

REQUEST FOR TECHNICAL CHANGE

AGENCY: DEPARTMENT OF HEALTH AND HUMAN SERVICES – DIVISION OF HEALTH SERVICE REGULATION

RULE CITATION: 10A NCAC 14A .0102

DEADLINE FOR RECEIPT: Tuesday, December 13, 2011

NOTE WELL: *This request when viewed on computer extends several pages. Please be sure you have reached the end of the document.*

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:

Presumably this rule was adopted pursuant to the grant of authority in G.S. 143B-10(j)(2). That provision requires the approval of the Governor. Please send some documentation that the Governor has approved the amendment of this rule or cite the authority for your agency to adopt the rule without the Governor's approval.

In (a), change "adopted" to "incorporated." Tell whether the incorporated material includes subsequent amendments or editions.

End (a)(1) with a period.

Presumably you are not incorporating all of 10A NCAC 01 by reference but only 10A NCAC 01A Section .0100. Please make that clear throughout the rule.

The phrase "Office of the General Counsel" does not seem to exist in 10A NCAC 01A .0100. Either delete (a)(3) or change the phrase to whatever you really mean.

In (b), give the cost for obtaining copies or better yet, give a citation to the website where the rules may be found.

Correct your history note by showing your "Amended Eff." date.

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.

Robert A. Bryan, Jr.
Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: DEPARTMENT OF HEALTH AND HUMAN SERVICES – DIVISION OF HEALTH
SERVICE REGULATION

RULE CITATION: 10A NCAC 14A .0202

DEADLINE FOR RECEIPT: Tuesday, December 13, 2011

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:

Presumably this rule was adopted pursuant to the grant of authority in G.S. 143B-10(j)(2). That provision requires the approval of the Governor. Please send some documentation that the Governor has approved the amendment of this rule or cite the authority for your agency to adopt the rule without the Governor's approval.

In (a), delete or define "appropriate."

Correct your history note by showing your "Amended Eff." date.

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.

REQUEST FOR TECHNICAL CHANGE

AGENCY: DEPARTMENT OF HEALTH AND HUMAN SERVICES – DIVISION OF HEALTH SERVICE REGULATION

RULE CITATION: 10A NCAC 14A .0303

DEADLINE FOR RECEIPT: Tuesday, December 13, 2011

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:

Correct your history note by showing your "Amended Eff." date.

If the Medical Care Commission took action amending this rule, please correct your form and send me copies of the minutes showing the action.

In (a), delete "in accordance with the Rules in 10A NCAC 14A .0300." It appears that the next sentence is the only requirement.

In (c), change "shall waive" to "has waived." Write the last sentence in active voice telling who is required to notify.

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.

Robert A. Bryan, Jr.
Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: DEPARTMENT OF HEALTH AND HUMAN SERVICES – DIVISION OF HEALTH
SERVICE REGULATION

RULE CITATION: 10A NCAC 14A .0304

DEADLINE FOR RECEIPT: Tuesday, December 13, 2011

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:

Correct your history note by showing your "Amended Eff." date.

If the Medical Care Commission took action amending this rule, please correct your form and send me copies of the minutes showing the action.

Delete or define "promptly."

Define, or cite where definitions can be found for "immediate family member" and "authorized representative."

Change each "will" to "shall."

Write the last sentence in active voice telling who is to serve notice.

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.

Robert A. Bryan, Jr.
Commission Counsel

TEMPORARY RULE
REQUEST FOR TECHNICAL CHANGE

AGENCY: DEPARTMENT OF HEALTH AND HUMAN SERVICES – DIVISION OF HEALTH SERVICE REGULATION

RULE CITATION: 10A NCAC 14D - ALL RULES

DEADLINE FOR RECEIPT: Tuesday, December 13, 2011

NOTE WELL: *This request when viewed on computer may appear to be only one page when in fact it extends several pages. Please be sure you have reached the end of the document.*

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:

G.S. 150B-21.1(a4) requires that the head of the agency sign a statement of need for a temporary rule form. Session Law 2011-104 gives the Department of Health and Human Services authority to adopt these rules. The head of the Department is the Secretary. While G.S. 143B-10(a) would allow the Secretary to delegate that authority, Directive II-24 that you have attached does not appear to delegate authority with regard to this set of rules. Either have the Secretary sign the forms, submit an appropriate delegation of authority for the Director to sign the forms, or explain how the current directive gives appropriate authority.

The form requires that you attach a copy of any cited law necessary for review. S.L. 2011-104 is cited and necessary for review. It was not attached. Please submit a copy.

G.S. 150B-21.1(a4) requires that an agency must prepare a written statement of its findings of need for a temporary rule stating why adherence to the notice and hearing requirements in G.S. 150B-21.2 would be contrary to the public interest and why the immediate adoption of the rule is required. The appropriate place for the information is Item 7 on the forms that you left blank. There is no way the Rules Review Commission can approve the rules without that information. Please complete 7 on the forms.

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.

Robert A. Bryan, Jr.
Commission Counsel

TEMPORARY RULE
REQUEST FOR TECHNICAL CHANGE

AGENCY: DEPARTMENT OF HEALTH AND HUMAN SERVICES – DIVISION OF HEALTH
SERVICE REGULATION

RULE CITATION: 10A NCAC 14D .0102

DEADLINE FOR RECEIPT: Tuesday, December 13, 2011

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 "section" to "Subchapter" if that is what you mean. It appears the definitions are meant to apply to the entire Subchapter 14D rather than just Section .0100.

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.

Robert A. Bryan, Jr.
Commission Counsel

TEMPORARY RULE
REQUEST FOR TECHNICAL CHANGE

AGENCY: DEPARTMENT OF HEALTH AND HUMAN SERVICES – DIVISION OF HEALTH
SERVICE REGULATION

RULE CITATION: 10A NCAC 14D .0201

DEADLINE FOR RECEIPT: Tuesday, December 13, 2011

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:

In (c), delete "shall."

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.

Robert A. Bryan, Jr.
Commission Counsel

TEMPORARY RULE
REQUEST FOR TECHNICAL CHANGE

AGENCY: DEPARTMENT OF HEALTH AND HUMAN SERVICES – DIVISION OF HEALTH
SERVICE REGULATION

RULE CITATION: 10A NCAC 14D .0202

DEADLINE FOR RECEIPT: Tuesday, December 13, 2011

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:

Rewrite (a) as follows: "The Department shall not approve a capacity for an overnight respite service of more than six residents."

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.

Robert A. Bryan, Jr.
Commission Counsel

TEMPORARY RULE
REQUEST FOR TECHNICAL CHANGE

AGENCY: DEPARTMENT OF HEALTH AND HUMAN SERVICES – DIVISION OF HEALTH
SERVICE REGULATION

RULE CITATION: 10A NCAC 14D .0203

DEADLINE FOR RECEIPT: Tuesday, December 13, 2011

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:

If (f)(2), delete or define "aged or disabled." You may want to add the definition to Rule .0102. Perhaps you could just change "aged or disabled persons" to "residents."

In (m), change the last 17 words to "rules adopted by the Commission for Public Health" assuming that is what you mean.

In (o) and (p), tell where copies of the incorporated materials can be obtained, and the cost.

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.

Robert A. Bryan, Jr.
Commission Counsel

TEMPORARY RULE
REQUEST FOR TECHNICAL CHANGE

AGENCY: DEPARTMENT OF HEALTH AND HUMAN SERVICES – DIVISION OF HEALTH
SERVICE REGULATION

RULE CITATION: 10A NCAC 14D .0206

DEADLINE FOR RECEIPT: Tuesday, December 13, 2011

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:

In (a), use lower case letters for common nouns. Change "once" to "if."

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.

Robert A. Bryan, Jr.
Commission Counsel

TEMPORARY RULE
REQUEST FOR TECHNICAL CHANGE

AGENCY: DEPARTMENT OF HEALTH AND HUMAN SERVICES – DIVISION OF HEALTH
SERVICE REGULATION

RULE CITATION: 10A NCAC 14D .0207

DEADLINE FOR RECEIPT: Tuesday, December 13, 2011

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:

In (a), use lower case letters for common nouns. Change "once" to "if."

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.

Robert A. Bryan, Jr.
Commission Counsel

TEMPORARY RULE
REQUEST FOR TECHNICAL CHANGE

AGENCY: DEPARTMENT OF HEALTH AND HUMAN SERVICES – DIVISION OF HEALTH
SERVICE REGULATION

RULE CITATION: 10A NCAC 14D .0208

DEADLINE FOR RECEIPT: Tuesday, December 13, 2011

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:

In (a), change "once" to "if."

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.

Robert A. Bryan, Jr.
Commission Counsel

TEMPORARY RULE
REQUEST FOR TECHNICAL CHANGE

AGENCY: DEPARTMENT OF HEALTH AND HUMAN SERVICES – DIVISION OF HEALTH
SERVICE REGULATION

RULE CITATION: 10A NCAC 14D .0210

DEADLINE FOR RECEIPT: Tuesday, December 13, 2011

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:

In (a), delete or define "full." Change "once" to "if."

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.

Robert A. Bryan, Jr.
Commission Counsel

TEMPORARY RULE
REQUEST FOR TECHNICAL CHANGE

AGENCY: DEPARTMENT OF HEALTH AND HUMAN SERVICES – DIVISION OF HEALTH
SERVICE REGULATION

RULE CITATION: 10A NCAC 14D .0213

DEADLINE FOR RECEIPT: Tuesday, December 13, 2011

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:

In (c), change the slash to "and."

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.

Robert A. Bryan, Jr.
Commission Counsel

TEMPORARY RULE
REQUEST FOR TECHNICAL CHANGE

AGENCY: DEPARTMENT OF HEALTH AND HUMAN SERVICES – DIVISION OF HEALTH
SERVICE REGULATION

RULE CITATION: 10A NCAC 14D .0216

DEADLINE FOR RECEIPT: Tuesday, December 13, 2011

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:

In (b)(1), delete the first "shall be."

In (b)(8), delete the semicolon.

In (c), define "aged and disabled" if it is not otherwise defined, or change "aged and disabled persons" to "residents."

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.

Robert A. Bryan, Jr.
Commission Counsel

TEMPORARY RULE
REQUEST FOR TECHNICAL CHANGE

AGENCY: DEPARTMENT OF HEALTH AND HUMAN SERVICES – DIVISION OF HEALTH
SERVICE REGULATION

RULE CITATION: 10A NCAC 14D .0401

DEADLINE FOR RECEIPT: Tuesday, December 13, 2011

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:

In (b)(4), delete "for the aged and disabled" if it is not defined.

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.

Robert A. Bryan, Jr.
Commission Counsel

TEMPORARY RULE
REQUEST FOR TECHNICAL CHANGE

AGENCY: DEPARTMENT OF HEALTH AND HUMAN SERVICES – DIVISION OF HEALTH
SERVICE REGULATION

RULE CITATION: 10A NCAC 14D .0502

DEADLINE FOR RECEIPT: Tuesday, December 13, 2011

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:

In (a)(3), change "such" to "the."

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.

Robert A. Bryan, Jr.
Commission Counsel

TEMPORARY RULE
REQUEST FOR TECHNICAL CHANGE

AGENCY: DEPARTMENT OF HEALTH AND HUMAN SERVICES – DIVISION OF HEALTH
SERVICE REGULATION

RULE CITATION: 10A NCAC 14D .0601

DEADLINE FOR RECEIPT: Tuesday, December 13, 2011

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:

Either delete (f) and (g) or Rule .0602, or explain how they are different.

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.

Robert A. Bryan, Jr.
Commission Counsel

TEMPORARY RULE
REQUEST FOR TECHNICAL CHANGE

AGENCY: DEPARTMENT OF HEALTH AND HUMAN SERVICES – DIVISION OF HEALTH
SERVICE REGULATION

RULE CITATION: 10A NCAC 14D .0602

DEADLINE FOR RECEIPT: Tuesday, December 13, 2011

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:

Define "medication aide."

Either delete this rule or Paragraphs (f) and (g) of Rule .0601, or explain how they are different.

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.

TEMPORARY RULE
REQUEST FOR TECHNICAL CHANGE

AGENCY: DEPARTMENT OF HEALTH AND HUMAN SERVICES – DIVISION OF HEALTH SERVICE REGULATION

RULE CITATION: 10A NCAC 14D .0701

DEADLINE FOR RECEIPT: Tuesday, December 13, 2011

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:

In (c)(1), incorporate the Guidelines by reference, telling where they may be obtained and the cost. Also tell if the incorporation included subsequent amendments and editions.

In (c)(5), change "dietician" to "dietician/nutritionist" to be consistent with the term used in G.S. Chapter 90, Article 25.

In (e)(1), change "registered dietician" to "licensed dietician/nutritionist." Delete or explain what you mean by "as specified by law."

Divide this rule into seven rules with each paragraph being a separate rule. For most of these rules, your introduction becomes the title of the rule. Each Subparagraph becomes a Paragraph and ends with a period.

In what is now (f), delete the first line.

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.

Robert A. Bryan, Jr.
Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: COMMISSION FOR MENTAL HEALTH

RULE CITATION: 10A NCAC 26E .0603

DEADLINE FOR RECEIPT: Tuesday, December 13, 2011

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:

End (a) with a period.

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.

Robert A. Bryan, Jr.
Commission Counsel

TEMPORARY RULE
REQUEST FOR TECHNICAL CHANGE

AGENCY: ENVIRONMENTAL MANAGEMENT COMMISSION

RULE CITATION: 15A NCAC 02D .0544

DEADLINE FOR RECEIPT: Tuesday, December 13, 2011

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:

Reprint the rule using 1.5 line spacing as required by the OAH rules.

In (n), delete "as of its effective date" as unnecessary.

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.

Robert A. Bryan, Jr.
Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC BOARD OF COSMETIC ARTS EXAMINERS

RULE CITATION: 21 NCAC 14T – ALL RULES REVIEWED

DEADLINE FOR RECEIPT: TUESDAY, DECEMBER 13, 2011

NOTE WELL: *This request when viewed on computer may extend several pages. Please be sure you have reached the end of the document.*

NOTE ALSO: *This set of requests for changes applies to the rules that were reviewed last month, withdrawn and refiled for review this month. This set of technical change requests has a later deadline than the previous set.*

The earlier you submit the requested changes to us, the earlier we can verify all the changes have been made and that there are not any other problems. If the changes have not been made or there are still some problems, you should have sufficient time to make those corrections if you submit them early.

The Rules Review Commission staff has completed its opinion review of this rule or set of rules your agency filed with the RRC for review by the RRC at its next meeting. The Commission has not yet met 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 one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.10.

Be sure to use the copy of the rules printed in the NCR (and supplied by OAH if necessary) for all your submissions and to make any requested changes.

*The introductory note to **all these rules** – whether or not a further change was made by the board or because of these requests – needs to reflect that they were “adopted as published” or “adopted as published with changes,” not just “published” or “published with changes.”*

Please be sure that all the changes, both the original changes made by the board along with the changes based upon these requests, are properly formatted. (There is no difference in formatting your original changes and these requested changes; they are all shown the same.)

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and deliver it to our office at 1711 New Hope Church Rd, Raleigh, North Carolina 27609.

If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca
Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC BOARD OF COSMETIC ARTS EXAMINERS

RULE CITATION: 21 NCAC 14T .0102

DEADLINE FOR RECEIPT: TUESDAY, DECEMBER 13, 2011

The Rules Review Commission staff has completed its opinion review of this rule or set of rules your agency filed with the RRC for review by the RRC at its next meeting. The Commission has not yet met 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 one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.10.

I believe the contents of this rule are derived primarily from the rule that was published in the NCR as proposed rule .0101. Please check with Dana as to the contents of the introductory note to explain the origin of this rule although there was no notice of a proposed rule .0102.

In (a)(2) line 13 delete or define "detailed" and "clearly."

In (a)(5) line 20 delete or define "fair."

In (a)(6) line 22 delete or define "complete."

At the end of (a)(6) line 24 delete the word "and."

In (a)(7) line 25 delete or define "unique."

At the end of (a)(7) and (8), lines 26 and 27, change the periods to semicolons and add the word "and" after the semicolon at the end of (a)(8) line 27.

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and deliver it to our office at 1711 New Hope Church Rd, Raleigh, North Carolina 27609.

If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca, Jr.
Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC BOARD OF COSMETIC ARTS EXAMINERS

RULE CITATION: 21 NCAC 14T .0202

DEADLINE FOR RECEIPT: TUESDAY, DECEMBER 13, 2011

The Rules Review Commission staff has completed its opinion review of this rule or set of rules your agency filed with the RRC for review by the RRC at its next meeting. The Commission has not yet met 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 one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.10.

In line 7 the words "the maximum of" in "over the maximum of 40" are unnecessary and should be deleted.

In line 8 delete "apart center" in "apart center apart," leaving "apart," followed by the comma. At the end of that line delete "bowl," leaving "bowl" followed by the semicolon.

In line 9 delete "apart center" in "apart center apart," leaving "apart," followed by the comma.

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and deliver it to our office at 1711 New Hope Church Rd, Raleigh, North Carolina 27609.

If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca, Jr.
Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC BOARD OF COSMETIC ARTS EXAMINERS

RULE CITATION: 21 NCAC 14T .0203

DEADLINE FOR RECEIPT: TUESDAY, DECEMBER 13, 2011

The Rules Review Commission staff has completed its opinion review of this rule or set of rules your agency filed with the RRC for review by the RRC at its next meeting. The Commission has not yet met 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 one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.10.

In lines 7 and 8 the words "the maximum of" in "over the maximum of 20" are unnecessary and should be deleted.

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and deliver it to our office at 1711 New Hope Church Rd, Raleigh, North Carolina 27609.

If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca, Jr.
Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC BOARD OF COSMETIC ARTS EXAMINERS

RULE CITATION: 21 NCAC 14T .0204

DEADLINE FOR RECEIPT: TUESDAY, DECEMBER 13, 2011

The Rules Review Commission staff has completed its opinion review of this rule or set of rules your agency filed with the RRC for review by the RRC at its next meeting. The Commission has not yet met 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 one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.10.

In line 7 the words "the maximum of" in "over the maximum of 20" are unnecessary and should be deleted.

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and deliver it to our office at 1711 New Hope Church Rd, Raleigh, North Carolina 27609.

If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca, Jr.
Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC BOARD OF COSMETIC ARTS EXAMINERS

RULE CITATION: 21 NCAC 14T .0205

DEADLINE FOR RECEIPT: TUESDAY, DECEMBER 13, 2011

The Rules Review Commission staff has completed its opinion review of this rule or set of rules your agency filed with the RRC for review by the RRC at its next meeting. The Commission has not yet met 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 one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.10.

In line 7 the words "the maximum of" in "over the maximum of 20" are unnecessary and should be deleted.

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and deliver it to our office at 1711 New Hope Church Rd, Raleigh, North Carolina 27609.

If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca, Jr.
Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC BOARD OF COSMETIC ARTS EXAMINERS

RULE CITATION: 21 NCAC 14T .0301

DEADLINE FOR RECEIPT: TUESDAY, DECEMBER 13, 2011

The Rules Review Commission staff has completed its opinion review of this rule or set of rules your agency filed with the RRC for review by the RRC at its next meeting. The Commission has not yet met 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 one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.10.

In line 7 please delete the comma in "maintain, for student use."

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and deliver it to our office at 1711 New Hope Church Rd, Raleigh, North Carolina 27609.

If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca, Jr.
Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC BOARD OF COSMETIC ARTS EXAMINERS

RULE CITATION: 21 NCAC 14T .0305

DEADLINE FOR RECEIPT: TUESDAY, DECEMBER 13, 2011

The Rules Review Commission staff has completed its opinion review of this rule or set of rules your agency filed with the RRC for review by the RRC at its next meeting. The Commission has not yet met 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 one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.10.

Specify in a separate beginning paragraph, which school or schools this rule applies to; the title of the rule is not part of the rule and is not sufficient to fulfill that requirement. You could say: "(a) Natural hair care styling schools must be equipped as set out in this rule." Of course you would have to relabel the remaining three paragraphs. An alternative to that is you could have that one sentence, or perhaps "Natural hair care styling schools must be equipped as follows:" without a paragraph label and instead used as the introduction to a list and followed by a colon. (a) – (c) would become (1) – (3) and the sub-items would become (a) – (d).

In (a)(1) line 7 change the comma following "bowl," to either a semicolon or the word "and."

The same applies in (b)(1) line 14.

In (b)(1) line 13 please verify that only one chair is required.

In (b)(2) line 16 and (c)(1) line 21 the words "at least" should be deleted. If you want to emphasize that a school may provide additional ones, then it would be better to add that. By removing "at least" the minimum requirement is clear.

In (c) line 19 it is not clear that the colon following "equipment:" has been deleted.

In (c)(1) line 21 there should be a semicolon or a period following "two students." A new sentence would begin if you used a period.

I hate to say it because I'm the one that requested this change earlier but under the OAH numbering conventions the "ten" in (c)(2) and (3), lines 23 and 24 , should be "10."

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and deliver it to our office at 1711 New Hope Church Rd, Raleigh, North Carolina 27609.

If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca, Jr.
Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC BOARD OF COSMETIC ARTS EXAMINERS

RULE CITATION: 21 NCAC 14T .0402

DEADLINE FOR RECEIPT: TUESDAY, DECEMBER 13, 2011

The Rules Review Commission staff has completed its opinion review of this rule or set of rules your agency filed with the RRC for review by the RRC at its next meeting. The Commission has not yet met 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 one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.10.

In Rule .0701(m), page 2 lines 38 and 42, the words "esthetics" and "esthetician" are both applied to a teacher for that cosmetic art. I asked you to be consistent with the use of the term in that paragraph. Please be consistent here with the usage there. (It does seem that you use the term "esthetics" as an adjective to modify "teacher," "school" or "student" much more frequently than you use "esthetician" for that purpose and that the word "esthetician" is more often used as a noun than an adjective.)

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and deliver it to our office at 1711 New Hope Church Rd, Raleigh, North Carolina 27609.

If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca, Jr.
Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC BOARD OF COSMETIC ARTS EXAMINERS

RULE CITATION: 21 NCAC 14T .0404

DEADLINE FOR RECEIPT: TUESDAY, DECEMBER 13, 2011

The Rules Review Commission staff has completed its opinion review of this rule or set of rules your agency filed with the RRC for review by the RRC at its next meeting. The Commission has not yet met 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 one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.10.

There is no need for the label "(a)" unless there is a paragraph (b); please delete "(a)."

Change (5) to: "(5) One blowdryer; and".

Change (6) to: "(6) Two capes."

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and deliver it to our office at 1711 New Hope Church Rd, Raleigh, North Carolina 27609.

If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca, Jr.
Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC BOARD OF COSMETIC ARTS EXAMINERS

RULE CITATION: 21 NCAC 14T .0608

DEADLINE FOR RECEIPT: TUESDAY, DECEMBER 13, 2011

The Rules Review Commission staff has completed its opinion review of this rule or set of rules your agency filed with the RRC for review by the RRC at its next meeting. The Commission has not yet met 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 one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.10.

Please review this rule for consistency with the labeling of the boxes and within the boxes. I'll reprint the general questions I raised for the other .0600 set of rules that seem to apply to this rule as well:

It seems that based on some of the questions that are to follow that these boxes or tables need some better division, organization, or at least labeling. It could also be that some definitions would help.

In the table beginning at line 6 isn't there a better term than "Requirement Description" that you could use or should this be a heading for something else like "Theory Requirements" and "Performance Requirements"?

It seems to me that at least some of the beginners courses in the first box sound as if they might be some of the same items as taught in the advanced department compared with e.g. Rule .0612(b).

Please be consistent in the use of "esthetics" and "esthetician" as found in (a) line 5. If there is no difference you should use the preferred adjective consistently throughout these rules.

In (b) please verify that it is 120 hours of both "theory" and "practical application" that are required. It does seem somewhat strange that of the total 650 hours required training to become a teacher the same number, 120 hours, applies to both "theory" training and the combined 120 hours of "theory and practical application" training that a student must receive before "being permitted to instruct in a ... classroom."

At the same time please verify that there is no minimum number of hours that must be attained in either "theory" or "practical application." Under the language in this rule it seems that a trainee could have 119 hours in one category and 1 hour in the other for a total of 120 and satisfy the requirement in (b).

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and deliver it to our office at 1711 New Hope Church Rd, Raleigh, North Carolina 27609.

If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca, Jr.
Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC BOARD OF COSMETIC ARTS EXAMINERS

RULE CITATION: 21 NCAC 14T .0609

DEADLINE FOR RECEIPT: TUESDAY, DECEMBER 13, 2011

The Rules Review Commission staff has completed its opinion review of this rule or set of rules your agency filed with the RRC for review by the RRC at its next meeting. The Commission has not yet met 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 one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.10.

I'll raise the same issue here as in the previous rule. Please review this rule for consistency with the labeling of the boxes and within the boxes. I'll reprint the general questions I raised for the other .0600 set of rules that seem to apply to this rule as well:

It seems that based on some of the questions that are to follow that these boxes need some better division, organization, or at least labeling. It could also be that some definitions would help.

In the table beginning at line 6 isn't there a better term than "Requirement Description" that you could use or should this be a heading for something else like "Theory Requirements" and "Performance Requirements"?

It seems to me that at least some of the beginners courses in the first box sound as if they might be some of the same items as taught in the advanced department compared with e.g. Rule .0612(b).

The same issue concerning hours applies here as in the previous rule. This time it is 115 hours.

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and deliver it to our office at 1711 New Hope Church Rd, Raleigh, North Carolina 27609.

If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca, Jr.
Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC BOARD OF COSMETIC ARTS EXAMINERS

RULE CITATION: 21 NCAC 14T .0610

DEADLINE FOR RECEIPT: TUESDAY, DECEMBER 13, 2011

The Rules Review Commission staff has completed its opinion review of this rule or set of rules your agency filed with the RRC for review by the RRC at its next meeting. The Commission has not yet met 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 one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.10.

I'll raise the same issue here as in the previous rule. Please review this rule for consistency with the labeling of the boxes and within the boxes. I'll reprint the general questions I raised for the other .0600 set of rules that seem to apply to this rule as well:

It seems that based on some of the questions that are to follow that these boxes need some better division, organization, or at least labeling. It could also be that some definitions would help.

In the table beginning at line 6 isn't there a better term than "Requirement Description" that you could use or should this be a heading for something else like "Theory Requirements" and "Performance Requirements"?

It seems to me that at least some of the beginners courses in the first box sound as if they might be some of the same items as taught in the advanced department compared with e.g. Rule .0612(b).

The same issue concerning hours applies here as in the previous rule. This time it is 115 hours.

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and deliver it to our office at 1711 New Hope Church Rd, Raleigh, North Carolina 27609.

If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca, Jr.
Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC BOARD OF COSMETIC ARTS EXAMINERS

RULE CITATION: 21 NCAC 14T .0611

DEADLINE FOR RECEIPT: TUESDAY, DECEMBER 13, 2011

The Rules Review Commission staff has completed its opinion review of this rule or set of rules your agency filed with the RRC for review by the RRC at its next meeting. The Commission has not yet met 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 one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.10.

In line 5 change "can" to "may."

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and deliver it to our office at 1711 New Hope Church Rd, Raleigh, North Carolina 27609.

If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca, Jr.
Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC BOARD OF COSMETIC ARTS EXAMINERS

RULE CITATION: 21 NCAC 14T .0613

DEADLINE FOR RECEIPT: TUESDAY, DECEMBER 13, 2011

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In reviewing these rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.10.

In (c) line 9 restore the word "name" since the term "name tag" is used in the next line.

In (c) line 10 it seems to me that "something similar" to a name tag would still be a "name tag." Unless you believe there is something else that could qualify and wouldn't be called or considered a "name tag" please delete "or something similar."

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and deliver it to our office at 1711 New Hope Church Rd, Raleigh, North Carolina 27609.

If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca, Jr.
Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC BOARD OF COSMETIC ARTS EXAMINERS

RULE CITATION: 21 NCAC 14T .0614

DEADLINE FOR RECEIPT: TUESDAY, DECEMBER 13, 2011

The Rules Review Commission staff has completed its opinion review of this rule or set of rules your agency filed with the RRC for review by the RRC at its next meeting. The Commission has not yet met 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 one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.10.

Typically in a list such as this, where each of the items is a complete sentence, each item would end with a period rather than a semicolon.

In line 15 change "may only provide" to "may provide only."

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and deliver it to our office at 1711 New Hope Church Rd, Raleigh, North Carolina 27609.

If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca, Jr.
Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC BOARD OF COSMETIC ARTS EXAMINERS

RULE CITATION: 21 NCAC 14T .0615

DEADLINE FOR RECEIPT: TUESDAY, DECEMBER 13, 2011

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In reviewing these rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.10.

In (d) please specify whether these 4 hours are "additional" to the hours in (c) or whether they are "included within the hours set out in (c)" or similar language.

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and deliver it to our office at 1711 New Hope Church Rd, Raleigh, North Carolina 27609.

If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca, Jr.
Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC BOARD OF COSMETIC ARTS EXAMINERS

RULE CITATION: 21 NCAC 14T .0616

DEADLINE FOR RECEIPT: TUESDAY, DECEMBER 13, 2011

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In reviewing these rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.10.

What is currently (b)(1) – (5), including (b)(5)(a) – (c), lines 16 – 23 (and not including lines 13 – 15 in (b)), need to be moved to (a) following current line 8. Change the period following “Board.” in line 8 to a colon.

The sub-sub-paragraph labels in (b)(5) are not properly labeled. They are correct in the NCR notice of text. Please correct. This is an error that would not have occurred if you had used the notice of text copy of the rule in doing your submission.

Be sure also to change the colon following “deficiency:” in line 15 to a period.

In line 14 change “3” to “three.”

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and deliver it to our office at 1711 New Hope Church Rd, Raleigh, North Carolina 27609.

If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca, Jr.
Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC BOARD OF COSMETIC ARTS EXAMINERS

RULE CITATION: 21 NCAC 14T .0617

DEADLINE FOR RECEIPT: TUESDAY, DECEMBER 13, 2011

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In reviewing these rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.10.

Rewrite (c) as follows: "A manicurist, natural hair care, or esthetics [or 'esthetician' – whichever you end up using] teacher may supervise a cosmetic art teacher trainee with regard to manicuring, natural hair care, or esthetics as appropriate."

Make sure that "esthetician [or 'esthetics']" teacher agrees with the other uses of the term.

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and deliver it to our office at 1711 New Hope Church Rd, Raleigh, North Carolina 27609.

If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca, Jr.
Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC BOARD OF COSMETIC ARTS EXAMINERS

RULE CITATION: 21 NCAC 14T .0702

DEADLINE FOR RECEIPT: TUESDAY, DECEMBER 13, 2011

The Rules Review Commission staff has completed its opinion review of this rule or set of rules your agency filed with the RRC for review by the RRC at its next meeting. The Commission has not yet met 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 one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.10.

In (a) line 5 delete "will" in "will shall not."

In (b) make the second sentence, lines 8 and 9, a new labeled paragraph (c).

In current (b), second sentence, I am a little confused as to what is allowed. It is not abundantly clear whether 160 hours could be transferred to only one other program or whether that same 160 hours could be transferred to each of the other programs. What would happen if a person had completed at least 160 hours in one program and a different 160 hours in another program. Could they transfer the 320 hours to yet another program? This sentence needs a little more explanatory work and is yet another reason why it should be a separate paragraph.

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and deliver it to our office at 1711 New Hope Church Rd, Raleigh, North Carolina 27609.

If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca, Jr.
Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC BOARD OF COSMETIC ARTS EXAMINERS

RULE CITATION: 21 NCAC 14T – ALL RULES REVIEWED

DEADLINE FOR RECEIPT: THURSDAY, DECEMBER 8, 2011

NOTE WELL: *This request when viewed on computer may extend several pages. Please be sure you have reached the end of the document.*

NOTE ALSO: *This set of requests for changes applies to your rules that I previously had not provided any technical changes on but had requested that you withdraw the filing for failure to properly format the changes.*

Although this deadline is earlier than our typical deadline you are receiving these requests earlier than you would normally receive them. It still provides almost two weeks to complete the requests. Because the changes are so extensive we will need sufficient time to review them after you submit them and time to make any further corrections prior to the RRC December meeting.

You will have the normal deadline for completing any technical change requests for the remaining rules which will follow in a few days.

The Rules Review Commission staff has completed its opinion review of this rule or set of rules your agency filed with the RRC for review by the RRC at its next meeting. The Commission has not yet met 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 one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.10.

Be sure to use the copy of the rules printed in the NCR (and supplied by OAH if necessary) for all your submissions and to make any requested changes.

The introductory note to all these rules – whether or not a further change was made by the board or because of these requests – needs to reflect that they were “adopted as published” or “adopted as published with changes,” not just “published with changes.”

Please be sure that all the changes, both the original changes made by the board along with the changes based upon these requests, are properly formatted. (There is no difference in formatting your original changes and these requested changes; they are all shown the same.)

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and deliver it to our office at 1711 New Hope Church Rd, Raleigh, North Carolina 27609.

If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca
Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC BOARD OF COSMETIC ARTS EXAMINERS

RULE CITATION: 21 NCAC 14T .0101

DEADLINE FOR RECEIPT: THURSDAY, DECEMBER 8, 2011

The Rules Review Commission staff has completed its opinion review of this rule or set of rules your agency filed with the RRC for review by the RRC at its next meeting. The Commission has not yet met 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 one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.10.

This rule has a different name from the Submission for Filing form. You may either correct the forms here or do new forms.

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and deliver it to our office at 1711 New Hope Church Rd, Raleigh, North Carolina 27609.

If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca, Jr.
Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC BOARD OF COSMETIC ARTS EXAMINERS

RULE CITATION: 21 NCAC 14T .0201

DEADLINE FOR RECEIPT: THURSDAY, DECEMBER 8, 2011

The Rules Review Commission staff has completed its opinion review of this rule or set of rules your agency filed with the RRC for review by the RRC at its next meeting. The Commission has not yet met 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.

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In (a)(1) line 8 change "and or" to "and" or "or" (more likely "and"). Actually it seems to me that if the minimum requirement is for a table and not a "table and stand" then "or tables and or stands" is not necessary since they are free to add any equipment they want.

At the end of (a)(2) line 14 add "have" after "shall" and before the colon.

Please verify that the spacing requirements in (a)(2) actually all work given any required sizes of table, spacing, chairs, etc.

The labels for the sub-sub-paragraphs in (a)(2) should be uppercase letters.

Delete the "and" at the end of (a)(2)(a) and (b) lines 16 and 17.

Since the sub-paragraphs (1) – (9) in (a) are not complete sentences I believe you should end (1) through (9) with a semicolon at the end of each sub-paragraph rather than a period. That would also apply to (a)(5) that has no punctuation. At the end of (9) line 34 add the word "and" after the semicolon.

In (b) you probably would be well-served by specifying the actual print size, even more so than the sign size.

In (b) page 2 line 37 it seems to me that "and in no other way" is unnecessary.

Line numbers should begin with a new "1" on each page. However since you have used continuous numbering then keep using that this time for ease of identifying these requested changes.

It seems to me that (e) is vague or unnecessary. You have rules specifying what the minimum space and equipment requirements are. One would presume that if a school meets those requirements then they would have "sufficient" space and equipment. If not then it is unclear what constitutes "sufficient." If there is something that would keep the

minimum requirements from being “sufficient” then the rule needs to be clear about what that is.

In (h) page 2 line 50 I am not quite certain what constitutes “good” repair. But if you are going to use the term then the comma earlier in that line after “order,” should be a semicolon and there should be a semicolon after “repair.”

In (j) line 54 delete the comma following “rules,”.

In (l) page 2 line 57 delete or define “clearly.”

In (m) page 2 line 58 it seems to me that “for classroom work, chair(s) suitable for ...” should be “for classroom work and chairs suitable for”

In (n) page 2 line 60 delete or define “otherwise associated.”

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and deliver it to our office at 1711 New Hope Church Rd, Raleigh, North Carolina 27609.

If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca
Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC BOARD OF COSMETIC ARTS EXAMINERS

RULE CITATION: 21 NCAC 14T .0302

DEADLINE FOR RECEIPT: THURSDAY, DECEMBER 8, 2011

The Rules Review Commission staff has completed its opinion review of this rule or set of rules your agency filed with the RRC for review by the RRC at its next meeting. The Commission has not yet met 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 one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.10.

In (a) specify what beginner department or discipline is referred to. Are these all cosmetology schools or only certain types?

Remember: the rule title is not part of the rule and is not read to explain the rule.

In (a) line 5 delete "minimum" as unnecessary. The list itself specifies by description the minimum required. The same applies in (b) line 14.

In (a)(2) line 6 change the comma after "Two shampoo bowls and chairs," to a period or colon.

In (a)(2) at the end of line 7 and in line 8 change "apart center" to "apart, center." The same applies in (b)(3), lines 18, 19 and 20.

At the end of (a)(5) line 12 add the word "and" after the semicolon.

At the end of (a)(6) line 13 change the semicolon to a period.

In (b)(1) it seems to me that "at least" should be deleted. It leads to the possibility that an overzealous inspector could argue that it means that there should be more depending on circumstances. At any rate the actual intent and requirement of the rule is more apparent if "at least" is deleted.

In (b) change the comma to a period or colon in the following:

"stations," line 16

"chairs," line 18

"station," line 23

In (c)(1) – (6) lines 27 – 32, it seems to me that "every" should be at least "each additional" or something similar. (Note that it may be that "each additional" should actually be written as "each additional 1 – xx students" rather than "each additional xx students.") If not then as soon as the 41st student is added it changes the number of required pieces of equipment for the first 40. E.g. for "up to 40 students" there would be

“six hooded floor dryers” as required by (b)(2). But as soon as the 41st student is added there would now be only five required since the plain language of (c) requires the advanced department must be equipped “if there are more than 40 ... students” with (2) “one ... dryer for every 10 students.” That equates to five dryers (at most) for 41 students rather than six dryers for 40 students. That same sort of anomaly is present in other cases as well.

In (d) lines 34 and 35 the rule refers to “equipment requirements specific to the discipline.” I presume those requirements are set in the individual rules for each discipline. If they are not, then you need to delete the reference to “equipment requirements” or set the requirements out here (or in the other rules).

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and deliver it to our office at 1711 New Hope Church Rd, Raleigh, North Carolina 27609.

If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca
Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC BOARD OF COSMETIC ARTS EXAMINERS

RULE CITATION: 21 NCAC 14T .0303

DEADLINE FOR RECEIPT: THURSDAY, DECEMBER 8, 2011

The Rules Review Commission staff has completed its opinion review of this rule or set of rules your agency filed with the RRC for review by the RRC at its next meeting. The Commission has not yet met 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 one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.10.

In (a) line 5 specify what school's or discipline's beginner department you are referring to; the title is not part of the rule.

Further in that line delete the word "minimum" as unnecessary.

At the end of (a)(2) line 7 change the semicolon to a period.

In (b)(1) line 9 delete the comma in "chairs, or treatment tables."

In (b)(2) line 10 change the semicolon after "stools;" to what I believe should be "and."

In (c)(1) – (12) lines 23 and 24, there is presented the same situation as in the previous rule. It seems to me that "every" should be at least "each additional" or something similar.

In (c) line 21 delete "minimum."

In (c)(1) line 23 you need some sort of punctuation or additional language after "One station for every two students." From my point of view that could be either a colon or a period and begin a new sentence or make that entire sentence ("a station shall include") a parenthetical expression. In that same sentence delete "at least."

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and deliver it to our office at 1711 New Hope Church Rd, Raleigh, North Carolina 27609.

If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca, Jr.
Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC BOARD OF COSMETIC ARTS EXAMINERS

RULE CITATION: 21 NCAC 14T .0304

DEADLINE FOR RECEIPT: THURSDAY, DECEMBER 8, 2011

The Rules Review Commission staff has completed its opinion review of this rule or set of rules your agency filed with the RRC for review by the RRC at its next meeting. The Commission has not yet met 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 one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.10.

In (a) line 5 specify what school's or discipline's beginner department you are referring to; the title is not part of the rule.

Further in that line, in (b) line 9 and (c) line 16 delete the word "minimum" as unnecessary.

In (c)(1) line 18, it seems to me that "every" should be at least "each additional" or something similar.

In (c)(1) line 18 you need some sort of punctuation or additional language after "One station for every two students." From my point of view that could be either a colon or a period and begin a new sentence or make that entire sentence ("a station shall include") a parenthetical expression. In that same sentence delete "at least."

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If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca, Jr.
Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC BOARD OF COSMETIC ARTS EXAMINERS

RULE CITATION: 21 NCAC 14T .0401

DEADLINE FOR RECEIPT: THURSDAY, DECEMBER 8, 2011

The Rules Review Commission staff has completed its opinion review of this rule or set of rules your agency filed with the RRC for review by the RRC at its next meeting. The Commission has not yet met 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 one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.10.

Please delete the word "minimum" in line 7.

In item 14 line 21 add the word "and" after the semicolon.

In item (15) line 22 delete the word "and" and change the semicolon following "dryer;" to a period.

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and deliver it to our office at 1711 New Hope Church Rd, Raleigh, North Carolina 27609.

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Joseph J. DeLuca, Jr.
Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC BOARD OF COSMETIC ARTS EXAMINERS

RULE CITATION: 21 NCAC 14T .0501

DEADLINE FOR RECEIPT: THURSDAY, DECEMBER 8, 2011

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In reviewing these rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.10.

In line 5 insert a comma after "transfer."

In line 6 change "Table 1" to "the following table:" (note the semicolon) or label the table as "Table 1." If you choose the latter then there needs to be a period after "Table 1" in line 6.

This request might be a tad picky, and you don't have to do it, but I'm curious why you have two separate boxes under the 30 days column. It's not necessary and I believe it would look better to have a single box. It causes me to look twice at the rule and wonder if I'm missing anything; why is there a different box for each of the items under the 30 days column?

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If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca, Jr.
Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC BOARD OF COSMETIC ARTS EXAMINERS

RULE CITATION: 21 NCAC 14T .0502

DEADLINE FOR RECEIPT: THURSDAY, DECEMBER 8, 2011

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In reviewing these rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.10.

In making the changes to this rule be sure to add page numbers to the rule.

In (a) line 8 change "can" to "may."

In (c) it seems to me that "when a school withdraws a student" they are actually dismissing him or her. Please rewrite the sentence to reflect "withdrawals" and "dismissals" or explain why you want to keep the terminology. I also doubt that a student's "graduation" is considered either a withdrawal or dismissal and does not need to be referenced in the rule as it is in lines 28 and 29, "for any reason other than graduation."

In (d) lines 31 and 32 the phrase "hours earned during the time period prior to withdrawal" does not make any sense to me.

Paragraph (i) does not seem to correspond with the requirements in (a). Please reconcile the two requirements.

In (i) page 2 line 47 change "can" to "may."

In (j) page 2 line 49 change "though" to "through." It seems to me that the very next word, "alternate," is unnecessary. If it is necessary I'm not quite sure what it means. What documentation is this "alternate" to? Does it actually mean "additional"? if so, additional to what?

In (k) there is a requirement pertaining to the maintenance of student records. There are already requirements in (a) and (i). Please reconcile all these requirements and put them in one location.

Does the statement in (k) page 2 line 53 that "records ... cannot be altered offsite" mean that it is permissible to alter them on campus?

In (m) page 2 line 57 should "pass/fail of performances" be "pass/fail of student performances"?

In (q) page 2 line 65 it seems to me that "cannot prevent" should be "shall not prevent" or "must not prevent."

In (s)(1) page 3 lines 80 - 81 there are the words in an incomplete sentence: "With grades for examinations and performance." Please correct.

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If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca, Jr.
Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC BOARD OF COSMETIC ARTS EXAMINERS

RULE CITATION: 21 NCAC 14T .0601

DEADLINE FOR RECEIPT: THURSDAY, DECEMBER 8, 2011

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In reviewing these rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.10.

Even though the title of a rule is not part of the rule, it seems to me that in the title "Curriculum" should be the plural form "curricula" since it refers to the individual curriculum for each discipline.

In (a) line 5 the rule refers to a curriculum "once approved by the board." Please refer to where the approval standards are found.

In (b) line 9 please change "can" to "may."

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and deliver it to our office at 1711 New Hope Church Rd, Raleigh, North Carolina 27609.

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Joseph J. DeLuca, Jr.
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REQUEST FOR TECHNICAL CHANGE

AGENCY: NC BOARD OF COSMETIC ARTS EXAMINERS

RULE CITATION: 21 NCAC 14T .0602

DEADLINE FOR RECEIPT: THURSDAY, DECEMBER 8, 2011

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In reviewing these rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.10.

What follows is a set of general questions that apply to this rule and to the following rules in this section:

It seems that based on some of the questions that are to follow that these boxes need some better division, organization, or at least labeling. It could also be that some definitions would help.

In (a) line 5 please refer to what type of "student" or types of discipline or curriculum/a you are referring.

In (a) the rule states that the "following live model/mannequin performance completions shall be done." But then there are two boxes above those performances in the table with live model/mannequin requirements that do not have any mannequin or live model hours required. It is unclear what those boxes are for or the requirements pertain to.

In the table beginning at line 8 isn't there a better term than "Requirement Description" that you could use or should this be a heading for something else like "Theory Requirements" and "Performance Requirements"?

The first box is labeled "beginners." There is no label in the second box to indicate who would be taking (or refused admission to) those courses.

It seems to me that at least some of the beginners courses in the first box sound as if they might be some of the same items as taught in the advanced department compared with e.g. Rule .0612(b).

It is unclear what the hyphens in some of the boxes under "Hours" stand for. Please verify (and explain) their necessity or delete.

In (b) page 2 line 10 "A minimum of" is not necessary, but I will not object if you choose to leave it in.

But in that same line 10 it seems as if “technical and practical instruction” refers to what is called elsewhere “theory and practice requirements.” These terms need to be held consistent throughout the rules so people do not get confused about what you are referring to.

Please either verify that there is a distinction between “performances on the public” in (b) line 11 and where that distinction is found and the use of a “live model” in (d) line 14.

Is the rule in (g) necessary? If so then change “cannot” to “shall [or ‘must’] not.”

In addition to those common questions above, the following apply:

In the first box “pressing/thermal” sounds like an adjective used to describe something else. But there is no noun following the term. Please verify or correct.

In the second box of the table insert a comma after “cleansing” in “cleansing cutting;” change the comma after “coloring hair,” to a semicolon and the one after “manicuring,” to a semicolon. Finally there should be the word “and” before “business management,” as well as before “salon business” and the comma after “business management,” deleted at least to be consistent with the construction in the first box.

In the hair styling box under the performance requirements it seems that the period after “press/flat iron.” should be the word “and.”

Are there any (other?) separate advanced department courses or requirements that must be taken that are not listed here?

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and deliver it to our office at 1711 New Hope Church Rd, Raleigh, North Carolina 27609.

If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca, Jr.
Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC BOARD OF COSMETIC ARTS EXAMINERS

RULE CITATION: 21 NCAC 14T .0603

DEADLINE FOR RECEIPT: THURSDAY, DECEMBER 8, 2011

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In reviewing these rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.10.

The first set of comments, questions and requests from the previous rule apply here as well. They are:

It seems that based on some of the questions that are to follow that these boxes need some better division, organization, or at least labeling. It could also be that some definitions would help.

In (a) line 5 please refer to what type of "student" or types of discipline or curriculum/a you are referring.

In (a) the rule states that the "following live model/mannequin performance completions shall be done." But then in the table there are two boxes above those performances with live model/mannequin requirements that do not have any mannequin or live model hours required. It is unclear what those boxes are for or the requirements pertain to.

In the table beginning at line 7 isn't there a better term than "Requirement Description" that you could use or should this be a heading for something else like "Theory Requirements" and "Performance Requirements"?

The first box is labeled "beginners." There is no label in the second box to indicate who would be taking (or refused admission to) those courses.

It seems to me that at least some of the beginners courses in the first box sound as if they might be some of the same items as taught in the advanced department compared with e.g. Rule .0612(b).

It is unclear what the hyphens in some of the boxes under "Hours" stand for. Please verify (and explain) their necessity or delete.

In (b) page 2 line 9 "A minimum of" is not necessary, but I will not object if you choose to leave it in.

But in that same line 9 it seems as if “technical and practical instruction” refers to what is called elsewhere “theory and practice requirements.” These terms need to be held consistent throughout the rules so people do not get confused about what you are referring to.

Please either verify that there is a distinction between “performances on the public” in (b) line 11 and where that distinction is found and the use of a “live model” in (d) line 13.

Is the rule in (g) necessary? If so then change “cannot” to “shall [or ‘must’] not.”

In addition to those common questions above, the following apply:

In the second box of the table insert a comma after “cleansing” in “cleansing cutting” and delete the comma in “bleaching, or coloring.” Finally there should be the word “and” before “salon business” at least to be consistent with the construction in the first box.

In the hair styling box under the performance requirements it seems that the period after “press/flat iron.” should be the word “and.”

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and deliver it to our office at 1711 New Hope Church Rd, Raleigh, North Carolina 27609.

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REQUEST FOR TECHNICAL CHANGE

AGENCY: NC BOARD OF COSMETIC ARTS EXAMINERS

RULE CITATION: 21 NCAC 14T .0604

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In reviewing these rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.10.

The first set of comments, questions and requests from the previous rules apply here as well. They are:

It seems that based on some of the questions that are to follow that these boxes need some better division, organization, or at least labeling. It could also be that some definitions would help.

In (a) line 5 please refer to what type of "student" or types of discipline or curriculum/a you are referring.

In (a) the rule states that the "following live model/mannequin performance completions shall be done." But then in the table there are two boxes above those performances with live model/mannequin requirements that do not have any mannequin or live model hours required. It is unclear what those boxes are for or the requirements pertain to.

In the table beginning at line 7 isn't there a better term than "Requirement Description" that you could use or should this be a heading for something else like "Theory Requirements" and "Performance Requirements"?

The first box is labeled "beginners." There is no label in the second box to indicate who would be taking (or refused admission to) those courses.

It seems to me that at least some of the beginners courses in the first box sound as if they might be some of the same items as taught in the advanced department compared with e.g. Rule .0612(b).

It is unclear what the hyphens in the boxes under "Hours" stand for. Please verify (and explain) their necessity or delete.

In (b) line 9 "A minimum of" is not necessary, but I will not object if you choose to leave it in.

But in that same line 9 it seems as if “technical and practical instruction” refers to what is called elsewhere “theory and practice requirements.” These terms need to be held consistent throughout the rules so people do not get confused about what you are referring to.

Please either verify that there is a distinction between “performances on the public” in (b) line 10 and where that distinction is found and the use of a “live model” in (d) line 13.

Is the rule in (g) necessary? If so then change “cannot” to “shall [or ‘must’] not.”

In addition to those common questions above, the following applies:

In the second box in the phrase “eyelash extensions, and applying brow ...” delete either the comma or the word “and” and add the word “and” before “professional ethics.”

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and deliver it to our office at 1711 New Hope Church Rd, Raleigh, North Carolina 27609.

If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca, Jr.
Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC BOARD OF COSMETIC ARTS EXAMINERS

RULE CITATION: 21 NCAC 14T .0605

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In reviewing these rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.10.

The first set of comments, questions and requests from the previous rules apply here as well. They are:

In (a) line 4 please refer to what type of "student" or types of discipline or curriculum/a you are referring. That would probably be where the rule reads beginning in line 4 "... each student in the [?] before the student"

In the table beginning at line 7 isn't there a better term than "Requirement Description" that you could use? Isn't this the "Theory Requirements"?

Are there any separate advanced department courses or requirements as there references to in some of the other rules that need to be mentioned?

It seems to me that at least some of the beginners courses in the first box sound as if they might be some of the same items as taught in the advanced department compared with e.g. Rule .0612(b).

It seems that based on my previous questions that these boxes need some better division or organization or at least labeling.

It is unclear what the hyphens in the boxes under "Hours" and "Services" stand for. Please verify (and explain) their necessity or delete.

In (b) line 9 "A minimum of" is not necessary, but I will not object if you choose to leave it in.

But in that same line 9 it seems as if "technical and practical instruction" refers to what is called elsewhere "theory and practice requirements." These terms need to be held consistent throughout the rules so people do not get confused about what you are referring to.

Please either verify that there is a distinction between "performances on the public" in (b) line 10 and where that distinction is found and the use of a "live model" in (d) line 13.

Is the rule in (g) necessary? If so then change “cannot” to “shall [or ‘must’] not.”

In addition to those common questions above, the following apply:

In the second box change the comma after “artificial nails” to a semicolon; the comma after “professional ethics” to a semicolon; and add the word “and” before “electric file.”

In the second box under “Performance Requirements” it seems that the parentheses should be removed and “nails (sets – a set ...)” should be changed to “nails or nail sets – a set” Also I realize that “all five fingers” is a colloquial phrase. It should be changed to the more correct “... including all four fingers and thumb.”

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and deliver it to our office at 1711 New Hope Church Rd, Raleigh, North Carolina 27609.

If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca, Jr.
Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC BOARD OF COSMETIC ARTS EXAMINERS

RULE CITATION: 21 NCAC 14T .0606

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In reviewing these rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.10.

The first set of comments, questions and requests from the previous rules apply here as well. They are:

It seems that based on some of the questions that are to follow that these boxes need some better division, organization, or at least labeling. It could also be that some definitions would help.

In (a) the rule states that the "following live model/mannequin performance completions shall be done." But then in the table there are two boxes above those performances with live model/mannequin requirements that do not have any mannequin or live model hours required. It is unclear what those boxes are for or the requirements pertain to.

In the table beginning at line 7 isn't there a better term than "Requirement Description" that you could use or should this be a heading for something else like "Theory Requirements" and "Performance Requirements"?

The first box is labeled "beginners." There is no label in the second box to indicate who would be taking (or refused admission to) those courses.

It seems to me that at least some of the beginners courses in the first box sound as if they might be some of the same items as taught in the advanced department compared with e.g. Rule .0612(b).

In (b) line 8 "A minimum of" is not necessary, but I will not object if you choose to leave it in.

But in that same line 8 it seems as if "technical and practical instruction" refers to what is called elsewhere "theory and practice requirements." These terms need to be held consistent throughout the rules so people do not get confused about what you are referring to.

Please either verify that there is a distinction between "performances on the public" in (b) line 9 and where that distinction is found and the use of a "live model" in (d) line 12.

Is the rule in (g) necessary? If so then change “cannot” to “shall [or ‘must’] not.”

In addition to those common questions above, the following applies:

In the second box of the left-hand column change the comma after “and hot iron,” to a semicolon and add the word “and” after the semicolon.

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and deliver it to our office at 1711 New Hope Church Rd, Raleigh, North Carolina 27609.

If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca, Jr.
Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC BOARD OF COSMETIC ARTS EXAMINERS

RULE CITATION: 21 NCAC 14T .0607

DEADLINE FOR RECEIPT: THURSDAY, DECEMBER 8, 2011

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In reviewing these rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.10.

Are there any separate advanced department courses or requirements as there references to in some of the other rules that need to be mentioned?

It seems to me that at least some of the beginners courses in the first box sound as if they might be some of the same items as taught in the advanced department compared with e.g. Rule .0612(b).

Since the first box seems to state that all the 150 hours in that box are for beginners and probably more "technical" than "practical," and there is no breakdown for what constitutes "practical" I am not sure what is required under (b) or how to determine how much of each is required.

It seems that based on some of the questions that are to follow that these boxes need some better division, organization, or at least labeling. It could also be that some definitions would help.

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and deliver it to our office at 1711 New Hope Church Rd, Raleigh, North Carolina 27609.

If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca, Jr.
Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC BOARD OF COSMETIC ARTS EXAMINERS

RULE CITATION: 21 NCAC 14T .0612

DEADLINE FOR RECEIPT: THURSDAY, DECEMBER 8, 2011

The Rules Review Commission staff has completed its opinion review of this rule or set of rules your agency filed with the RRC for review by the RRC at its next meeting. The Commission has not yet met 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 one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.10.

Based on my questions and problems in some of the other .0600 rules I am not sure what hours are earned in the advanced department; what the courses in the advanced department are; what constitutes "theory" and "practice;" and what constitutes "study and performance completions. There may also be some lack of clarity or even inconsistency as to exactly when a student in the advanced department may work on a member of the public. It seems that the first two paragraphs could require some reworking to make sure all these questions are answered – unless changes in other rules make this unnecessary.

Be sure to review the requirements in (b) to make sure there are no conflicts, inconsistencies, or uncertainties with the requirements in the other curricula rules.

In (d) line 13 I would delete "the" in "the theory" since most of the other rules refer to "theory," not "the theory. This is why it is important to have all labels used consistently so that there is little chance that someone would be unsure as to what the requirements are.

It seems to me that the requirements in (e)(1) – (3) are – or should be – in the other curricula requirement rules .0601 - .0606 rules at least. Please review and remove all redundancies and consolidate all requirements for the same curriculum in the same place. If necessary you can refer to the rule where the requirements are in a different rule.

Please review (f) to see how it affects or what should be in the labels or categories for the various boxes in the other rules.

In (k) line 31 "papers written" is usually found in the adjective-noun format, "written papers." Better still would be dropping "written" since most papers are "written."

In (l) line 32 it seems to me that "may only receive training and practice in the discipline" should be "may receive training and practice only in [or 'in only'] the discipline."

In (o) please define what is meant by "make text books ... available" to students.

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and deliver it to our office at 1711 New Hope Church Rd, Raleigh, North Carolina 27609.

If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca, Jr.
Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC BOARD OF COSMETIC ARTS EXAMINERS

RULE CITATION: 21 NCAC 14T .0701

DEADLINE FOR RECEIPT: THURSDAY, DECEMBER 8, 2011

The Rules Review Commission staff has completed its opinion review of this rule or set of rules your agency filed with the RRC for review by the RRC at its next meeting. The Commission has not yet met 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 one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.10.

In (b) line 11 it seems to me that “services and performances” should be “services or performances.” But you can have it however you want it.

In (e) lines 15 and 16, I don’t understand what constitutes a “visit ... [to] ... educational resource rooms such as ... study under the supervision of a cosmetic art instructor” and why it is necessary to include such permission in a rule. Please verify and explain.

In (k) line 27 reference is made to “demonstration classes.” I am not sure if this is another term for “practical training” or “performances.” It seems you either need to settle on one term or provide definitions for these terms so that the differences can be understood.

In (k) either the “student teacher” ratio should be 25:1 or “student teacher” should be changed to “teacher student” ratio.

In (l) line 28 delete the comma in “live models, on the clinic floor.”

I won’t require this change but in current (m) page 2 line 32 the phrase “by written correspondence” could be made stronger, more direct and shortened to “in writing.” I would also move “in writing” to immediately after “notified” earlier in the sentence.

It seems to me that in (m) there should be a new paragraph, if not a new labeled paragraph beginning on page 2 line 38 with “A licensed cosmetologist not licensed to teach cosmetic art” In that same sentence I believe it would be more accurate and more consistent to change “not licensed to teach cosmetic art” to “not licensed as a cosmetology teacher.”

It also seems to me that the phrase “not licensed as a [cosmetologist, manicurist, natural hair care specialist, esthetician] teacher” is actually unnecessary, but if you believe it should be left in I won’t raise any objection.

However in (m) page 2 line 42 please be consistent as to whether it is an “esthetic” teacher or an “esthetician” teacher.

I also believe that the sentence beginning in line 42 with "In no event..." should be a separate paragraph, if not a separate labeled paragraph.

In (p) page 2 line 51, change "section o" to "paragraph (o) [or whatever relabeled paragraph (o) might become]."

In (q) I do not understand the meaning of the second sentence, "The Board shall not certify student hours between any North Carolina open cosmetic art schools." Can you explain this to me or clarify it in the written rule?

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and deliver it to our office at 1711 New Hope Church Rd, Raleigh, North Carolina 27609.

If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca, Jr.
Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC BOARD OF COSMETIC ARTS EXAMINERS

RULE CITATION: 21 NCAC 14T .0704

DEADLINE FOR RECEIPT: THURSDAY, DECEMBER 8, 2011

The Rules Review Commission staff has completed its opinion review of this rule or set of rules your agency filed with the RRC for review by the RRC at its next meeting. The Commission has not yet met 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 one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.10.

Insert "to" in "prior examination" to make it "prior to examination" in line 5.

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and deliver it to our office at 1711 New Hope Church Rd, Raleigh, North Carolina 27609.

If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca, Jr.
Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC BOARD OF COSMETIC ARTS EXAMINERS

RULE CITATION: 21 NCAC 14T .0706

DEADLINE FOR RECEIPT: THURSDAY, DECEMBER 8, 2011

The Rules Review Commission staff has completed its opinion review of this rule or set of rules your agency filed with the RRC for review by the RRC at its next meeting. The Commission has not yet met 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 one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.10.

This rule has a different name from the Submission for Filing form. You may either correct the forms here or do new forms.

In (e) line 17 delete or define "final" in "student final hours." It seems to be unnecessary or unclear. Would this not apply to processing all the hours a student had attended in a school that is closing? If not it is unclear what constitutes the "final" hours.

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and deliver it to our office at 1711 New Hope Church Rd, Raleigh, North Carolina 27609.

If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca, Jr.
Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC BOARD OF COSMETIC ARTS EXAMINERS

RULE CITATION: 21 NCAC 14T .0901

DEADLINE FOR RECEIPT: THURSDAY, DECEMBER 8, 2011

The Rules Review Commission staff has completed its opinion review of this rule or set of rules your agency filed with the RRC for review by the RRC at its next meeting. The Commission has not yet met 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 one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.10.

In (a) line 6 make "Statute" plural.

In (b)(2) lines 11 – 14 the labeling for the sub-sub-paragraphs (a) – (c) is incorrect. Please see OAH rule 26 NCAC 02C .0206 for the correct labeling.

It seems to me that in (b)(2) line 10 "at which" should be "in which."

In (c) line 15 delete "one year" and "frame" as unnecessary.

In (d) line 19 delete the comma after "visits,". At the end of that line insert a space in "toolsand." (I am not sure what version of the rule you used for formatting this submission, but the version published in both the NCR – the version you should use in making any changes – and the version submitted last month both have the correct space inserted in the two words.)

In (e) line 21 make "Statute" plural.

In (e) line 23 change "school" to "school's." Later in that same sentence change "shall not" to "should not." That is the normal terminology for a show cause order which is what this paragraph is addressing.

There is no indication of what happened to paragraph (f) that was originally proposed as part of this rule.

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and deliver it to our office at 1711 New Hope Church Rd, Raleigh, North Carolina 27609.

If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca, Jr.
Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC MEDICAL BOARD

RULE CITATION: 21 NCAC 32B .1303

DEADLINE FOR RECEIPT: Tuesday, December 13, 2011

NOTE WELL: *This request when viewed on computer extends several pages. Please be sure you have reached the end of the document.*

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:

Correct 5 on your form. Notice was not required, nor was any given as best I know. This is a separate rulemaking from the last. Cite G.S. 150B-21.5(a)(5).

Correct your introductory sentence for the same reason.

End (a)(4) with a semicolon.

In (d), delete "be required to."

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.

Robert A. Bryan, Jr.
Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC MEDICAL BOARD

RULE CITATION: 21 NCAC 32C .0107

DEADLINE FOR RECEIPT: Tuesday, December 13, 2011

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 your form, show your action in 3 as a repeal.

Prepare a proper introductory statement. The statement should cite the Register and say that the rule was proposed as an amendment.

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.

Robert A. Bryan, Jr.
Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: WILDLIFE RESOURCES COMMISSION

RULE CITATION: 15A NCAC 10B .0106

DEADLINE FOR RECEIPT: Tuesday, December 13, 2011

NOTE WELL: This request when viewed on computer extends several pages. Please be sure you have reached the end of the document.

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:

In (c)(2), delete or define "specifically."

In (d)(6), delete the first two "licensed." Pursuant to G.S. 113-273(k), a license is only required if there is compensation. As written, the rule would prohibit the transportation to someone who works for free.

In (d)(7), since there is no closed season for feral swine, is there any longer a need for a depredation permit for them? If not, delete this Subparagraph.

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.

Robert A. Bryan, Jr.
Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: WILDLIFE RESOURCES COMMISSION

RULE CITATION: 15A NCAC 10B .0114

DEADLINE FOR RECEIPT: Tuesday, December 13, 2011

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:

In (b), change "such" to "the."

In (d), change "regulations" to "rules."

In (e), change "such" to "the."

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.

Robert A. Bryan, Jr.
Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: WILDLIFE RESOURCES COMMISSION

RULE CITATION: 15A NCAC 10B .0201

DEADLINE FOR RECEIPT: Tuesday, December 13, 2011

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:

In (a), delete or define "specifically."

In (b)(2) and (c)(2), delete "on Sundays" as redundant.

In your note, change "these regulations" to "this Rule" or whatever you mean.

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.

REQUEST FOR TECHNICAL CHANGE

AGENCY: WILDLIFE RESOURCES COMMISSION

RULE CITATION: 15A NCAC 10B .0202

DEADLINE FOR RECEIPT: Tuesday, December 13, 2011

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:

Make clear that this rule applies to hunting bear.

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.

Robert A. Bryan, Jr.
Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: WILDLIFE RESOURCES COMMISSION

RULE CITATION: 15A NCAC 10B .0203

DEADLINE FOR RECEIPT: Tuesday, December 13, 2011

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:

Make clear that this rule applies to hunting deer.

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.

Robert A. Bryan, Jr.
Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: WILDLIFE RESOURCES COMMISSION

RULE CITATION: 15A NCAC 10B .0215

DEADLINE FOR RECEIPT: Tuesday, December 13, 2011

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:

Make clear that the rule applies to hunting crows.

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.

Robert A. Bryan, Jr.
Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: WILDLIFE RESOURCES COMMISSION

RULE CITATION: 15A NCAC 10B .0216

DEADLINE FOR RECEIPT: Tuesday, December 13, 2011

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:

In (a), change "shall coincide" to "coincides."

In (b), change "shall apply" to "applies."

In (c), change each "such" to "the." Delete "said."

In (e), change each "shall be" to "is" or "are" as appropriate.

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.

Robert A. Bryan, Jr.
Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: WILDLIFE RESOURCES COMMISSION

RULE CITATION: 15A NCAC 10B .0223

DEADLINE FOR RECEIPT: Tuesday, December 13, 2011

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:

Add the rule name to 2 on the form.

Add a reference to the temporary rule to the history note.

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.

Robert A. Bryan, Jr.
Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: WILDLIFE RESOURCES COMMISSION

RULE CITATION: 15A NCAC 10C .0205

DEADLINE FOR RECEIPT: Tuesday, December 13, 2011

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:

In (a)(1)(C), change "St." to "Street." Also spell out "County."

In (a)(2), delete or define "specifically."

On page 18, line 26, change the period to a colon.

In the last sentence in (a)(7), delete the semicolons and write as complete sentences.

In (b)(1), delete "whatsoever" as unnecessary.

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.

Robert A. Bryan, Jr.
Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: WILDLIFE RESOURCES COMMISSION

RULE CITATION: 15A NCAC 10C .0305 (BOTH VERSIONS)

DEADLINE FOR RECEIPT: Tuesday, December 13, 2011

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:

In (b)(4), delete or define "special."

The rules in this Section appear to apply only to game fish based on the title of the Section. Yet you also include the creel and sized limits and open seasons for nongame fish. All of this information is then repeated in 15A NCAC 10C .0401. It does not appear necessary to include this in the rules twice. Either explain why it is necessary or delete the nongame material from this rule.

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.

Robert A. Bryan, Jr.
Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: WILDLIFE RESOURCES COMMISSION

RULE CITATION: 15A NCAC 10C .0401

DEADLINE FOR RECEIPT: Tuesday, December 13, 2011

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:

Delete the language from this rule that repeats the language from 15A NCAC 10C .0305 if you did not delete it from the other rule.

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.

Robert A. Bryan, Jr.
Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: WILDLIFE RESOURCES COMMISSION

RULE CITATION: 15A NCAC 10C .0404

DEADLINE FOR RECEIPT: Tuesday, December 13, 2011

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:

In (a), delete or define "specifically." Tell where the prohibitions are (this rule, this section, or whatever).

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.

Robert A. Bryan, Jr.
Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: WILDLIFE RESOURCES COMMISSION

RULE CITATION: 15A NCAC 10D .0102

DEADLINE FOR RECEIPT: Tuesday, December 13, 2011

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:

In 6 on your form, you have marked that the rule establishes or increases a fee. It appears that your agency decided not to increase the fee. If this is correct, change the mark to "No" on the form. If my understanding is incorrect, include the consultation information on the form.

In (a)(4) and (5), delete or define "specific."

In (c), change "except" to a period. Delete "or" at the end of (1), (2), (3) and (4). Change "under the following conditions" to "if."

In (n), delete or define "special."

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.

Robert A. Bryan, Jr.
Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: WILDLIFE RESOURCES COMMISSION

RULE CITATION: 15A NCAC 10D .0103

DEADLINE FOR RECEIPT: Tuesday, December 13, 2011

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:

In (h)(27)(C), add "is allowed" after "hunting."

End (h)(42)(B) with a period.

In (h)(43)(C), change "shall be" to "is."

End (H)(70)(D) with a period.

In (h)(70)(G), change "will be" to "is."

In (h)(70)(H), put your list in list form.

End (h)(76)(B) with a period.

End (h)(81)(B) with a period.

End (h)(88)(A) with a period.

In (j), put your list in (1), (2), (3) form, ending each Subparagraph with appropriate punctuation.

In (k), add the standards used in granting permission.

In (l), should the counties excepted from the paragraph be deleted? If so, do so.

In (m), delete or define "specifically."

In (n), change "will" to "shall." Delete or define "clearly."

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.

Robert A. Bryan, Jr.
Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: WILDLIFE RESOURCES COMMISSION

RULE CITATION: 15A NCAC 10D .0105

DEADLINE FOR RECEIPT: Tuesday, December 13, 2011

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:

In (a)(1), delete "the following:".

End (b)(1)(A) with "and" or "or."

In (b), delete "the following applies."

In (b)(2) and (c)(1), delete or define "specifically." Tell where prohibited (this Rule, this Chapter, or whatever).

In (b)(5), delete or define "Miscellaneous amounts of." Delete "state agency."

In (c), delete "the following apply."

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.

Robert A. Bryan, Jr.
Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: WILDLIFE RESOURCES COMMISSION

RULE CITATION: 15A NCAC 10E .0104

DEADLINE FOR RECEIPT: Tuesday, December 13, 2011

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:

In (b), put the list in (1), (2), (3) list form.

In (c), delete or define "fully."

In (d), change "shall mean" to "means."

In (f) close your parenthesis.

In (g), tell when authorization will be granted.

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.

Robert A. Bryan, Jr.
Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: WILDLIFE RESOURCES COMMISSION

RULE CITATION: 15A NCAC 10F .0313

DEADLINE FOR RECEIPT: Tuesday, December 13, 2011

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:

Delete "and" at the end of (a)(7).

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.

Robert A. Bryan, Jr.
Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: WILDLIFE RESOURCES COMMISSION

RULE CITATION: 15A NCAC 10F .0324

DEADLINE FOR RECEIPT: Tuesday, December 13, 2011

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:

Begin (b)(3) with "within."

In (f), delete "shall."

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.

Robert A. Bryan, Jr.
Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: WILDLIFE RESOURCES COMMISSION

RULE CITATION: 15A NCAC 10H .0803

DEADLINE FOR RECEIPT: Tuesday, December 13, 2011

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:

In (a), tell when a letter is required.

In (b), delete "recently" as unnecessary.

In (f), change "can" to "may."

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.

REQUEST FOR TECHNICAL CHANGE

AGENCY: WILDLIFE RESOURCES COMMISSION

RULE CITATION: 15A NCAC 10H .0804

DEADLINE FOR RECEIPT: Tuesday, December 13, 2011

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:

Delete or define "and other appropriate subject matter."

Change "shall not be" to "is not."

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.

Robert A. Bryan, Jr.
Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: WILDLIFE RESOURCES COMMISSION

RULE CITATION: 15A NCAC 10H .0806

DEADLINE FOR RECEIPT: Tuesday, December 13, 2011

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:

In (d), change "will" to "shall." Cite where the standards are for determining disposition of the birds.

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.

Robert A. Bryan, Jr.
Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: WILDLIFE RESOURCES COMMISSION

RULE CITATION: 15A NCAC 10H .0807

DEADLINE FOR RECEIPT: Tuesday, December 13, 2011

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:

In (b)(1), change "will" to "shall."

On page 1, line 16, change "may" to "shall" or set out the factors used in making the decision.

On page 1, lines 18 and 19, change "and/or" to "and" or "or."

On page 1, lines 19 and 20, delete "be required to."

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.

Robert A. Bryan, Jr.
Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: WILDLIFE RESOURCES COMMISSION

RULE CITATION: 15A NCAC 10H .0808

DEADLINE FOR RECEIPT: Tuesday, December 13, 2011

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:

In (b)(2), change each "should" to "shall" or "may." Delete or define "undue."

In (b)(3), on line 30, begin "covers" with a lower case letter. Delete or define "adequate." Delete or define "excessive."

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.

Robert A. Bryan, Jr.
Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: WILDLIFE RESOURCES COMMISSION

RULE CITATION: 15A NCAC 10H .0809

DEADLINE FOR RECEIPT: Tuesday, December 13, 2011

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:

In (f), add "and receive" after "request."

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.

Robert A. Bryan, Jr.
Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: WILDLIFE RESOURCES COMMISSION

RULE CITATION: 15A NCAC 10H .0810

DEADLINE FOR RECEIPT: Tuesday, December 13, 2011

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:

In (b), change each "are allowed to" to "may."

In (e), delete or define "from a reasonable distance."

In (e)(1), delete or define "suitable."

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.

REQUEST FOR TECHNICAL CHANGE

AGENCY: WILDLIFE RESOURCES COMMISSION

RULE CITATION: 15A NCAC 10I .0102

DEADLINE FOR RECEIPT: Tuesday, December 13, 2011

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:

In (a), change "shall be" to "is." Add "in this Rule" or whatever you mean after "otherwise provided."

In (b), delete "as follows."

Delete the last eight words in (b)(4) as redundant.

In (c)(2)(D), change the semicolon to a period.

In (e)(1), delete or define "distinctly."

In (e)(4), change "shall be" to "is."

Delete the semicolon on page 2, line 17.

Delete each "and" on page 2, line 19.

In (e)(4), make (A) and (B) into Paragraphs (f) and (g).

In (e)(4)(B), change "shall be" to "is."

Delete the semicolon on page 2, line 30.

End page 2, line 17, with a colon. Put the remainder of the sentence in list form.

On page 2, line 30, put a colon after "that" and put the remainder of the paragraph in list form.

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.

Robert A. Bryan, Jr.
Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: WILDLIFE RESOURCES COMMISSION

RULE CITATION: 15A NCAC 10J .0102

DEADLINE FOR RECEIPT: Tuesday, December 13, 2011

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:

Delete "or" at the end of (c)(1) and (2).

In (o), delete "the following:".

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.

Robert A. Bryan, Jr.
Commission Counsel