



STATE OF NORTH CAROLINA
OFFICE OF ADMINISTRATIVE HEARINGS

Mailing address:
6714 Mail Service Center
Raleigh, NC 27699-6700

Street address:
1711 New Hope Church Rd
Raleigh, NC 27609-6285

May 17, 2018

Christina L. Waggett
Department of Agriculture and Consumer Services
Sent via email to Christina.Waggett@ncagr.gov

Re: Extension of the Period of Review for Rules 02 NCAC 52B .0213 and 52C .0701.

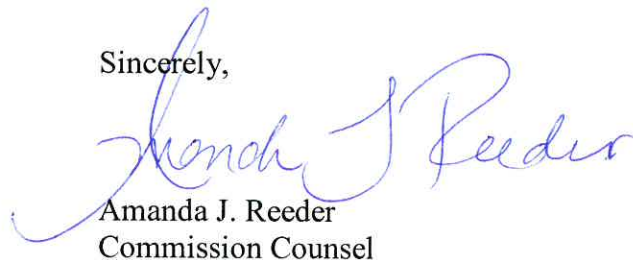
Dear Mrs. Waggett:

At its meeting this morning, the Rules Review Commission extended the period of review for the above-captioned rules in accordance with G.S. 150B-21.10. They did so in response to a request from the Department to extend the period in order to allow the agency to address the requests for technical changes and submit the rewritten rules at a later meeting.

Pursuant to G.S. 150B-21.13, when the Commission extends the period of review, it is required to approve or object to rules or call a public hearing on the same within 70 days.

Should you have any questions regarding the Commission's actions, please let me know.

Sincerely,



Amanda J. Reeder
Commission Counsel

cc: Tien Cheng, Attorney, Department of Agriculture and Consumer Services

Administration
919/431-3000
fax: 919/431-3100

Rules Division
919/431-3000
fax: 919/431-3104

Judges and
Assistants
919/431-3000
fax: 919/431-3100

Clerk's Office
919/431-3000
fax: 919/431-3100

Rules Review
Commission
919/431-3000
fax: 919/431-3104

Civil Rights
Division
919/431-3036
fax: 919/431-3103



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May 17, 2018

Dedra Alston, Rulemaking Coordinator
NC Child Care Commission
Sent via email only: dedra.alston@dhhs.nc.gov

Re: Extension of the Period of Review for Rules 10A NCAC 09 .0401, .1904, .2208 and Objection to Rules 10A NCAC 09 .2201, .2202, .2203, .2204, .2205, .2206, .2207, .2209, .2213, .2216, and .2217

Dear Ms. Alston:


At its meeting the morning, the Rules Review Commission extended the period of review for 10A NCAC 09 .0401, .1904, and .2208 in accordance with G.S. 150B-21.10 at the request of the agency. Pursuant to 150B-21.13, when the Commission extends the period of review, it is required to approve or object to rules or call a public hearing on the same within 70 days.

In addition, the Commission objected to Rules 10A NCAC 09 .2201-.2207, .2209, .2213, .2216, and .2217 in accordance with G.S. 150B-21.12 as follows:

- the Commission objected to Rule .2201, finding that Paragraph (b) was ambiguous as written;
- the Commission objected to Rule .2202, finding that it was not within the statutory authority of the agency to issue an administrative action against an "owner" of a child care facility and also found that this Rule was ambiguous as written; and
- the Commission objected to Rules .2203-.2207, .2209, .2213, .2216, and .2217, finding that it was not within the statutory authority of the agency to issue an administrative action against an "owner."

Please respond to this letter in accordance with the provisions of G.S. 150B-21.12. If you have any questions regarding the Commission's actions, please feel free to contact me.

Sincerely,


Amber May
Commission Counsel

Administration
919/431-3000
fax: 919/431-3100

Rules Division
919/431-3000
fax: 919/431-3104

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919/431-3000
fax: 919/431-3100

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May 17, 2018

Jeffrey P. Gray, Rulemaking Coordinator
Alarm Systems Licensing Board
Sent via email only: jgray@bdixon.com

Re: 14B NCAC 17 .0402 and .0403

Dear Mr. Gray:

At its meeting this morning, the Rules Review Commission objected to the above-captioned rules in accordance with G.S. 150B-21.10.

The Commission objected to the rules based upon lack of statutory authority because G.S. 74D-31, the statute authorizing these rules, was repealed.

Please respond to this letter in accordance with the provisions of G.S. 150B-21.12. If you have any questions regarding the Commission's action, please let me know.

Sincerely,

Jason Thomas
Commission Counsel

Cc: Cynthia Anthony (cynthia.anthony@ncdps.gov)

Administration	Rules Division	Judges and	Clerk's Office	Rules Review	Civil Rights
919/431-3000	919/431-3000	Assistants	919/431-3000	Commission	Division
fax: 919/431-3100	fax: 919/431-3104	919/431-3000	fax: 919/431-3100	919/431-3000	919/431-3036
		fax: 919/431-3100		fax: 919/431-3104	fax: 919/431-3103