

Commission Review
Log of Permanent Rule Filings
January 23, 2018 through February 20, 2018

BANKING COMMISSION

The rules in Subchapter 3C concern banks including organization and chartering (.0100); branches and limited service facilities (.0200); change of location (.0300); consolidation of banks (.0400); operations (.0900); loan administration and leasing (.1000); capital (.1100); bank personnel (.1300); legal reserve (.1400); fees (.1600); nonresident banks (.1700); and courier services (.1800).

Loan Documentation 04 NCAC 03C .1001
 Amend

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).

Minimum Standards for Criminal Justice Officers 12 NCAC 09B .0101
 Amend

Medical Examination 12 NCAC 09B .0104
 Amend

Documentation of Educational Requirements 12 NCAC 09B .0106
 Amend

Admission of Trainees 12 NCAC 09B .0203
 Amend

Training Course Enrollment 12 NCAC 09B .0204
 Amend

Basic Law Enforcement Training 12 NCAC 09B .0205
 Amend

Criminal Justice Instructor Training 12 NCAC 09B .0209
 Amend

The rules in Subchapter 9C concern the administration of criminal justice education and training standards including responsibilities of the criminal justice standards division (.0100); forms (.0200); certification of criminal justice officers (.0300); accreditation of criminal justice schools and training courses (.0400); minimum standards for accreditation of associate of applied science degree programs incorporating basic law enforcement training (.0500); and equipment and procedures (.0600).

Lateral Transfer of Law Enforcement Officers 12 NCAC 09C .0306
 Amend

The rules in Chapter 9 are from the Criminal Justice Education and Training Standards Commission. The rules in Subchapter 9E relate to the law enforcement officers' in-service training program.

Annual In-Service Firearms Qualification Specifications 12 NCAC 09E .0106

Amend

The rules in Subchapter 9F cover concealed handgun training.

Instructor Responsibilities 12 NCAC 09F .0105

Amend

Sanctions 12 NCAC 09F .0106

Amend

The rules in Subchapter 9G are the standards for correction including scope, applicability and definitions (.0100); minimum standards for certification of correctional officers, probation/parole officers, and probation/parole officers-intermediate (.0200); certification of correctional officers, probation/parole officers, probation/parole officers intermediate and instructors (.0300); minimum standards for training of correctional officers, probation/parole officers, and probation/parole officers-intermediate (.0400); enforcement of rules (.0500); professional certification program (.0600); and forms (.0700).

Education 12 NCAC 09G .0204

Amend

Instructor Training 12 NCAC 09G .0414

Amend

ALCOHOLIC BEVERAGE CONTROL COMMISSION

The rules in Subchapter 15A concern organization rules: policies and procedures including general provisions (.0100); structure (.0200); publications, records, copies (.0300); rule-making (.0400); emergency rules (.0500); declaratory rulings (.0600); personnel policies: commission (.0700); adjudication: contested cases (.0800); fiscal rules for local boards (.0900); local abc board: personnel policies (.1000); local abc boards: relationship with state commission (.1100); openings and discontinuance of stores (.1200); storage and distribution of spirituous liquors: commercial transportation (.1300); purchase of alcoholic beverages by local boards (.1400); pricing of spirituous liquor (.1500); warehouse storage of spirituous liquors (.1600); retail sales of alcoholic beverages (.1700); purchase transportation permits for individuals and mixed beverages permittees (.1800); sales of liquor to mixed beverages permittees (.1900); local board training (.2000); distillery permit holders' sale of spirituous liquor distilled on premises to visitors of the distillery for consumption off the premises (.2100); and special one-time permits (.2200).

Location and Address 14B NCAC 15A .0102

Amend

ALARM SYSTEMS LICENSING BOARD

The rules in Chapter 17 are from the N.C. Alarm Systems Licensing Board and cover the organization and general provisions (.0100); provisions for licensees (.0200); provisions for registrants (.0300); the recovery fund (.0400); and continuing education for licensees (.0500).

Renewal or Re-issue of License 14B NCAC 17 .0204

Amend

REVENUE, DEPARTMENT OF

The rules in Chapter 5 are from the corporate income and franchise tax division.

The rules in 5B deal with general information about the franchise tax (.0100); the form to be used in filing the franchise tax for pullman, sleeping, chair and dinner cars (.0400); the form to be used by

express companies for filing the franchise tax (.0500); capital stocks surplus and individual profits base (.1100); investment in tangibles property in N.C. (.1300); appraised valuation of tangible and intangible property base (.1400); procedures when there has been a change of income year (.1500); and corporations conditionally or partially exempt (.1700).

<u>Investment In Subsidiary</u>	17	NCAC 05B	.1105
Readopt with Changes			
<u>Exclusion Provision Limited To Indebtedness Owed</u>	17	NCAC 05B	.1108
Readopt with Changes			
<u>Reciprocal Indebtedness Between Affiliates</u>	17	NCAC 05B	.1110
Readopt with Changes			
<u>Investment Base Property Included</u>	17	NCAC 05B	.1406
Readopt with Changes			

The rules in Subchapter 5C are corporate income tax rules and include corporations subject to the tax (.0100); computation of income (.0300); interest income on government obligations (.0400); income taxable in another state (.0600); business and nonbusiness income (.0700); property factor (.0800); payroll factor (.0900); sales factor (.1000); amortization of bond premiums (.1400); net economic loans carry over (.1500); partnerships and the corporate partner (.1700); computing taxable percentages on dividends (.1800); filing of returns and payment of taxes (.1900); extension of time for filing return (.2000); dissolutions and withdrawals (.2100); domestic international sales corporation (.2400); and reinstatement of corporate charter (.2600).

<u>Domestic And Foreign Corporations Required To File</u>	17	NCAC 05C	.0101
Readopt with Changes			
<u>US Obligations</u>	17	NCAC 05C	.0403
Readopt with Changes			
<u>In General</u>	17	NCAC 05C	.0801
Readopt with Changes			
<u>Numerator of Payroll Factor</u>	17	NCAC 05C	.0907
Readopt with Changes			
<u>Corporations Apportioning Their Net Income</u>	17	NCAC 05C	.1506
Readopt with Changes			
<u>Apportionable Income or Nonapportionable Income</u>	17	NCAC 05C	.1702
Readopt without Changes			

The rules in Subchapter 5D concern declaration of income by corporations.

<u>Request for Alternative Apportionment Formula</u>	17	NCAC 05D	.0109
Readopt with Changes			
<u>Who Shall Attend the Conference</u>	17	NCAC 05D	.0112
Readopt with Changes			

ACUPUNCTURE LICENSING BOARD

The rules in Chapter 1 are from the North Carolina Acupuncture Licensing Board including licensure (.0100); renewal of licensure (.0200); continuing education (.0300); practice parameters and procedures (.0400); schools and colleges of acupuncture (.0500); code of ethics (.0600); and administrative procedures (.0700).

<u>Definitions</u>	21	NCAC 01	.0104
Readopt with Changes			
<u>Renewal of Licensure</u>	21	NCAC 01	.0201

Readopt with Changes			
<u>Standards for Continuing Education</u>	21	NCAC 01	.0301
Readopt with Changes			
<u>Acupuncture Procedures</u>	21	NCAC 01	.0402
Readopt with Changes			

BARBER EXAMINERS, BOARD OF

The rules in Subchapter 06L concern barber shops.

<u>Equipment</u>	21	NCAC 06L	.0103
Amend			
<u>Systems of Grading Barber Shops and Barber Schools</u>	21	NCAC 06L	.0119
Amend			

CHIROPRACTIC EXAMINERS, BOARD OF

The rules in Chapter 10 include organization of the Board (.0100); the practice of chiropractic (.0200); rules of unethical conduct (.0300); rule-making procedures (.0400); investigation of complaints (.0500); contested cases and hearings in contested cases (.0600-.0700); and miscellaneous provisions (.0800).

<u>Application for Licensure</u>	21	NCAC 10	.0202
Amend			
<u>North Carolina Examination</u>	21	NCAC 10	.0203
Amend			
<u>Renewal of License</u>	21	NCAC 10	.0205
Amend			
<u>Certification of Radiologic Technologists</u>	21	NCAC 10	.0206
Amend			
<u>Certification of Clinical Assistants</u>	21	NCAC 10	.0213
Amend			

DENTAL EXAMINERS, BOARD OF

The rules in Subchapter 16G concern dental hygienists.

<u>Functions Which May Be Delegated</u>	21	NCAC 16G	.0101
Amend			
<u>Procedures Prohibited</u>	21	NCAC 16G	.0103
Amend			

The rules in Subchapter 16H concern dental assistants including classification and training (.0100); and permitted functions of dental assistant (.0200).

<u>Permitted Functions of Dental Assistant II</u>	21	NCAC 16H	.0203
Amend			
<u>Specific Prohibited Functions of Dental Assistants I and II</u>	21	NCAC 16H	.0205
Amend			

LANDSCAPE ARCHITECTS, BOARD OF

The rules in Chapter 26 are from the Board of Landscape Architects and include statutory and administrative provisions (.0100); practice rules for registered landscape architects (.0200); examination and licensing procedures (.0300); rules, petitions and hearings (.0400); and board disciplinary procedures (.0500).

<u>Authority: Name and Location of the Board</u> Readopt without Changes	21	NCAC 26	.0101
<u>Organization of the Board: Officers</u> Readopt without Changes	21	NCAC 26	.0103
<u>Fees</u> Readopt without Changes	21	NCAC 26	.0105
<u>Board Listing of Individuals and Firm Names</u> Readopt without Changes	21	NCAC 26	.0201
<u>Name of Firm</u> Readopt without Changes	21	NCAC 26	.0206
<u>Application of Professional Seal</u> Readopt without Changes	21	NCAC 26	.0207
<u>Unprofessional Conduct</u> Readopt without Changes	21	NCAC 26	.0209
<u>Dishonest Practice</u> Readopt without Changes	21	NCAC 26	.0210
<u>Incompetence</u> Readopt without Changes	21	NCAC 26	.0211
<u>Examination and Licensure</u> Readopt without Changes	21	NCAC 26	.0301
<u>License by Comity</u> Readopt without Changes	21	NCAC 26	.0303
<u>Reinstatement After Revocation</u> Readopt without Changes	21	NCAC 26	.0306
<u>Continuing Education as a Condition of Annual Renewal</u> Readopt without Changes	21	NCAC 26	.0307
<u>Rule Making Procedures</u> Readopt without Changes	21	NCAC 26	.0401
<u>Disciplinary Review Process</u> Readopt without Changes	21	NCAC 26	.0510

PLUMBING, HEATING AND FIRE SPRINKLER CONTRACTORS, BOARD OF EXAMINERS OF

The rules in Chapter 50 are from the Plumbing, Heating and Fire Sprinkler Contractors including rules about organization (.0100); forms (.0200); examinations (.0300); general procedures (.0400); policy statements and interpretative rules (.0500); contested cases (.1000); fees (.1100); petitions for rules (.1200); declaratory rulings (.1300); and continuing education (.1400).

<u>Applications: Issuance of License</u> Amend	21	NCAC 50	.0306
<u>State and Local Government Plumbing or Heating Technician</u> Amend	21	NCAC 50	.0312

STATE HUMAN RESOURCES COMMISSION

The rules in Subchapter 1J cover employee grievances (.0500); disciplinary actions including suspensions and dismissals (.0600); Governor's Award for Excellence (.0800); internal performance pay dispute resolution procedures (.0900); state employees assistance program (.1000); unlawful workplace harassment (.1100); employee grievances (.1200); employee appeals and grievance process (.1300); and employee mediation and grievance process (.1400).

<u>General Agency Grievance Procedure Requirements</u>	25	NCAC	01J	.1302
Readopt without Changes				
<u>Back Pay</u>	25	NCAC	01J	.1306
Readopt without Changes				
<u>Front Pay</u>	25	NCAC	01J	.1307
Readopt without Changes				
<u>Leave</u>	25	NCAC	01J	.1308
Readopt without Changes				
<u>Health Insurance</u>	25	NCAC	01J	.1309
Readopt without Changes				
<u>Interest</u>	25	NCAC	01J	.1310
Readopt without Changes				
<u>Reinstatement</u>	25	NCAC	01J	.1311
Readopt without Changes				
<u>Causes for Reinstatement</u>	25	NCAC	01J	.1312
Readopt without Changes				
<u>Discrimination, Harassment, or Retaliation</u>	25	NCAC	01J	.1314
Readopt without Changes				
<u>Voluntary Programs or Benefits</u>	25	NCAC	01J	.1315
Readopt without Changes				
<u>Remedies for Procedural Violations</u>	25	NCAC	01J	.1316
Readopt without Changes				
<u>Certain Remedies Not Available</u>	25	NCAC	01J	.1318
Readopt without Changes				
<u>Situations in Which Attorney's Fees May be Awarded</u>	25	NCAC	01J	.1319
Readopt without Changes				
<u>Attorney's Fees may be Awarded as a Result of a Settlement</u>	25	NCAC	01J	.1320
Readopt without Changes				