

TEMPORARY RULES
REQUEST FOR TECHNICAL CHANGE

AGENCY: Board of Agriculture

RULE CITATION: 02 NCAC 52J .0901 and .0902

DEADLINE FOR RECEIPT: Tuesday, November 15, 2016

NOTE: This request when viewed on computer extends several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

In the Temporary Rule-Making Findings of Need Form, please revise the answer for 5.f. to reflect the Board's November 10, 2016 meeting date.

In Box 6, please correct the citation of the Session Law to 2016-113.

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Amanda J. Reeder
Commission Counsel
Date submitted to agency: November 14, 2016

7. Why is adherence to notice and hearing requirements contrary to the public interest and the immediate adoption of the rule is required?

The enacted legislation specifically tells the NC Board of Agriculture to adopt temporary rules.

8. Rule establishes or increases a fee? (See G.S. 12-3.1)

Yes
Agency submitted request for consultation on:
Consultation not required. Cite authority:

No

9. Rule-making Coordinator: Christina L. Waggett

Phone: 919-707-3008

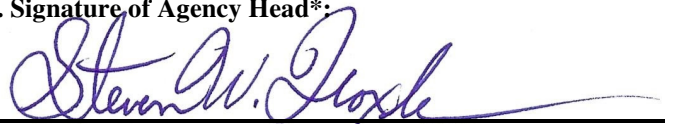
E-Mail: Christina.waggett@ncagr.gov

Agency contact, if any:

Phone:

E-Mail:

10. Signature of Agency Head*:



* 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: Steven W. Troxler

Title: Commissioner of Agriculture

E-Mail: steve.troxler@ncagr.gov

RULES REVIEW COMMISSION USE ONLY

Action taken:

Submitted for RRC Review:

Date returned to agency:

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015

SESSION LAW 2016-113
SENATE BILL 770

AN ACT TO PROVIDE FURTHER REGULATORY RELIEF TO THE AGRICULTURAL COMMUNITY.

The General Assembly of North Carolina enacts:

PROVIDE THE DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES WITH ENFORCEMENT AUTHORITY FOR THE PROGRAM GOVERNING BEDDING IMPROPERLY MADE, SANITIZED, OR TAGGED

SECTION 1.(a) Article 4H of Chapter 106 of the General Statutes is amended by adding five new sections to read:

"§ 106-65.105A. Detention or embargo of product or item suspected of being adulterated or misbranded.

(a) If an authorized agent of the Department of Agriculture and Consumer Services finds or has probable cause to believe that any bedding, secondhand bedding, material, or other item regulated under this Article is unsanitary, mislabeled, unsafe for its intended use, a danger to the public, or is otherwise in violation of the requirements of this Article, the agent may affix to the item a tag or other appropriate marking giving notice that the item has been detained or embargoed with information identifying the violation(s). It shall be a violation of this Article for any person to remove or alter a tag authorized by this subsection, or to remove or dispose of a detained or embargoed item by sale or otherwise, without such permission, and the tag or marking shall include a warning to that effect.

(b) When an item is detained or embargoed under subsection (a) of this section, an authorized agent of the Department of Agriculture and Consumer Services may petition a judge of the district or superior court in whose jurisdiction the item is detained or embargoed for an order for condemnation of the item. When an authorized agent has found that an item detained or embargoed is not unsanitary, mislabeled, unsafe for its intended use, a danger to the public, or otherwise in violation of the requirements of this Article, the agent shall remove the tag or other marking.

(c) If the court finds that a detained or embargoed item is unsanitary, mislabeled, or contains toxic materials, the item shall, after entry of the decree, be destroyed at the expense of the item's claimant, under the supervision of an authorized agent of the Department of Agriculture and Consumer Services; and all court costs and fees, storage, and other proper expenses shall be levied against the claimant of the item or the claimant's agent; provided, that when the unsanitary condition, mislabeling, safety concerns, or other violation can be corrected by proper labeling or processing of the item, the court, after entry of the decree and after costs, fees, and expenses have been paid and a good and sufficient bond, conditioned that the item shall be properly labeled or processed, has been executed, may by order direct that the item be delivered to the item's claimant for proper labeling or processing under the supervision of an agent of the Department of Agriculture and Consumer Services. The expense of the Department's supervision shall be paid by the claimant. The amount of any bond paid shall be returned to the claimant of the item on representation to the court by the Department of Agriculture and Consumer Services that the item is no longer in violation of this Article and that the expenses of the Department's supervision have been paid.

"§ 106-65.105B. Injunctions restraining violations.

In addition to any other remedies provided by this Article, the Commissioner is authorized to apply to the superior court for, and the court shall have jurisdiction upon hearing and for cause shown to grant, a temporary or permanent injunction restraining any person from



conduct rendering operations as specified in the application. A license shall be valid until revoked for cause as hereinafter provided."

SECTION 4.(d) G.S. 106-168.12 reads as rewritten:

"§ 106-168.12. Commissioner authorized to adopt rules and regulations.

The Commissioner of Agriculture is hereby authorized to make and establish reasonable rules and regulations, ~~not inconsistent~~ consistent with the provisions of this Article, ~~after consulting the committee,~~ for the proper administration and enforcement thereof."

SECTION 4.(e) G.S. 106-168.13 reads as rewritten:

"§ 106-168.13. Effect of failure to comply.

Failure to comply with the provisions of this Article or rules and regulations ~~not inconsistent therewith~~ adopted pursuant to this Article shall be cause of revocation of license, if such failure shall not be remedied within a reasonable time after notice to the licensee. Any person whose license is revoked may reapply for a license in the manner provided in this Article for an initial application, except that the Commissioner shall not be required to cause the rendering plant and equipment of the applicant to be inspected ~~by the committee~~ until the expiration of 30 days from the date of revocation."

REQUIRE TRAINING FOR APPOINTED AND ELECTED SOIL AND WATER DISTRICT SUPERVISORS

SECTION 5.(a) G.S. 139-4(d) reads as rewritten:

"(d) In addition to the duties and powers hereinafter conferred upon the Soil and Water Conservation Commission, it shall have the following duties and powers:

...

(13) To establish a training program required for all district supervisors."

SECTION 5.(b) Article 1 of Chapter 139 of the General Statutes is amended by adding a new section to read:

"§ 139-7.2. Training of elective and appointive district supervisors.

(a) All district supervisors, whether elected or appointed, shall complete a minimum of six clock hours of training annually.

(b) The training shall include soil, water, and natural resources conservation and the duties and responsibilities of district supervisors.

(c) The training may be provided by the School of Government at the University of North Carolina at Chapel Hill, or other qualified sources as approved by the Soil and Water Conservation Commission."

BOARD OF AGRICULTURE RULE-MAKING AUTHORITY FOR ANIMAL SHELTER SUPPORT FUND

SECTION 6.(a) G.S. 19A-67 reads as rewritten:

"§ 19A-67. Animal Shelter Support Fund.

(a) Creation. – The Animal Shelter Support Fund is established as a special fund in the Department of Agriculture and Consumer Services. The Fund consists of appropriations by the General Assembly or contributions and grants from public or private sources.

(b) Use. – The Fund shall be used by the Animal Welfare Section of the Department of Agriculture and Consumer Services to reimburse local governments for expenses related to their operation of a registered animal shelter due to any of the following:

(1) The denial, suspension, or revocation of the shelter's registration.

(2) An unforeseen catastrophic disaster at an animal shelter.

(c) Rules. – ~~The Animal Welfare Section Board of Agriculture~~ shall issue rules detailing eligible expenses and application guidelines that comply with the requirements of this Article.

(d) Reversion. – Any appropriated and unencumbered funds remaining at the end of each fiscal year in excess of two hundred fifty thousand dollars (\$250,000) shall revert to the General Fund."

SECTION 6.(b) The Board of Agriculture may adopt temporary rules to administer the Animal Shelter Support Fund in accordance with subsection (a) of this section.

RULE-MAKING EXEMPTION FOR FOREST MANAGEMENT PLANS

SECTION 7.(a) G.S. 150B-1(d) reads as rewritten:

"§ 150B-1. Policy and scope.

SECTION 18.(c) Any prioritization of a renewable energy facility granted pursuant to this section shall be based on original queue numbers, and the facility shall otherwise comply with the North Carolina Interconnection Standard approved by the Commission.

SECTION 18.(d) This section is effective when it becomes law and expires on January 1, 2017.

EFFECTIVE DATE AND SEVERABILITY CLAUSE

SECTION 19.(a) If any provision of this act or its application is held invalid, the invalidity does not affect other provisions or applications of this act that can be given effect without the invalid provisions or application, and to this end, the provisions of this act are severable.

SECTION 19.(b) Except as otherwise provided, this act is effective when it becomes law.

In the General Assembly read three times and ratified this the 1st day of July, 2016.

s/ Tom Apodaca
Presiding Officer of the Senate

s/ Tim Moore
Speaker of the House of Representatives

s/ Pat McCrory
Governor

Approved 2:00 p.m. this 26th day of July, 2016

TEMPORARY RULES
REQUEST FOR TECHNICAL CHANGE

AGENCY: Board of Agriculture

RULE CITATION: 02 NCAC 52J .0901

DEADLINE FOR RECEIPT: Tuesday, November 15, 2016

The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

In Item (1), lines 9 and 10, please replace "and/or" with "or" assuming that is what you mean.

In Item (2), line 11, I suggest replacing "shelter to include:" with "shelter, including"

In Item (3), line 15, insert a comma after "buckets"

In Item (4), line 19, please insert a comma after "supplies"

In the History Note, please put the citations in numerical order.

Additionally, I suggest simply stating "G.S. 19A-6(b)" rather than including (b)(1) and (b)(2).

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Amanda J. Reeder
Commission Counsel
Date submitted to agency: November 14, 2016

1 02 NCAC 52J .0901 is adopted under temporary procedures as follows:

2
3 **SECTION .0900 – ANIMAL SHELTER SUPPORT FUND**

4
5 **02 NCAC 52J .0901 ELIGIBLE EXPENSES**

6 Eligible expenses include:

- 7 (1) Veterinary costs – Reimbursement may be requested for veterinary expenditures incurred for the assessment,
8 diagnostic and triage evaluation, medical treatment, minor surgical treatment, medications, first aid and minor
9 medical supplies, vaccinations, parasite control/treatment and/or euthanasia of animals housed at the shelter at
10 the time of the event and/or impounded during the interim or transition period.
- 11 (2) Sanitation costs – Reimbursement may be requested for expenditures related to sanitation of the affected shelter
12 to include: detergent/disinfectant supplies, cleaning supplies, labor costs for the sanitation of the shelter, waste
13 and carcass disposal costs.
- 14 (3) Animal sustenance and supplies – Reimbursement may be requested for expenditures for animal food,
15 provision of water to the shelter, and food and water bowls or buckets as well as labor costs for the
16 feeding and watering of the shelter animals.
- 17 (4) Temporary housing and sheltering of animals – Reimbursement may be requested for expenditures for animal
18 cages and kennels, animal transport carriers, fencing panels for runs, tarps, fencing, dog or cat houses and other
19 construction supplies as well as labor costs or equipment or facility leasing expenses incurred during the
20 construction or repair of temporary animal housing.

21
22 *History Note: Authority G.S. 19A-68(a); G.S. 19A-67(b)(1), (2)*



TEMPORARY RULE-MAKING FINDINGS OF NEED

[Authority G.S. 150B-21.1]

OAH USE ONLY

VOLUME:

ISSUE:

1. Rule-Making Agency: North Carolina Board of Agriculture
2. Rule citation & name: 02 NCAC 52J .0902 Application Guidelines
3. Action: <input checked="" type="checkbox"/> Adoption <input type="checkbox"/> Amendment <input type="checkbox"/> Repeal
4. Was this an Emergency Rule: <input type="checkbox"/> Yes Effective date: <input checked="" type="checkbox"/> No
5. Provide dates for the following actions as applicable: a. Proposed Temporary Rule submitted to OAH: 9/26/16 b. Proposed Temporary Rule published on the OAH website: 10/4/16 c. Public Hearing date: 10/13/16 d. Comment Period: 10/4/16 – 10/27/16 e. Notice pursuant to G.S. 150B-21.1(a3)(2): 10/3/16 f. Adoption by agency on: 10/10/16 g. Proposed effective date of temporary rule [if other than effective date established by G.S. 150B- 21.1(b) and G.S. 150B-21.3]: h. Rule approved by RRC as a permanent rule [See G.S. 150B-21.3(b2)]:
6. Reason for Temporary Action. Attach a copy of any cited law, regulation, or document necessary for the review. <input type="checkbox"/> A serious and unforeseen threat to the public health, safety or welfare. <input checked="" type="checkbox"/> The effective date of a recent act of the General Assembly or of the U.S. Congress. Cite: S.L. 2016-111, Section 6(a) and 6(b) Effective date: July 26, 2016 <input type="checkbox"/> A recent change in federal or state budgetary policy. Effective date of change: <input type="checkbox"/> A recent federal regulation. Cite: Effective date: <input type="checkbox"/> A recent court order. Cite order: <input type="checkbox"/> State Medical Facilities Plan. <input type="checkbox"/> Other:
Explain: The Animal Shelter Support Fund was created by the General Assembly to reimburse local governments for expenses related to their operation of a registered animal shelter due to the denial, suspension, or revocation of the shelter's registration, or an unforeseen catastrophic disaster at an animal shelter. These rules spell out eligibility requirements and application process.

7. Why is adherence to notice and hearing requirements contrary to the public interest and the immediate adoption of the rule is required?

The enacted legislation specifically tells the NC Board of Agriculture to adopt temporary rules.

8. Rule establishes or increases a fee? (See G.S. 12-3.1)

Yes
Agency submitted request for consultation on:
Consultation not required. Cite authority:

No

9. Rule-making Coordinator: Christina L. Waggett

Phone: 919-707-3008

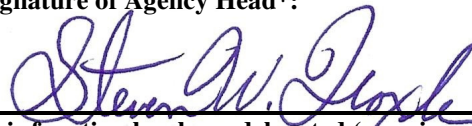
E-Mail: Christina.waggett@ncagr.gov

Agency contact, if any:

Phone:

E-Mail:

10. Signature of Agency Head*:



* 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: Steven W. Troxler

Title: Commissioner of Agriculture

E-Mail: steve.troxler@ncagr.gov

RULES REVIEW COMMISSION USE ONLY

Action taken:

Submitted for RRC Review:

Date returned to agency:

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015

SESSION LAW 2016-113
SENATE BILL 770

AN ACT TO PROVIDE FURTHER REGULATORY RELIEF TO THE AGRICULTURAL COMMUNITY.

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PROVIDE THE DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES WITH ENFORCEMENT AUTHORITY FOR THE PROGRAM GOVERNING BEDDING IMPROPERLY MADE, SANITIZED, OR TAGGED

SECTION 1.(a) Article 4H of Chapter 106 of the General Statutes is amended by adding five new sections to read:

"§ 106-65.105A. Detention or embargo of product or item suspected of being adulterated or misbranded.

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(b) When an item is detained or embargoed under subsection (a) of this section, an authorized agent of the Department of Agriculture and Consumer Services may petition a judge of the district or superior court in whose jurisdiction the item is detained or embargoed for an order for condemnation of the item. When an authorized agent has found that an item detained or embargoed is not unsanitary, mislabeled, unsafe for its intended use, a danger to the public, or otherwise in violation of the requirements of this Article, the agent shall remove the tag or other marking.

(c) If the court finds that a detained or embargoed item is unsanitary, mislabeled, or contains toxic materials, the item shall, after entry of the decree, be destroyed at the expense of the item's claimant, under the supervision of an authorized agent of the Department of Agriculture and Consumer Services; and all court costs and fees, storage, and other proper expenses shall be levied against the claimant of the item or the claimant's agent; provided, that when the unsanitary condition, mislabeling, safety concerns, or other violation can be corrected by proper labeling or processing of the item, the court, after entry of the decree and after costs, fees, and expenses have been paid and a good and sufficient bond, conditioned that the item shall be properly labeled or processed, has been executed, may by order direct that the item be delivered to the item's claimant for proper labeling or processing under the supervision of an agent of the Department of Agriculture and Consumer Services. The expense of the Department's supervision shall be paid by the claimant. The amount of any bond paid shall be returned to the claimant of the item on representation to the court by the Department of Agriculture and Consumer Services that the item is no longer in violation of this Article and that the expenses of the Department's supervision have been paid.

"§ 106-65.105B. Injunctions restraining violations.

In addition to any other remedies provided by this Article, the Commissioner is authorized to apply to the superior court for, and the court shall have jurisdiction upon hearing and for cause shown to grant, a temporary or permanent injunction restraining any person from



conduct rendering operations as specified in the application. A license shall be valid until revoked for cause as hereinafter provided."

SECTION 4.(d) G.S. 106-168.12 reads as rewritten:

"§ 106-168.12. Commissioner authorized to adopt rules and regulations.

The Commissioner of Agriculture is hereby authorized to make and establish reasonable rules and regulations, ~~not inconsistent~~ consistent with the provisions of this Article, ~~after consulting the committee,~~ for the proper administration and enforcement thereof."

SECTION 4.(e) G.S. 106-168.13 reads as rewritten:

"§ 106-168.13. Effect of failure to comply.

Failure to comply with the provisions of this Article or rules and regulations ~~not inconsistent therewith~~ adopted pursuant to this Article shall be cause of revocation of license, if such failure shall not be remedied within a reasonable time after notice to the licensee. Any person whose license is revoked may reapply for a license in the manner provided in this Article for an initial application, except that the Commissioner shall not be required to cause the rendering plant and equipment of the applicant to be inspected ~~by the committee~~ until the expiration of 30 days from the date of revocation."

REQUIRE TRAINING FOR APPOINTED AND ELECTED SOIL AND WATER DISTRICT SUPERVISORS

SECTION 5.(a) G.S. 139-4(d) reads as rewritten:

"(d) In addition to the duties and powers hereinafter conferred upon the Soil and Water Conservation Commission, it shall have the following duties and powers:

...

(13) To establish a training program required for all district supervisors."

SECTION 5.(b) Article 1 of Chapter 139 of the General Statutes is amended by adding a new section to read:

"§ 139-7.2. Training of elective and appointive district supervisors.

(a) All district supervisors, whether elected or appointed, shall complete a minimum of six clock hours of training annually.

(b) The training shall include soil, water, and natural resources conservation and the duties and responsibilities of district supervisors.

(c) The training may be provided by the School of Government at the University of North Carolina at Chapel Hill, or other qualified sources as approved by the Soil and Water Conservation Commission."

BOARD OF AGRICULTURE RULE-MAKING AUTHORITY FOR ANIMAL SHELTER SUPPORT FUND

SECTION 6.(a) G.S. 19A-67 reads as rewritten:

"§ 19A-67. Animal Shelter Support Fund.

(a) Creation. – The Animal Shelter Support Fund is established as a special fund in the Department of Agriculture and Consumer Services. The Fund consists of appropriations by the General Assembly or contributions and grants from public or private sources.

(b) Use. – The Fund shall be used by the Animal Welfare Section of the Department of Agriculture and Consumer Services to reimburse local governments for expenses related to their operation of a registered animal shelter due to any of the following:

(1) The denial, suspension, or revocation of the shelter's registration.

(2) An unforeseen catastrophic disaster at an animal shelter.

(c) Rules. – ~~The Animal Welfare Section Board of Agriculture~~ shall issue rules detailing eligible expenses and application guidelines that comply with the requirements of this Article.

(d) Reversion. – Any appropriated and unencumbered funds remaining at the end of each fiscal year in excess of two hundred fifty thousand dollars (\$250,000) shall revert to the General Fund."

SECTION 6.(b) The Board of Agriculture may adopt temporary rules to administer the Animal Shelter Support Fund in accordance with subsection (a) of this section.

RULE-MAKING EXEMPTION FOR FOREST MANAGEMENT PLANS

SECTION 7.(a) G.S. 150B-1(d) reads as rewritten:

"§ 150B-1. Policy and scope.

SECTION 18.(c) Any prioritization of a renewable energy facility granted pursuant to this section shall be based on original queue numbers, and the facility shall otherwise comply with the North Carolina Interconnection Standard approved by the Commission.

SECTION 18.(d) This section is effective when it becomes law and expires on January 1, 2017.

EFFECTIVE DATE AND SEVERABILITY CLAUSE

SECTION 19.(a) If any provision of this act or its application is held invalid, the invalidity does not affect other provisions or applications of this act that can be given effect without the invalid provisions or application, and to this end, the provisions of this act are severable.

SECTION 19.(b) Except as otherwise provided, this act is effective when it becomes law.

In the General Assembly read three times and ratified this the 1st day of July, 2016.

s/ Tom Apodaca
Presiding Officer of the Senate

s/ Tim Moore
Speaker of the House of Representatives

s/ Pat McCrory
Governor

Approved 2:00 p.m. this 26th day of July, 2016

TEMPORARY RULES
REQUEST FOR TECHNICAL CHANGE

AGENCY: Board of Agriculture

RULE CITATION: 02 NCAC 52J .0902

DEADLINE FOR RECEIPT: Tuesday, November 15, 2016

The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

On line 4, should it read “A local government” or “Local governments”?

For future rulemaking, I recommend you make this a two Paragraph rule. (a) would be the first sentence, and (b) would be the rest of the Rule. But that is for future rulemaking.

In Item (1), line 6, is this contact information set forth in another Rule somewhere? Does your regulated public know the Section’s mail, email, or fax?

Also on line 6, please insert a comma after “email”

On line 6, please delete “been” before “incurred”

In Item (2), are the requirements of lines 7 and 8 what are required in the application? If not, please be aware that G.S. 150B-2(8a)d states that the contents of forms must be contained in Rule or law.

On line 9, please adjust the font size to 10 point font per Rule 26 NCAC 02C .0108(1)(d).

In Item (3), I take it that “eligible expenses” are those defined in Rule .0901?

In Item (4), these are the matching funds required under G.S. 19A-68(b)?

In Item (5), line 12, I suggest replacing “Should” with “If” but that is just a stylistic suggestion.

On line 13, replace “is to” with “shall”

So that I’m clear, G.S. 19A-68 requires payment within 30 days of receipt of the request. The fund itself only reimburses expenses. So, if the payment doesn’t occur until after the application was submitted, does that mean the application isn’t complete without the payment?

In the History Note, please put the citations in numerical order.

Amanda J. Reeder
Commission Counsel
Date submitted to agency: November 14, 2016

Additionally, I suggest simply stating "G.S. 19A-6(b)" rather than including (b)(1) and (b)(2).

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Amanda J. Reeder
Commission Counsel
Date submitted to agency: November 14, 2016

1 02 NCAC 52J .0902 is adopted under temporary procedures as follows:

2

3 **02 NCAC 52J .0902 APPLICATION GUIDELINES**

4 Local government applying for reimbursement from the Fund shall submit the request for reimbursement to the Animal
5 Welfare Section (AWS) of the North Carolina Department of Agriculture and Consumer Services. The request shall:

6 (1) be received by AWS by mail, email or fax within 60 days of the date the eligible expense was been
7 incurred;

8 (2) include a completed “Animal Shelter Support Fund Reimbursement Application” with the county name, tier
9 of county, facility name, facility license number, and contact information. This application can be found on the

10 AWS website (<http://www.ncagr.gov/vet/AWS/>);

11 (3) include an itemized listing of eligible expenses for which reimbursement is sought;

12 (4) include proof that matching funds have been provided; and

13 (5) include proof of payment of the eligible expense. Should the payment of expense occur after the application
14 was submitted, proof of payment is to be submitted to AWS within 30 days of payment of the expense.

15

16 *History Note: Authority G.S. 19A-68(a); G.S. 19A-67(b)(1), (2)*

17