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The NORTH CAROLINA REGISTER

IN THIS ISSUE.....

EXECUTIVE ORDERS

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Labor

NRCD

ISSUE DATE: OCTOBER 3, 1988

Volume 3 • Issue 13 • Pages 594-606



INFORMATION ABOUT THE NORTH CAROLINA REGISTER AND ADMINISTRATIVE CODE

NORTH CAROLINA REGISTER

The *North Carolina Register* is published bi-monthly and contains information relating to agency, executive, legislative and judicial actions required by or affecting Chapter 150B of the General Statutes. All proposed, administrative rules and amendments filed under Chapter 150B must be published in the Register. The Register will typically comprise approximately fifty pages per issue of legal text.

State law requires that a copy of each issue be provided free of charge to each county in the state and to various state officials and institutions. The *North Carolina Register* is available by yearly subscription at a cost of ninety-five dollars (\$95.00) for 24 issues.

Requests for subscriptions to the *North Carolina Register* should be directed to the Office of Administrative Hearings, P. O. Drawer 11666, Raleigh, N. C. 27604, Attn: *Subscriptions*.

ADOPTION, AMENDMENT, AND REPEAL OF RULES

An agency intending to adopt, amend, or repeal a rule must first publish notice of the proposed action in the *North Carolina Register*. The notice must include the time and place of the public hearing; a statement of how public comments may be submitted to the agency either at the hearing or otherwise; the text of the proposed rule or amendment; a reference to the Statutory Authority for the action and the proposed effective date.

The Director of the Office of Administrative Hearings has authority to publish a summary, rather than the full text, of any **amendment** which is considered to be too lengthy. In such case, the full text of the rule containing the proposed amendment will be available for public inspection at the Rules Division of the Office of Administrative Hearings and at the office of the promulgating agency.

Unless a specific statute provides otherwise, at least 30 days must elapse following publication of the proposal in the *North Carolina Register* before the agency may conduct the required public hearing and take action on the proposed adoption, amendment or repeal.

When final action is taken, the promulgating agency must file any adopted or amended rule for approval by the Administrative Rules Review Commission. Upon approval of ARRC, the adopted or amended rule must be filed with the Office of Administrative Hearings. If it differs substantially from the proposed form published as part of the public notice, upon request by the agency, the adopted version will again be published in the *North Carolina Register*.

A rule, or amended rule cannot become effective earlier than the first day of the second calendar month after the adoption is filed with the Office of Administrative Hearings for publication in the NCAC.

Proposed action on rules may be withdrawn by the promulgating agency at any time before final action is taken by the agency.

TEMPORARY RULES

Under certain conditions of an emergency nature, some agencies may issue temporary rules. A temporary rule becomes effective when adopted and remains in

effect for the period specified in the rule or 180 days, whichever is less. An agency adopting a temporary rule must begin normal rule-making procedures on the permanent rule at the same time the temporary rule is adopted.

NORTH CAROLINA ADMINISTRATIVE CODE

The North Carolina Administrative Code (NCAC) is a compilation and index of the administrative rules of 25 state agencies and 38 occupational licensing boards. The NCAC comprises approximately 15,000 letter size, single spaced pages of material of which approximately 35% is changed annually. Compilation and publication of the NCAC is mandated by G.S. 150B-63(b).

The Code is divided into Titles and Chapters. Each state agency is assigned a separate title which is further broken down by chapters. Title 21 is designated for occupational licensing boards.

The NCAC is available in two formats.

- (1) Single pages may be obtained at a minimum cost of two dollars and 50 cents (\$2.50) for 10 pages or less, plus fifteen cents (\$0.15) per each additional page.
- (2) The full publication consists of 52 volumes, totaling in excess of 15,000 pages. It is supplemented monthly with replacement pages. A one year subscription to the full publication including supplements can be purchased for seven hundred and fifty dollars (\$750.00). Individual volumes may also be purchased with supplement service. Renewal subscriptions for supplements to the initial publication available.

Requests for pages of rules or volumes of the NCAC should be directed to the Office of Administrative Hearings.

NOTE

The foregoing is a generalized statement of the procedures to be followed. For specific statutory language, it is suggested that Articles 2 and 5 of Chapter 150B of the General Statutes be examined carefully.

CITATION TO THE NORTH CAROLINA REGISTER

The *North Carolina Register* is cited by volume, issue, page number and date. 1:1 NCR 101-201, April 1, 1986 refers to Volume 1, Issue 1, pages 101 through 201 of the *North Carolina Register* issued on April 1, 1986.

North Carolina Register. Published bi-monthly by the Office of Administrative Hearings, P.O. Drawer 11666, Raleigh, North Carolina 27604, pursuant to Chapter 150B of the General Statutes. Subscriptions ninety-five dollars (\$95.00) per year.

North Carolina Administrative Code. Published in looseleaf notebooks with supplement service by the Office of Administrative Hearings, P.O. Drawer 11666, Raleigh, North Carolina 27604, pursuant to Chapter 150B of the General Statutes. Subscriptions seven hundred and fifty dollars (\$750.00). Individual volumes available.

NORTH CAROLINA REGISTER



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NORTH CAROLINA REGISTER
Publication Deadlines and Schedules
(September 1988 - March 1989)

Issue Date	Last Day for Filing	Last Day for Electronic Filing	Earliest Date for Public Hearing & Adoption by Agency	* Earliest Effective Date
*****	*****	*****	*****	*****
09/01/88	08/11/88	08/18/88	10/01/88	01/01/89
09/15/88	08/26/88	09/02/88	10/15/88	01/01/89
10/03/88	09/12/88	09/19/88	11/02/88	02/01/89
10/14/88	09/26/88	10/03/88	11/13/88	02/01/89
11/01/88	10/11/88	10/18/88	12/01/88	03/01/89
11/15/88	10/26/88	11/02/88	12/15/88	03/01/89
12/01/88	11/07/88	11/15/88	12/31/88	04/01/89
12/15/88	11/23/88	12/02/88	01/14/89	04/01/89
01/02/89	12/08/88	12/15/88	02/01/89	05/01/89
01/16/89	12/27/88	01/03/89	02/15/89	05/01/89
02/01/89	01/10/89	01/17/89	03/03/89	06/01/89
02/15/89	01/26/89	02/02/89	03/17/89	06/01/89
03/01/89	02/08/89	02/15/89	03/31/89	07/01/89
03/15/89	02/21/89	03/02/89	04/14/89	07/01/89

* The "Earliest Effective Date" is computed assuming that the public hearing and adoption occur in the calendar month immediately following the "Issue Date", that the agency files the rule with The Administrative Rules Review Commission by the 20th of the same calendar month and that ARRC approves the rule at the next calendar month meeting.

EXECUTIVE ORDER NUMBER 76

AMENDMENT TO
EXECUTIVE ORDER NO. 18
EQUAL EMPLOYMENT OPPORTUNITY

Executive Order No. 18 as promulgated July 1, 1985, is amended to read:

It is the policy of the State of North Carolina to provide equal employment opportunities for all State employees and for all applicants for State employment without regard to race, religion, color, national origin, sex, age or handicap.

As an employer the State has and continues to recognize that efficient and effective government requires the talents, skills and abilities of all available human resources.

Policies have been adopted by the State Personnel Commission and an equal employment opportunity program which emphasizes taking positive measures has been established to assure more equitable and fair representation of all of our citizens.

Therefore, by the authority vested in me as Governor by the Constitution and laws of North Carolina, it is ORDERED:

Section 1. EQUAL EMPLOYMENT
POLICIES AND PROGRAMS

The State of North Carolina is committed to equal employment opportunity and the equal opportunity program to accomplish total equal employment in and throughout all aspects of its workforce. The policies and programs that have been adopted by the Personnel Commission represent the commitment of the State and must be complied with fully by every State agency, department and university.

Section 2. ADMINISTRATION

A. Agencies

The head of each agency, department or university is responsible for assuring that these policies and programs are implemented fully and successfully throughout their organizations. Each agency or department employing 800 or more employees and each university shall appoint a full time Equal Employment Opportunity Officer who shall have direct access to the agency, department or university head in the event of or to report violations and shall provide the resources necessary to achieve program objectives. Those agencies or departments with less than 800 employees shall designate a part-time Equal Employment Opportunity Officer who shall have direct access to the agency or department head in the event of or to report violations

and shall provide resources necessary to achieve program objectives.

The head of each agency, department or university shall take the positive measures that are established by the State Personnel Director, with approval of the State Personnel Commission, to ensure that equal opportunity is available in all areas of employment activities including recruitment, hiring, testing, training, transfer, performance appraisal, promotion, demotion, compensation, termination, layoffs and other terms, conditions, or privileges of employment. Such measures shall be undertaken to improve the representation of women, minority group members, handicapped and older persons in and throughout all levels of the State's workforce. Measures shall also be taken to ensure a work environment supportive of equal opportunity.

B. Office of State Personnel

The State Personnel Director is responsible for assisting the State's agencies, departments and universities in achieving equal employment opportunity objectives through:

- (1) establishing policies, guidelines and programs with the Personnel Commission's approval;
- (2) evaluating and monitoring program effectiveness;
- (3) providing technical assistance and training;
- (4) identifying and recommending steps to correct salary inequities among minorities, females and white male employees within occupational categories; and
- (5) providing instruction for managers and supervisors on management practices which support equal employment opportunity. Salary inequities found to exist will be called to the attention of the involved agency, department or university, for appropriate corrective action.

Section 3. REPORTS AND RECORDS

The State Personnel Director shall communicate with the Governor, the agency, department and university heads on the implementation and results of the Equal Employment Opportunity program and provide an annual analysis of the program's progress.

Section 4. CITIZEN CONTRIBUTION

The North Carolina Human Relations Council shall advise and assist the Governor and the Office of State Personnel in the implementation of the State's Equal Employment Opportunity program, thereby assuring citizen contributions to the program.

Section 5. VETERAN'S PREFERENCES

Nothing in this Order shall be construed to repeal or modify any Federal, State, or local laws, rules or regulations creating special rights or preferences for veterans.

Section 6. PRIOR ORDERS

All prior Executive Orders or portions of prior Executive Orders inconsistent are hereby repealed.

Done in the Capital City of Raleigh, this the 14th day of September 1988.

EXECUTIVE ORDER NO. 77

AMENDMENT TO
EXECUTIVE ORDER NO. 34
GOVERNOR'S PROGRAM TO ENCOURAGE
BUSINESS ENTERPRISES OWNED BY
MINORITY, WOMEN AND HANDICAPPED
PERSONS

Executive Order No. 34, as promulgated February 27, 1987, is amended to read:

It is my policy that the State of North Carolina shall enhance and promote economic opportunities for all of its citizens without regard to race, gender or handicap.

Therefore, by the authority vested in me as Governor by the Constitution and laws of North Carolina, it is ORDERED:

Section 1. ESTABLISHMENT

(a) There is hereby established the Governor's Program to Encourage Business Enterprises Owned and Controlled by Minorities, Women and Handicapped Persons.

(b) The Program shall be coordinated by the Governor's Special Assistant for Minority Affairs and administered by the Division of Purchase and Contract, the State Construction Office and the State Property Office. This Program shall have three components, the Purchase and Contract component, the State Construction component and the State Real Estate Acquisitions component.

(c) The purposes of the Program are as follows:

- (1) to increase the amount of goods and services acquired by the State from business owned and controlled by minorities, women and handicapped persons;
- (2) to increase the amount of construction contracts awarded to minority, women and handicapped contractors and sub-contractors;
- (3) to ensure the absence of barriers that reduce participation of minorities, women

and handicapped persons in the State's purchasing process;

- (4) to ensure the absence of barriers that reduce participation of minority, women and handicapped contractors and sub-contractors in the construction contracting process;
- (5) to encourage the purchasing officers within the State's agencies, departments and universities and the State Construction Office and the State Property Office to identify prospective minorities, women and handicapped vendors and service providers, construction contractors and sub-contractors and related professionals, and real estate agents, brokers and appraisers;
- (6) to ensure the absence of barriers that reduce the participation of minority, women and handicapped persons in any and all aspects of the real estate acquisition process;
- (7) to promote awareness among minorities, women and handicapped persons of opportunities to do business with State government.

(d) The program objective for fiscal year 1988-89 is for businesses owned and controlled by minorities, women and handicapped persons to receive a minimum of four percent by amount of the State's purchases of goods and services under the Purchase and Contract component.

(e) The objectives of the State Construction component are to establish policies and procedures to encourage the participation of minorities, women and handicapped in the State's construction contracts and sub-contracts and to accumulate data to allow the establishment of reasonable goals for such participation in the future.

(f) The objectives of the Real Estate Acquisition component are to establish written real estate acquisition policies and procedures to effect the purposes of this Executive Order.

Section 2. ADMINISTRATION

(a) The Secretary of Administration and each agency, department and university head shall provide requested information and reports to the Governor's Special Assistant for Minority Affairs for the implementation of this Program.

(b) The Division of Purchase and Contract shall assist each agency, department and university in developing a plan and provide technical assistance to reach the set objectives related to the purchases of goods and services.

(c) Each agency, department and university head shall designate from its staff coordinators for the Purchase and Contract, State Con-

struction and Real Estate Acquisitions components of the Program. The names of said coordinators shall be forwarded to the Deputy Secretary of the Department of Administration for Government Operations.

(d) The Director of the Office of State Construction in cooperation with the Governor's Special Assistant for Minority Affairs, shall develop a plan for achieving the objectives of the State Construction component.

(e) The Director of the State Property Office in cooperation with the Governor's Special Assistant for Minority Affairs shall develop a plan for achieving the objectives of the Real Estate Acquisitions component.

(f) The Minority Business Development Agency, Small Business Division of the Department of Commerce shall continue to certify that businesses owned and controlled by minorities, women and handicapped persons are, in fact, owned and controlled by those so classified. This agency shall also provide technical assistance to businesses interested in the Program.

(g) The Minority Business Development Agency, Small Business Division of the Department of Commerce, together with the Division of Purchase and Contract and the State Construction Office, shall prepare and make available a directory of businesses owned and controlled by minorities, women and handicapped persons to facilitate the accomplishment of this Program.

Section 3. REPORTING AND EVALUATION

(a) The Division of Purchase and Contract, the Office of State Construction and the State Property Office shall report purchase and contract and sub-contract opportunities and awards on a quarterly basis to the Governor's Special Assistant for Minority Affairs.

(b) The Governor's Special Assistant for Minority Affairs shall monitor and evaluate the Program and report the same on a quarterly basis to all agency, department and university heads. He shall also conduct review meetings with all agencies, department and university heads or their designees on an as needed basis.

(c) The Director of the Division of Purchase and Contract, the Director of the State Construction Office and the Director of the State Property Office shall develop and implement guidelines and procedures for ensuring that the State's contracts contain requirements that its contractors comply with federal EEO requirements or its equivalent.

Section 4. PRIOR ORDERS

All prior Executive Orders or portions of prior Executive Orders inconsistent herewith are hereby repealed.

Done in the Capital City of Raleigh, this 14th day of September, 1988.

VOTING RIGHTS ACT FINAL DECISION LETTER

[G.S. 120-30.911, effective July 16, 1986, requires that all letters and other documents issued by the Attorney General of the United States in which a final decision is made concerning a "change affecting voting" under Section 5 of the Voting Rights Act of 1965 be published in the North Carolina Register.]

U.S. Department of Justice
Civil Rights Division

WBR:MAP.PAR:gmh
DJ 166-012-3
W3570
W6833

Voting Section
P.O. Box 66128
Washington, D.C. 20035-6128

September 12, 1988

Jesse L. Warren, Esq.
City Attorney
Drawer W-2
Greensboro, North Carolina 27402

Dear Mr. Warren:

This refers to the annexations (Ordinance No. 88-94) and the designation of the annexed area for the City of Greensboro in Guilford County, North Carolina, submitted to the Attorney General pursuant to Section 5 of the Voting Rights Act of 1965, as amended, 42 U.S.C. 1973c. We received your submission on July 14, 1988.

The Attorney General does not interpose any objections to the changes in question. However, we feel a responsibility to point out that Section 5 of the Voting Rights Act expressly provides that the failure of the Attorney General to object does not bar any subsequent judicial action to enjoin the enforcement of such changes. See the Procedures for the Administration of Section 5 (28 C.F.R. 51.41).

Sincerely,

Wm. Bradford Reynolds
Assistant Attorney General
Civil Rights Division

By:

Gerald W. Jones
Chief, Voting Section

TITLE 13 - DEPARTMENT OF LABOR

SECTION .0400 - GENERAL REQUIREMENTS

Notice is hereby given in accordance with G.S. 150B-12 that the Department of Labor intends to readopt rule cited as 13 NCAC 7C .0103(a)(12); amend rules 13 NCAC 7C .0103(c); 13 NCAC 13 .0401, .0402 and adopt rule 13 NCAC 15 .0503.

The proposed effective date of this action is February 1, 1989.

The public hearing will be conducted at 10:00 a.m. on November 9, 1988 at Auditorium, Highway Building, 1 South Wilmington Street, Raleigh.

Comment Procedures: People wanting to present oral testimony at the hearing or who want to have written testimony read at the hearing should provide a written summary of the proposed testimony to the department by November 4, 1988. Oral presentations will be limited to 15 minutes each. Written statements not presented at the hearing will be accepted by the department until November 9, 1988. All correspondence should be directed to Bobby Bryan, N. C. Department of Labor, 4 West Edenton Street, Raleigh, NC 27601. Interpreters for the hearing impaired will be made available if requested 24 hours in advance.

CHAPTER 7 - OSHA

SUBCHAPTER 7C - SAFETY AND HEALTH

**SECTION .0100 - GENERAL INDUSTRY;
CONSTRUCTION AND AGRICULTURE**

.0103 AGRICULTURE

(a) The commissioner has adopted the Occupational Safety and Health regulations for Agriculture, Title 29 of the Code of Federal Regulations, Part 1928, as the same appears in the 40th volume of the Federal Register 18254-18267 (April 25, 1975), with the following additions, deletions and amendments:

(12) Subpart I -- General environmental controls - 29 CFR 1928.110, Paragraphs (b) through (d), as published in 52 FR (May 1, 1987) page 16095.

(c) This rule is adopted in accordance with G.S. 150B-14(b).

Statutory Authority G.S. 95-131.

**CHAPTER 13 - BOILER AND PRESSURE
VESSEL**

.0401 MINIMUM STANDARDS

(a) The construction, installation, alteration, inspection, stamping, repair, and operation of all boilers and pressure vessels except non-standard boilers and pressure vessels and North Carolina "Specials" shall conform to these rules and the American Society of Mechanical Engineers' Boiler and Pressure Vessel Code, 1983 edition with addenda through summer, 1984, 1986 edition with addenda through winter, 1987, which is hereby adopted by reference. Paragraphs A-33, A-37, A-40, A-49, A-53, and A-61 of the ASME Code, Section I, are hereby made mandatory. This paragraph is adopted in accordance with G.S. 150B-14(c).

(b) The following sections of the National Board Inspection Code, 1983 1987 edition, are hereby adopted by reference and apply to all boilers and pressure vessels, as follows:

- (1) Chapter III, Repairs and Alterations to Boilers and Pressure Vessels by Welding; and
- (2) Appendices A and D-VR.

This paragraph is adopted in accordance with G.S. 150B-14(b).

Statutory Authority G.S. 95-69.11; 95-69.13; 95-69.14.

**.0402 ADDITIONAL STAMPING AND
REGISTRATION**

(f) Boilers or pressure vessels shall be exempt from the requirements of Paragraph (a) of this Rule when:

- (1) The owner or user provides to the director reliable documentation from the manufacturer, including a third party inspection report, that the boiler or pressure vessel was designed and constructed to specifications and requirements equivalent to those enforced by the National Board of Boiler and Pressure Vessel Inspectors at the time of construction of the boiler or pressure vessel, and;
- (2) The director determines that the design and construction requirements of the National Board of Boiler and Pressure Vessel Inspectors in effect at the time of construction were adhered to and that based upon such criteria and information that is available, the boiler or pressure vessel complies with all other provisions of the Uniform Boiler and Pressure Vessel Act of North Carolina and these Rules.

Statutory Authority G.S. 95-69.11; 95-69.14.

CHAPTER 15 - ELEVATOR AND AMUSEMENT
DEVICE DIVISION

SECTION .0500 - CIVIL MONEY PENALTIES

.0503 REFUSAL TO ISSUE CERTIFICATE OF
OPERATION

The commissioner may refuse to issue a Certificate of Operation for a device when the owner or operator of the device has received an order to pay a civil penalty which has become a final order, but the penalty remains unpaid.

Statutory Authority G.S. 95-110.5; 95-110.6; 95-111.4; 95-111.6.

TITLE 15 - DEPARTMENT OF NATURAL
RESOURCES AND COMMUNITY
DEVELOPMENT

Notice is hereby given in accordance with G.S. 150B-12 that the Division of Environmental Management intends to amend rule(s) cited as 15 NCAC 2B .0216 and .0308.

The proposed effective date of this action is April 1, 1989.

The public hearing will be conducted at 7:00 p.m. on November 7, 1988 at Western Piedmont Community College Auditorium, 1001 Burkemont Avenue, Morganton, North Carolina.

Comment Procedures: All persons interested in this matter are invited to attend. Comments, statements, data and other information may be submitted in writing prior to, during, or within 30 days after the hearing or may be presented at the hearing orally. Oral statements may be limited at the discretion of the hearing officer. Submittal of written copies of oral statements is encouraged.

CHAPTER 2 - ENVIRONMENTAL
MANAGEMENT

SUBCHAPTER 2B - ORGANIZATION OF
ENVIRONMENTAL MANAGEMENT
COMMISSION

SECTION .0200 - CLASSIFICATION AND
WATER QUALITY STANDARDS
APPLICABLE TO SURFACE WATERS OF
NORTH CAROLINA

.0216 OUTSTANDING RESOURCE WATERS

(e) Listing of Waters Classified ORW. Waters classified as ORW with specific actions to protect exceptional resource values are listed as follows:

(12) Henry Fork [Catawba River Basin, Index Nos. 11-129-1-(1) and 11-129-1-(2)] including all tributary waters will have no discharges of waste except those existing swimming pools and existing trout farms qualifying for a general permit in accordance with 15 NCAC 211 Section .0100.

(13) Jacob Fork [Catawba River Basin, Index Nos. 11-129-2-(1) and 11-129-2-(4)] including all tributary waters will have no new discharges of waste nor will any existing dischargers be allowed to expand beyond their existing permitted wasteflow.

Statutory Authority G.S. 143-214.1.

SECTION .0300 - ASSIGNMENT OF STREAM
CLASSIFICATIONS

.0308 CATAWBA RIVER BASIN

(c) The Catawba River Basin Schedule of Classifications and Water Quality Standards was amended effective:

- (1) March 1, 1977;
- (2) August 12, 1982;
- (3) April 1, 1979;
- (4) January 1, 1985;
- (5) August 1, 1985;
- (6) February 1, 1986;
- (7) March 1, 1989.

(d) The Schedule of Classifications and Water Quality Standards for the Catawba River Basin was amended effective March 1, 1989 as follows:

- (1) Henry Fork [Index Nos. 11-129-1-(1) and 11-129-1-(2)] from source to Laurel Creek, including all tributaries, were reclassified from Class WS-I, C and C trout to Class WS-I ORW, C ORW and C trout ORW.
- (2) Jacob Fork [Index Nos. 11-129-2-(1) and 11-129-2-(4)] from source to N.C. Hwy 127, including all tributaries, were reclassified from Class WS-III trout and WS-III to WS-III trout ORW and WS-III ORW.

Statutory Authority G.S. 143-214.1; 143-215.1; 143-215.3(a)(1).

* * * * *

Notice is hereby given in accordance with G.S. 150B-12 that the Wildlife Resources Commission intends to adopt, amend, rule(s) cited as 15 NCAC 10F .0342, .0359, and .0360.

The proposed effective date of this action is February 1, 1989.

The public hearing will be conducted at 9:00 a.m. on November 2, 1988 at Room 386, Archdale Bldg., 512 North Salisbury Street, Raleigh, NC.

Comment Procedures: Interested persons may present their views either orally or in writing at the hearing, or by mailing to Wildlife Resources Commission, 512 N. Salisbury St., Raleigh, NC 27611. The record of hearing is open from 10/20/88 to 11/15/88.

CHAPTER 10 - WILDLIFE RESOURCES AND WATER SAFETY

SUBCHAPTER 10F - MOTOR BOATS AND WATER SAFETY

SECTION .0300 - LOCAL WATER SAFETY REGULATIONS

.0342 - CATAWBA COUNTY

(a) Regulated Area. This Rule applies only to those waters of Lake Hickory which are located in Catawba County.

(b) Speed Limit. No person shall operate any motorboat or vessel at greater than no-wake speed within 50 yards of the public fishing pier located at the old Wildlife Club off 12th Street Drive, NW, City of Hickory.

(a) Regulated Areas. This Rule applies to the following waters of Lake Hickory:

(1) The public fishing pier located at the old Wildlife Club off 12th Street Drive, NW, City of Hickory;

(2) The shores of the Dixie Boat Club, Inc.

(b) Speed Limit. No person shall operate a vessel at greater than no-wake speed in the waters of the regulated area specified in Paragraph (a) of this Rule.

(c) Placement and maintenance of Markers. The governing board of the City of Hickory and

the Catawba County Board of Commissioners are designated as a suitable agency agencies for placement and maintenance of markers implementing this Rule, subject to the approval of the United States Coast Guard and the United States Army Corps of Engineers.

Statutory Authority G.S. 75A-3; 75A-15.

.0359 CHEROKEE COUNTY

(a) Regulated Area. This rule applies to the waters within 50 yards of the following boating facilities on Hiawasse Lake:

- (1) Hiawasse Hideaway Marina;
- (2) Shook's Boat Dock;
- (3) Bear Paw Marina;
- (4) TVA Boat Ramp at Micken's Branch.

(b) Speed Limit. No person shall operate any vessel at greater than no-wake speed on the waters of the regulated areas as described in Paragraph (a) of this Rule.

(c) Placement and Maintenance of Markers. The Cherokee County Board of Commissioners is designated a suitable agency for the placement and maintenance of markers implementing this rule.

Statutory Authority G.S. 75A-3; 75A-15.

.0360 GRAHAM COUNTY

(a) Regulated Area. This rule applies to the Lake Santeetlah Boat Dock on Lake Santeetlah in Graham County.

(b) Speed Limit. No person shall operate a vessel at greater than no-wake speed within 50 yards of the regulated area as described in Paragraph (a) of this Rule.

(c) Placement and Maintenance of Markers. The Graham County Board of Commissioners is designated a suitable agency for the placement and maintenance of markers implementing this rule.

Statutory Authority G.S. 75A-3; 75A-15.

TITLE/MAJOR DIVISIONS OF THE NORTH CAROLINA ADMINISTRATIVE CODE

TITLE	DEPARTMENT
1	Administration, Department of
2	Agriculture, Department of
3	Auditor, Department of State
4	Commerce, Department of
5	Corrections, Department of
6	Council of State
7	Cultural Resources, Department of
8	Elections, State Board of
9	Governor, Office of the
10	Human Resources, Department of
11	Insurance, Department of
12	Justice, Department of
13	Labor, Department of
14A	Crime Control and Public Safety, Department of
15	Natural Resources and Community Development, Department of
16	Education, Department of
17	Revenue, Department of
18	Secretary of State, Department of
19A	Transportation, Department of
20	Treasurer, Department of State
*21	Occupational Licensing Boards
22	Administrative Procedures
23	Community Colleges, Department of
24	Housing Finance Agency
25	State Personnel, Office of
26	Administrative Hearings, Office of

NOTE: Title 21 contains the chapters of the various occupational licensing boards.

CHAPTER	LICENSING BOARDS
2	Architecture, Board of
4	Auctioneers, Commission for
6	Barber Examiners, Board of
8	Certified Public Accountant Examiners, Board of
10	Chiropractic Examiners, Board of
12	Contractors, Licensing Board for
14	Cosmetic Art Examiners, Board of
16	Dental Examiners, Board of
18	Electrical Contractors, Board of Examiners of
20	Foresters, Board of Registration for
21	Geologists, Board of
22	Hearing Aid Dealers and Fitters Board
26	Landscape Architects, Licensing Board of
28	Landscape Contractors, Registration Board of
31	Marital & Family Therapy Certification Board
32	Medical Examiners, Board of
33	Midwifery Joint Committee
34	Mortuary Science, Board of
36	Nursing, Board of
37	Nursing Home Administrators, Board of
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