.0600); place of hearing (.0700); intervention (.0800); and hearing officers (.0900).

<u>Administrative Hearings</u>	21	NCAC 06C .0101
Readopt without Changes/*		
<u>Request</u>	21	NCAC 06C .0201
Readopt without Changes/*		
<u>Informal Resolution Encouraged</u>	21	NCAC 06C .0202
Readopt without Changes/**		
<u>Request After Informal Efforts</u>	21	NCAC 06C .0203
Readopt without Changes/**		
<u>Contents of Request</u>	21	NCAC 06C .0204
Readopt without Changes/*		
<u>Acknowledgement</u>	21	NCAC 06C .0205
Readopt without Changes/*		
<u>Reasonable Notice</u>	21	NCAC 06C .0501
Readopt without Changes/**		
<u>Notice and Hearing</u>	21	NCAC 06C .0502
Readopt without Changes/*		
<u>Additional Information on Notices and Hearings</u>	21	NCAC 06C .0503
Readopt without Changes/*		

<u>Written Answers to Notice</u> Readopt without Changes/*	21	NCAC 06C .0504
<u>Who Hears Contested Cases</u> Readopt without Changes/*	21	NCAC 06C .0601
<u>Location</u> Readopt without Changes/*	21	NCAC 06C .0701
<u>Requirements for Intervention</u> Readopt without Changes/*	21	NCAC 06C .0801
<u>Allowance</u> Readopt without Changes/*	21	NCAC 06C .0807
<u>Denial</u> Readopt without Changes/*	21	NCAC 06C .0808
<u>Bias of Board Member</u> Readopt without Changes/*	21	NCAC 06C .0903
<u>Bias Claimed by Party</u> Readopt without Changes/*	21	NCAC 06C .0904
<u>Affidavit of Disqualification</u> Readopt without Changes/*	21	NCAC 06C .0905
<u>Filing Affidavit</u> Readopt without Changes/*	21	NCAC 06C .0906
<u>Disqualification</u> Readopt without Changes/*	21	NCAC 06C .0907
<u>Disqualification of Majority of Board</u> Readopt without Changes/**	21	NCAC 06C .0909

The rules in Subchapter 06D concern conduct of the contested case.

<u>Contested Case Hearings</u> Readopt without Changes/*	21	NCAC 06D .0101
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The rules in Subchapter 06F concern barber schools.

<u>Physical Structure</u> Readopt with Changes/*	21	NCAC 06F .0101
<u>Manager</u> Readopt with Changes/*	21	NCAC 06F .0102
<u>Filing</u> Readopt without Changes/*	21	NCAC 06F .0103
<u>Instructors</u> Readopt without Changes/*	21	NCAC 06F .0104
<u>Re-Entering School</u> Readopt with Changes/*	21	NCAC 06F .0109
<u>Roster and Student Records</u> Readopt without Changes/*	21	NCAC 06F .0110
<u>Copies of Barber School Records</u> Readopt without Changes/*	21	NCAC 06F .0111
<u>Student Permit</u> Readopt without Changes/*	21	NCAC 06F .0113

<u>Signatures on Reports</u> Readopt with Changes/*	21	NCAC 06F	.0114
<u>Students with Criminal Records</u> Readopt without Changes/**	21	NCAC 06F	.0116
<u>Fees</u> Readopt without Changes/*	21	NCAC 06F	.0118
<u>Intrastate Transfers</u> Readopt without Changes/*	21	NCAC 06F	.0119
<u>Barber School Curricula</u> Readopt without Changes/*	21	NCAC 06F	.0120
<u>Penal Institutions</u> Readopt with Changes/*	21	NCAC 06F	.0121
<u>Uniforms and Identification</u> Readopt without Changes/*	21	NCAC 06F	.0122
<u>Time Clock and Recordation of Student Hours</u> Readopt with Changes/*	21	NCAC 06F	.0123
<u>Student Hours</u> Readopt with Changes/*	21	NCAC 06F	.0124
<u>School Handbooks and Enrollment Agreements</u> Readopt with Changes/*	21	NCAC 06F	.0125
<u>Extended Education</u> Adopt/*	21	NCAC 06F	.0126

The rules in Subchapter 06G concern barber school instructors.

<u>Grades</u> Readopt without Changes/*	21	NCAC 06G	.0103
<u>Instructor Application</u> Adopt/**	21	NCAC 06G	.0106

The rules in Subchapter 06H concern barber school owners and managers.

<u>Duties and Responsibilities</u> Readopt without Changes/*	21	NCAC 06H	.0101
<u>Student-Instructor Ratio</u> Readopt without Changes/**	21	NCAC 06H	.0102

The rules in Subchapter 06I concern out-of-state transfers.

<u>Credit For Out-of-State Training</u> Readopt without Changes/**	21	NCAC 06I	.0101
<u>Apprentice Barber</u> Readopt with Changes/**	21	NCAC 06I	.0105

The rules in Subchapter 06J concern apprentice barbers.

<u>Registered Apprentice</u> Readopt with Changes/**	21	NCAC 06J	.0101
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<u>Forfeiture of Fee</u> Readopt without Changes/*	21	NCAC 06J	.0102
<u>Renewal as Registered Apprentice; Waiver</u> Readopt without Changes/*	21	NCAC 06J	.0103
<u>Student Permission to Barber</u> Readopt without Changes/*	21	NCAC 06J	.0106
<u>Examination</u> Readopt without Changes/*	21	NCAC 06J	.0108
<u>Identification</u> Readopt without Changes/*	21	NCAC 06J	.0109
<u>Notification of Address Change</u> Readopt without Changes/*	21	NCAC 06J	.0110

The rules in Subchapter 06K concern registered barbers.

<u>Registered Barber</u> Readopt without Changes/*	21	NCAC 06K	.0101
<u>Forfeiture of Fee</u> Readopt without Changes/*	21	NCAC 06K	.0103
<u>Out-of-State Applicants</u> Readopt with Changes/**	21	NCAC 06K	.0104
<u>Identification</u> Readopt without Changes/*	21	NCAC 06K	.0110
<u>Notification of Change of Address</u> Readopt without Changes/*	21	NCAC 06K	.0111

The rules in Subchapter 06L concern barber shops.

<u>Measurements of Barber Shop</u> Readopt without Changes/*	21	NCAC 06L	.0102
<u>Equipment</u> Readopt without Changes/*	21	NCAC 06L	.0103
<u>Shop Permits</u> Readopt with Changes/*	21	NCAC 06L	.0104
<u>Fees</u> Readopt without Changes/*	21	NCAC 06L	.0105
<u>Separation From Other Businesses; Residential Shops; Mobi...</u> Readopt without Changes/*	21	NCAC 06L	.0106
<u>Lavatory</u> Readopt without Changes/*	21	NCAC 06L	.0107
<u>Moved Shop</u> Readopt without Changes/*	21	NCAC 06L	.0108
<u>Commercial Chemicals</u> Readopt without Changes/*	21	NCAC 06L	.0109
<u>Where Barber Services May Be Performed</u> Readopt without Changes/*	21	NCAC 06L	.0111
<u>Rented Booth Space</u> Readopt with Changes/*	21	NCAC 06L	.0112

<u>Diseases</u>	21	NCAC 06L .0113
Readopt without Changes/*		
<u>Policy Prohibiting Pets</u>	21	NCAC 06L .0114
Readopt without Changes/*		
<u>Inspections of Shops</u>	21	NCAC 06L .0115
Readopt with Changes/*		
<u>Additional Duties of Barber Shop Owners and Managers and ...</u>	21	NCAC 06L .0116
Readopt with Changes/*		
<u>General Sanitation</u>	21	NCAC 06L .0117
Readopt without Changes/*		
<u>Sanitary Ratings and Posting of Ratings</u>	21	NCAC 06L .0118
Readopt with Changes/**		
<u>Systems of Grading Barber Shops</u>	21	NCAC 06L .0119
Readopt without Changes/**		
<u>Notification of Change of Address</u>	21	NCAC 06L .0120
Readopt without Changes/*		

The rules in Subchapter 06M concern barbershop inspectors.

<u>Duties and Responsibilities</u>	21	NCAC 06M .0102
Readopt without Changes/*		

The rules in Subchapter 6N establish fees and provide for the use of various forms.

<u>Fees</u>	21	NCAC 06N .0101
Readopt without Changes/*		
<u>Form Bar-1</u>	21	NCAC 06N .0102
Readopt without Changes/*		
<u>Form Bar-2</u>	21	NCAC 06N .0103
Readopt without Changes/**		
<u>Form Bar-3</u>	21	NCAC 06N .0104
Readopt with Changes/**		
<u>Form Bar-4</u>	21	NCAC 06N .0105
Readopt without Changes/*		
<u>Form Bar-5</u>	21	NCAC 06N .0106
Readopt with Changes/**		
<u>Form Bar-6</u>	21	NCAC 06N .0107
Readopt without Changes/*		
<u>Form Bar-7</u>	21	NCAC 06N .0108
Readopt without Changes/**		
<u>Form Bar-8</u>	21	NCAC 06N .0109
Readopt without Changes/*		
<u>Form Bar-9</u>	21	NCAC 06N .0110
Readopt without Changes/**		
<u>Form Bar-10</u>	21	NCAC 06N .0111
Readopt without Changes/*		
<u>Access to Forms</u>	21	NCAC 06N .0112
Readopt without Changes/*		

The rules in Subchapter 6O govern the assessing of civil penalties.

<u>Schedule of Penalties</u>	21	NCAC 06O .0101
Readopt without Changes/*		
<u>Licensing of Barber Shops</u>	21	NCAC 06O .0102
Readopt with Changes/*		
<u>Licensing of Barber Schools</u>	21	NCAC 06O .0103
Readopt with Changes/*		
<u>Unsupervised Apprentice</u>	21	NCAC 06O .0104
Readopt with Changes/*		
<u>Unlicensed Barber</u>	21	NCAC 06O .0105
Readopt with Changes/*		
<u>Display of Current License</u>	21	NCAC 06O .0106
Readopt with Changes/*		
<u>Fraudulent Misrepresentations or Submission of Fraudulent...</u>	21	NCAC 06O .0107
Readopt without Changes/*		
<u>Inspections of Shops and Schools</u>	21	NCAC 06O .0108
Readopt with Changes/*		
<u>Expired License</u>	21	NCAC 06O .0109
Readopt with Changes/*		
<u>Adequate Premises</u>	21	NCAC 06O .0110
Readopt with Changes/*		
<u>School Instructors</u>	21	NCAC 06O .0111
Readopt with Changes/*		
<u>Identification</u>	21	NCAC 06O .0112
Readopt with Changes/*		
<u>Barber Shops in Residences and Mobile Homes</u>	21	NCAC 06O .0113
Readopt with Changes/*		
<u>Animals in Barber Shops</u>	21	NCAC 06O .0114
Readopt with Changes/*		
<u>School Failing to Maintain, Falsifying, or Failing to Sub...</u>	21	NCAC 06O .0115
Readopt with Changes/*		
<u>Unlicensed School Instructors</u>	21	NCAC 06O .0116
Readopt with Changes/*		
<u>Barber Failing to Maintain or Produce Exemption Log</u>	21	NCAC 06O .0117
Readopt with Changes/*		
<u>Unlicensed Barber Student</u>	21	NCAC 06O .0118
Adopt/*		
<u>Failure to Notify Board of Change Address</u>	21	NCAC 06O .0119
Adopt/*		
<u>Failure to Notify Board of Change of Supervision Barber o...</u>	21	NCAC 06O .0120
Adopt/**		
<u>Failure to Display Sanitation Grade and Shop Permit in a ...</u>	21	NCAC 06O .0121
Adopt/*		
<u>Failure to Notify Board of Change of Barber Shop or School...</u>	21	NCAC 06O .0122
Adopt/*		

The rules in Subchapter 6P are definitions.

<u>Barbering</u> Readopt without Changes/*	21	NCAC 06P .0101
<u>Barbering Exemptions</u> Readopt without Changes/*	21	NCAC 06P .0102
<u>General Definitions</u> Readopt with Changes/*	21	NCAC 06P .0103

The rules in Subchapter 6Q concern prohibited acts.

<u>Additional Grounds for Denial or Discipline</u> Readopt with Changes/**	21	NCAC 06Q .0101
<u>Effect of Child Support Default on License or Certificate</u> Readopt without Changes/*	21	NCAC 06Q .0102
<u>Registered Sex Offenders</u> Readopt without Changes/**	21	NCAC 06Q .0103
<u>Effect of Notice of Violation on License or Certificate</u> Readopt without Changes/**	21	NCAC 06Q .0104

The rules in Subchapter 6R concern advertising.

<u>Display of Sign or Barber Pole</u> Readopt without Changes/*	21	NCAC 06R .0101
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The rules in Subchapter 6S concern examinations.

<u>General Examination Instructions</u> Readopt without Changes/*	21	NCAC 06S .0101
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INTERPRETER AND TRANSLITERATOR LICENSING BOARD

The rules in Chapter 25 are from the Interpreter and Transliterators Board including general provisions (.0100); licensing (.0200); moral fitness for licensure (.0300); reporting and disclosure requirements (.0400); continuing education (.0500); administrative procedure (.0600); and sanctions (.0700).

<u>Renewal of a Provisional License</u> Amend/*	21	NCAC 25 .0205
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RESPIRATORY CARE BOARD

The rules in Chapter 61 are from the Respiratory Care Board and concern organization and definitions (.0100); application for license (.0200); licensing (.0300); continuing education requirements for license holders (.0400); miscellaneous provisions (.0500); rulemaking and declaratory rulings (.0600); and administrative hearing procedures (.0700).

<u>Exemptions</u> Readopt without Changes/*	21	NCAC 61 .0202
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