REQUEST FOR TECHNICAL CHANGE

AGENCY: Department of Environment and Natural Resources

RULE CITATION: 15A NCAC 12B .0901

DEADLINE FOR RECEIPT: Friday, December 13, 2013

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, change the reference to “Paragraph (b)”*

*On line 6, correctly delete the period after “park” by striking through the word and punctuation and then add the word. See Rule 26 NCAC 02C .0108(7).*

*It seems to me the reference to “valid concealed carry permit” on lines 6 and 7 simply repeats what is in Paragraph (b) and thus, is unnecessary in (a).*

*It may make more sense to say at the beginning of Paragraph (a), “Except as provided in Paragraph (b) or G.S. 14-269, no person shall…”*

*In Paragraph (b), I think you are trying to say that if an individual has a valid concealed handgun permit issued by another state whose laws comply with the requirements of G.S. 14-415.22, then that individual may carry a concealed handgun. Is that right? If so, I think you need to clarify the language in the first sentence, especially as it relates to the use of the word “who” on line 8. (Perhaps you mean “that” instead of “who”)*

*I don’t think “state park” needs to be capitalized on line 9.*

*Insert a comma after “celebration” on line 18.*

*On line 18, strike “appropriate.” Aren’t you just saying “the park superintendent”, or is there more than one for the park?*

*In (d), the Division Director makes the decision to authorize the exhibition or deny the application. The Secretary makes the determination for the limits for the insurance. The statute speaks to the Secretary doing all of this, and I assume the Secretary delegated some of this authority to the Division Director. Is that correct? Why is only some of it delegated, such that the Secretary retains the insurance determination?*

 *On line 23, I think the comma after “The Division Director” is unnecessary.*

*I think you should include additional authority in the History Note. What about 113-8 or 113-23?*

*Also in the History Note, put the statutes in correct numerical order.*

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

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.