



STATE OF NORTH CAROLINA
OFFICE OF ADMINISTRATIVE HEARINGS

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

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

February 15, 2018

Via Email Only: Christina.waggett@ncagr.gov
Christina Waggett, Rulemaking Coordinator
Board of Agriculture
1001 Mail Service Center
Raleigh, NC 27699-1001

Re: Rules pending on Log of Permanent Rule Filings within 02 NCAC 60

Dear Ms. Waggett:

At its February 15, 2018 meeting, the Rules Review Commission extended the period of review on the above-identified rules in accordance with G.S. 150B-21.10 and G.S. 150B-21.13. The Commission extended the period of review to allow the North Carolina Board of Agriculture additional time to revise the rules in response to the technical change requests.

If you have any questions regarding the Commission's action, please do not hesitate to contact me directly at (919) 431-3076.

Sincerely,

Abigail M. Hammond
Commission Counsel

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

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

Judges and
Assistants
919/431-3000
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Clerk's Office
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February 16, 2018

Via Email Only: jennifer.everett@ncdenr.gov
Jennifer Everett, Rulemaking Coordinator
Environmental Management Commission
1601 Mail Service Center
Raleigh, NC 27699-1601

Re: Rules pending on Log of Permanent Rule Filings in 15A NCAC 02Q

Dear Ms. Everett:

At its February 15, 2018 meeting, the Rules Review Commission extended the period of review on the rules referenced above in accordance with G.S. 150B-21.10 and G.S. 150B-21.13. The Commission extended the period of review to allow the North Carolina Environmental Management Commission additional time to revise the rules in response to the technical change requests.

If you have any questions regarding the Commission's action, please do not hesitate to contact me directly at (919) 431-3076.

Sincerely,

Jason Thomas
Commission Counsel

cc: Steve Hall (via email only: steve.hall@ncdenr.gov)

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February 16, 2018

Anna Baird Choi
NC Licensing Board for General Contractors
Sent via email only: anna@ncl-law.com

Re: Objection to Rules 21 NCAC 12 .0204, .0503, and .0504

Dear Ms. Choi:

At its meeting on February 15, 2018, the Rules Review Commission objected to the above-captioned rules in accordance with G.S. 150B-21.10.

Specifically, the Commission objected to the above referenced Rules finding that the Board lacked the statutory authority to require financial statements be prepared by certified public accountants.

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

cc: Frank Wiesner, Frank.Wiesner@nclbgc.org

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February 15, 2018

Barry Gupton, Rulemaking Coordinator
Building Code Council
Sent via email only: Barry.Gupton@ncdoi.gov

Re: 2018 Residential Code Tables N1102.1.2 and N1102.1.4
2018 Energy Conservation Code Tables R402.1.2 and R402.1.4

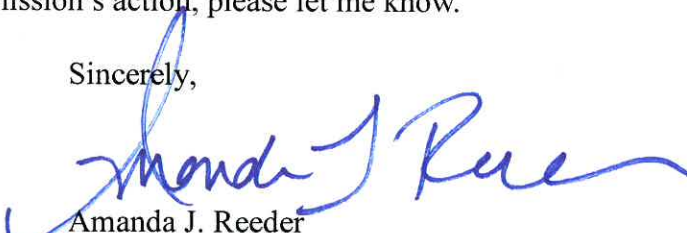
Dear Mr. Gupton:

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 2018 Residential Code Table N1102.1.4 and the 2018 Energy Conservation Code Table R402.1.4 for failure to comply with the APA, as the agency did not publish these Rules in the NC Register as required by G.S. 150B-21.2. The Commission objected to the 2018 Residential Code Table N1102.1.2 and the 2018 Energy Conservation Code Table R402.1.2 based upon ambiguity, as it agreed with the agency's contention that these Rules are interconnected to Tables N1102.1.4 and R402.1.4. Therefore, without approving the corresponding changes to Tables N1102.1.4 and R402.1.4, these Rules are unclear as written.

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,



Amanda J. Reeder
Commission Counsel

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