



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

January 16, 2020

Mariah Street
Department of Natural and Cultural Resources
Sent via email only to: Mariah.Street@ncdcr.gov

Re: Extension of the Period of Review for Rules 07 NCAC 13F .0202, .0303, and .0304

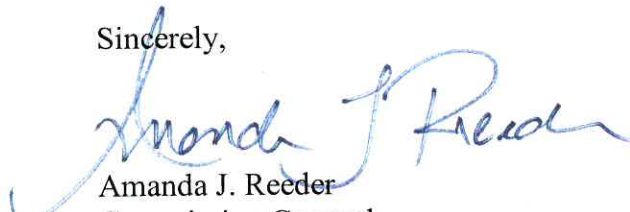
Dear Ms. Street:

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 agency to extend the period in order to allow the agency to address the technical change requests 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.

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

Sincerely,



Amanda J. Reeder
Commission Counsel

cc: Carol Tingley, DNCR

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

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

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January 17, 2020

Charminique Williams
Criminal Justice and Training Standards Commission
Sent via email only: cdwilliams@ncdoj.gov

Re: Objection to Rule 12 NCAC 09E .0105

Dear Ms. Williams:

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

The Commission objected to Rule 12 NCAC 09E .0105 for failure to comply with the APA and ambiguity. Specifically, at lines 7-13, the agency incorporates a manual of approved training topics by reference, including subsequent amendments and editions. The Rule refers to the manual again at lines 29-31. The list of training topics meets the definition of a "rule" in G.S. 150B-2(8a). Incorporating or referring to the manual rather than stating its contents in the Rule circumvents the permanent rulemaking process set forth in G.S. 150B-21.2. Additionally, the language at lines 29-31 makes it unclear which trainings are required and which trainings are optional.

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 let me know.

Sincerely,

Ashley Snyder
Commission Counsel

cc: Brenda Rivera, brivera@ncdoj.gov

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January 16, 2020

Jennifer Everett
Sedimentation Control Commission
Sent via email only to: Jennifer.Everett@ncdenr.gov

Re: Extension of the Period of Review for Rules 15A NCAC 04A .0101 and .0105; 04B .0105, .0106, .0107, .0108, .0109, .0110, .0111, .0112, .0113, .0115, .0118, .0120, .0124, .0125, .0126, .0127, .0129, .0130, .0131, and .0132; 04C .0103, .0106, .0107, .0108, .0110, and .0111; 04D .0102; 04E .0101, .0102, .0104, .0201, .0203, .0403, .0405, .0406, .0501, .0502, .0503, and .0504

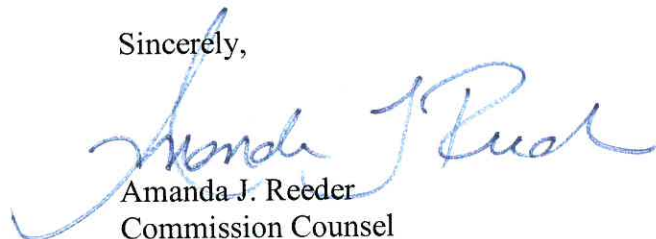
Dear Ms. Everett:

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 agency to extend the period in order to allow the agency to address the technical change requests 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.

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

Sincerely,



Amanda J. Reeder
Commission Counsel

cc: Boyd DeVane, DEQ

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January 16, 2020

Jennifer Everett
Coastal Resources Commission
Sent via email only to: jennifer.everett@ncdenr.gov

Re: Extension of the Period of Review for Rules 15A NCAC 07H .0304, .0305, .0309, .0313, .1901, .1902, .1904, and .1905

Dear Ms. Everett:

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 Coastal Resources Commission to extend the period in order to allow the agency to address the requested 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.

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

Sincerely,

Ashley Snyder
Commission Counsel

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January 16, 2020

Carrie Ruhlman
Wildlife Resources Commission
Sent via email only to: carrie.ruhlman@ncwildlife.org

Re: Extension of the Period of Review for Rule 15A NCAC 10F .0306

Dear Ms. Ruhlman:

At its meeting this morning, the Rules Review Commission extended the period of review for the above-captioned rule in accordance with G.S. 150B-21.10. They did so in response to a request from the Wildlife Resources Commission to extend the period in order to allow the agency to address the requested technical changes and submit the rewritten rule 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 the rule or call a public hearing on the same within 70 days.

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

Sincerely,

Ashley Snyder
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 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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January 16, 2020

John Fountain
State Board of Examiners of Electrical Contractors
Sent via email only to: jnf@youngmoorelaw.com

Re: Extension of the Period of Review for Rules 21 NCAC 18B .0212, .0303, .0404, .0408, and .0901

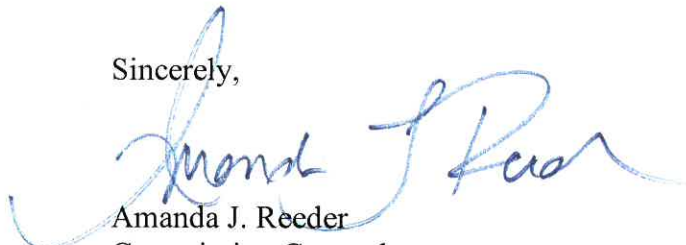
Dear Mr. Fountain:

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 agency to extend the period in order to allow the agency to address the technical change requests 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.

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

Sincerely,



Amanda J. Reeder
Commission Counsel

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January 16, 2020

Daniel P. Collins
North Carolina Psychology Board
Sent via email only to: dcollins@ncpsychologyboard.org

Re: Extension of the Period of Review for all Rules submitted in 21 NCAC 54

Dear Mr. Collins:

At its meeting this morning, the Rules Review Commission extended the period of review for the above-referenced rules in accordance with G.S. 150B-21.10. They did so in response to a request from the agency to extend the period in order to allow the agency to address the technical change requests and staff opinions.

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.

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

Sincerely,

Amber C. May
Commission Counsel

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