

REQUEST FOR TECHNICAL CHANGE

AGENCY: N.C. DEPARTMENT OF INSURANCE

DEADLINE FOR RECEIPT: Tuesday, March 16, 2010

RULE CITATION: 11 NCAC 22 .0101

The staff of the Rules Review Commission has completed its opinion review of the rule or set of rules your agency filed with us 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.

In reviewing the 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-21.1.

In line 5 change "a professional ... organizations" to either "professional ... organizations" or "a professional ... organization."

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and submit it along with two copies and an electronic copy to our office at Suite 159, 1307 Glenwood Avenue, Raleigh, North Carolina.

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

Joseph J. DeLuca, Jr.
Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: N.C. DEPARTMENT OF INSURANCE

DEADLINE FOR RECEIPT: Tuesday, March 16, 2010

RULE CITATION: 11 NCAC 22 .0102

The staff of the Rules Review Commission has completed its opinion review of the rule or set of rules your agency filed with us 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.

In reviewing the 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-21.1.

It seems to me that in (b)(2) line 13 the comma after "incurred," should be a semicolon or period.

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and submit it along with two copies and an electronic copy to our office at Suite 159, 1307 Glenwood Avenue, Raleigh, North Carolina.

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

Joseph J. DeLuca, Jr.
Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: N.C. DEPARTMENT OF INSURANCE

DEADLINE FOR RECEIPT: Tuesday, March 16, 2010

RULE CITATION: 11 NCAC 22 .0103

The staff of the Rules Review Commission has completed its opinion review of the rule or set of rules your agency filed with us 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.

In reviewing the 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-21.1.

In (b) line 7 change "an licensed ... administrator" to "a licensed ... administrator" or "licensed ... administrators."

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and submit it along with two copies and an electronic copy to our office at Suite 159, 1307 Glenwood Avenue, Raleigh, North Carolina.

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

Joseph J. DeLuca, Jr.
Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: N.C. DEPARTMENT OF INSURANCE

DEADLINE FOR RECEIPT: Tuesday, March 16, 2010

RULE CITATION: 11 NCAC 22 .0107

The staff of the Rules Review Commission has completed its opinion review of the rule or set of rules your agency filed with us 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.

In reviewing the 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-21.1.

In (e) page 2 line 16 change "prescribed by" to "provided by."

The same applies in (h) line 31.

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and submit it along with two copies and an electronic copy to our office at Suite 159, 1307 Glenwood Avenue, Raleigh, North Carolina.

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

Joseph J. DeLuca, Jr.
Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: N.C. DEPARTMENT OF INSURANCE

DEADLINE FOR RECEIPT: Tuesday, March 16, 2010

RULE CITATION: 11 NCAC 22 .0108

The staff of the Rules Review Commission has completed its opinion review of the rule or set of rules your agency filed with us 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.

In reviewing the 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-21.1.

In line 4 define "readily accessible" or delete "readily accessible and."

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and submit it along with two copies and an electronic copy to our office at Suite 159, 1307 Glenwood Avenue, Raleigh, North Carolina.

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

Joseph J. DeLuca, Jr.
Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: N.C. DEPARTMENT OF INSURANCE

DEADLINE FOR RECEIPT: Tuesday, March 16, 2010

RULE CITATION: 11 NCAC 22 .0109

The staff of the Rules Review Commission has completed its opinion review of the rule or set of rules your agency filed with us 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.

In reviewing the 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-21.1.

In line 3 specify what types of payments (claims?) must be made.

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and submit it along with two copies and an electronic copy to our office at Suite 159, 1307 Glenwood Avenue, Raleigh, North Carolina.

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

Joseph J. DeLuca, Jr.
Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: N.C. DEPARTMENT OF INSURANCE

DEADLINE FOR RECEIPT: Tuesday, March 16, 2010

RULE CITATION: 11 NCAC 22 .0117

The staff of the Rules Review Commission has completed its opinion review of the rule or set of rules your agency filed with us 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.

In reviewing the 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-21.1.

Please verify the statement in (a) line 3 that the definitions in this rule apply to this rule and not to any other rules or the section. It seems to me that some of the terms defined are not used in this rule.

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and submit it along with two copies and an electronic copy to our office at Suite 159, 1307 Glenwood Avenue, Raleigh, North Carolina.

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

Joseph J. DeLuca, Jr.
Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: N.C. PRIVATE PROTECTIVE SERVICES BOARD

DEADLINE FOR RECEIPT: Tuesday, March 16, 2009

RULE CITATION: 12 NCAC 07D.0405

The staff of the Rules Review Commission has completed its opinion review of the rule or set of rules your agency filed with us 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.

In reviewing the 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-21.1.

In lines 5 and 6 change "shall be allowed" to "may."

In line 7 change "Sheriff's" to "Sheriffs'."

In line 8 change "Said badge" to "The badge."

In order to make the rule consistent with the approval given by the Sheriffs' Association please make the following changes to the rule:

- *have the language on the badge include "Licensed Private Investigator." This may require a change in the language of the rule in lines 8 – 10, a change in the photo or representation of the badge included in the NCAC, or both;*
- *specify blue or black lettering on the badge in line 10; and*
- *have the seal consistent with the final agreement with the Association or its attorney.*

Please provide an indication or certification that the rule, including with the above changes, is approved by both the N.C. Chiefs of Police Association and the N.C. Sheriffs' Association.

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and submit it along with two copies and an electronic copy 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: N.C. COASTAL RESOURCES COMMISSION

DEADLINE FOR RECEIPT: Tuesday, March 16, 2010

RULE CITATION: 15A NCAC 07H .0208

The staff of the Rules Review Commission has completed its opinion review of the rule or set of rules your agency filed with us 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.

In reviewing the 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-21.1

Please submit a certification that the notifications required by G.S. 113A-107(c) were made:

§ 113A-107. State guidelines for the coastal area.

(a) State guidelines for the coastal area shall consist of statements of objectives, policies, and standards to be followed in public and private use of land and water areas within the coastal area. Such guidelines shall be consistent with the goals of the coastal area management system as set forth in G.S. 113A-102. They shall give particular attention to the nature of development which shall be appropriate within the various types of areas of environmental concern that may be designated by the Commission under Part 3. Land and water areas addressed in the State guidelines may include underground areas and resources, and airspace above the land and water, as well as the surface of the land and surface waters. Such guidelines shall be used in the review of applications for permits issued pursuant to this Article and for review of and comment on proposed public, private and federal agency activities that are subject to review for consistency with State guidelines for the coastal area. Such comments shall be consistent with federal laws and regulations.

(b) The Commission shall be responsible for the preparation, adoption, and amendment of the State guidelines. In exercising this function it shall be furnished such staff assistance as it requires by the Secretary of Environment and Natural Resources and the Secretary of the Department of Administration, together with such incidental assistance as may be requested of any other State department or agency.

(c) The Commission shall mail proposed as well as adopted rules establishing guidelines for the coastal area to all cities, counties, and lead regional organizations within the area and to all State, private, federal, regional, and local agencies the Commission considers to have special expertise on the coastal area. A person who receives a proposed rule may send written comments on the proposed rule to the Commission within 30 days after receiving the proposed rule. The Commission shall consider any comments received in determining whether to adopt the proposed rule.

(d), (e) Repealed by Session Laws 1987, c. 827, s. 134.

(f) The Commission shall review its rules establishing guidelines for the coastal area at least every five years to determine whether changes in the rules are needed. (1973, c. 1284, s. 1; 1975, c. 452, s. 5; 1975, 2nd Sess., c. 983, ss. 75, 76; 1977, c. 771, s. 4; 1981, c. 932, s. 2.1; 1987, c. 827, s. 134; 1989, c. 313; c. 727, s. 218(65); 1997-443, s. 11A.119(a).)

This rule would be easier to understand if it were broken into separate rules. At the least I would separate the (a) and (b) portions, the general and specific use standards. It seems to me that it would be easier still to find the specific use standards if each one of them were a separate rule addressing only the specific named uses in (b). If this were done please pay attention to the reference in (b)(11) page 15 line 23 to paragraph (a) of this rule and revise (a) and this reference as necessary.

In (a)(2)(A) line 19 the term “submerged aquatic vegetation as defined by the Marine Fisheries Commission” is used. It is repeated elsewhere in this rule. I do not believe that it is necessary to keep repeating “as defined by the Marine Fisheries Commission” in the subsequent references. It might also be better to move this definition, and make a reference to the specific source of the MFC definition, to the definition rule for the section or sub-chapter. [Note well: you could do this to the definition rule without prior notice or hearing for that rule if you were only moving the noticed language to a different rule and not making any other changes in that rule.

In (a)(3) page 2 line 7 either delete or define “clearly.”

In (b)(1) page 3 line 5 delete or define “highly.” As a matter of fact it may be that “highly productive” is not necessary since it appears that the rule concerns any “shellfish beds as identified by the MFC” unless the EMC includes in its designations the productivity of a designated shellfish bed, e.g. “low productivity shellfish beds ... productive shellfish beds ... highly productive shellfish beds.”

In (b)(1)(I) page 4 line 9 it seems to me the period at the end of the sentence should be a colon. This sentence on lines 8 and 9 could also be placed after (i) – (iv) at the same level as (I). In that case the period after “criteria” would become a semicolon.

In (b)(5) page 6 line 8 it seems to me that the word “also” in “shall also comply” is unnecessary.

In (b)(5)(A) page 6 line 12, it seems to me that you need to add the word “or” before “wetland habitats.”

In (b)(5)(I) page 7 line 34 the commas after “... mooring sites (permanent or temporary), ... [and] reductions,” should be changed to semicolons. As an alternative delete the commas in “... other device, either physical or regulatory,” in lines 34 and 35.

In (b)(5)(K) page 8 line 1 the word “acceptable” is not necessary and should be deleted. Please verify that in line 2 you wish to refer only to (B) and not any of the other sub-sub paragraphs within this sub-paragraph (b)(1).

In (b)(5)(L) page 8 add “EMC” after “applicable” in line 5; in line 6 delete “as required by the EMC” and restore the period after “runoff.”

In (b)(5)(M) page 8 line 9 it seems to me that “listing” or a similar term would be more likely to satisfy what appears to be the intent of this rule than “explaining.”

In (b)(5)(Q) page 8 line 22 delete or define “to the maximum extent possible.” It may be possible to satisfy this request by naming an official whose sole decision determines

whether something is or can be done “to the maximum extent possible.” [See also the staff opinion concerning this requirement of the rule.]

Delete (b)(6)(C) in its entirety since the requirements in this rule appear to be contained in (b)(6)(A) and (C). As an alternative to this, you could choose to comply with the next two requests.

In (b)(6)(C) page 9 line 3 delete “shall be no wider than six feet and” since this requirement is already contained on the previous page in (A).

Likewise in (D) lines 14 and 15 delete “and shall be elevated ... from the bottom of the decking since this appears in (C) above.

In (b)(6)(E) page 9 line 17 delete or define “demonstrated.” Perhaps “documented” might be a satisfactory substitution. I believe that in line 18 “only covering” would be more correct and read better as “covering only” although it might be possible that I don’t understand the precise requirement.

In (b)(6)(F) page 9 line 23 delete or define “demonstrated.” Perhaps “documented” might be a satisfactory substitution.

In (b)(6)(J) page 10 line 28 delete or define “to the maximum extent practicable.” It may be possible to satisfy this request by naming an official whose sole decision determines whether something is or can be done “to the maximum extent practicable.”

In (b)(8)(C)(iii) page 12 line 20 there needs to be a space in “... part(b) ...” Change “part” to “paragraph.”

In (b)(8)(F) page 13 line 2 delete “during the life of the permit” to make it clear that the “life of the permit” does not include a permit renewal and subsequent or “repeated” beach nourishment.” See also my staff opinion concerning this rule.

In (b)(10)(C) page 14 it seems to me that in line 2 “other” and “shall” are unnecessary and should be deleted. In line 3 “and vehicle” should be changed to “or vehicle” to make it clear that all three services are not necessary at that particular location.

In (b)(10)(G) page 14 line 29 change “in accordance with” to “in violation of” or similar language.

In (b)(10)(H) add “EMC” after “applicable” in line 31; in line 32 delete “in accordance with EMC standards” and restore the period after “runoff.”

In (b)(10)(I) page 14 it seems to me that “listing” or a similar term would be more likely to satisfy what appears to be the intent of this rule than “explaining” in line 35

In (b)(12)(A) page 16 line 2 change the period after (the second) “standards” to a colon.

In ((b)(12)(B) page 16 line 28 change “guidelines” to “rules.”

In (b)(12)(B)(ii) page 17 lines 3 – 6 insert where the approval rules for restoration plans are found.

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and submit it along with two copies and an electronic copy 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.

REQUEST FOR TECHNICAL CHANGE

AGENCY: N.C. COASTAL RESOURCES COMMISSION

DEADLINE FOR RECEIPT: Tuesday, March 16, 2010

RULE CITATION: 15A NCAC 07H .0309

The staff of the Rules Review Commission has completed its opinion review of the rule or set of rules your agency filed with us 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.

In reviewing the 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-21.1

In (c) page 2 it does not seem to me that sub-paragraph (3) is necessary. It seems to repeat the requirements of (b); the condition to comply with (b)(1) – (5) is already required in (b).

In (e)(1) page 3 line 8 it seems to me that “or” is better than “and” unless the rule means to require that the pier provides for two uses: fishing and other recreational purposes, not just one of those without the other.

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and submit it along with two copies and an electronic copy 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: N.C. COASTAL RESOURCES COMMISSION

DEADLINE FOR RECEIPT: Tuesday, March 16, 2010

RULE CITATION: 15A NCAC 07H .1704

The staff of the Rules Review Commission has completed its opinion review of the rule or set of rules your agency filed with us 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.

In reviewing the 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-21.1

In (a)(1) lines 5 and 6 it seems to me that "appropriate" and "appropriately" are unnecessary and would not change the rule if they were deleted. Appropriate should be changed to "a" or "the" or some similar designation.

In (a)(1) line 7 change "can" to "may." It would be helpful and might be necessary to avoid objection to add a standard indicating what conditions determine whether it will be issued.

In (a)(2) line 10 there needs to be a comma after "emergency."

In (a)(3) line 19 change "their" to "its."

In (b) line 28 please change "prescribed herein" to "in these rules" or similar language.

In (d) line 32 change "will" to "shall." In lines 34 and 35 change the semicolons to commas.

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and submit it along with two copies and an electronic copy 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: N.C. COASTAL RESOURCES COMMISSION

DEADLINE FOR RECEIPT: Tuesday, March 16, 2010

RULE CITATION: 15A NCAC 07H .1705

The staff of the Rules Review Commission has completed its opinion review of the rule or set of rules your agency filed with us 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.

In reviewing the 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-21.1

It seems to me that this rule could be broken into three separate rules: 1.) Specific Conditions for Temporary ... Structures in the Ocean Hazard AED; 2.) Specific Conditions for Erosion control Structures in the Estuarine Shoreline ... AEC; and 3.) Specific Conditions for Protection This would be the current (a), (b) and (c).

In (a)(5) line 28 change "their" to "its."

In (a)(6) line 33 delete the comma after "or." The comma before it isn't necessary either.

In (a)(7) page 2 lines 30 – 32 please format the sentences so they fall in line (margins) with the sentences in lines 5 – 10.

In (a)(14) page 3 line 13 please change "only be protected once" to "be protected only once."

In (a)(14)(A) page 3 line 25 change "will" to "shall."

In (b)(2) page 4 line 10 change "their" to "its."

In (c)(1)(B) page 4 line 25 change "their" to "its."

In (c)(1)(C) page 4 line 28 change "will" to "shall."

In (c)(2) page 4 line 33 change "only authorizes" to "authorizes only."

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and submit it along with two copies and an electronic copy 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: DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES

RULE CITATION: 15A NCAC 12A .0101

DEADLINE FOR RECEIPT: Tuesday, February 16, 2010

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 6, change "these Rules" to "the Rules in this Chapter" 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.

Robert A. Bryan, Jr.
Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES

RULE CITATION: 15A NCAC 12A .0104

DEADLINE FOR RECEIPT: Tuesday, February 16, 2010

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 "143B-311" from your history note. It has been repealed.

Tell what the dates are.

Move the semicolons to the end of each Sub-item.

End (1)(c) with "and."

End (2)(s) with "and."

Be consistent with your punctuation in (3)(j) and (aa).

End (3)(hh) with "and."

End (4)(c) with "and."

End (5)(f) and (g) with "and."

End (6)(d) 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

REQUEST FOR TECHNICAL CHANGE

AGENCY: DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES

RULE CITATION: 15A NCAC 12A .0105

DEADLINE FOR RECEIPT: Tuesday, February 16, 2010

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:

"Park," "Secretary" and "Department" are already defined in G.S. 113-44.9 and do not need redefining.

Add a new (a) reading "The definitions in G.S. 113-44.9 apply to this Chapter."

Put the current rule in Paragraph (b), deleting (3), (6) and (7).

Put "and" only at the end of your next to last Subparagraph.

Make the last sentence in current (3) as a new Paragraph (c), changing "these rules" to "the Rules in this Chapter."

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 ENVIRONMENT AND NATURAL RESOURCES

RULE CITATION: 15A NCAC 12B .0104

DEADLINE FOR RECEIPT: Tuesday, February 16, 2010

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 7, change "may" to "shall" or set out the standards for determining whether to revoke a permit.

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 ENVIRONMENT AND NATURAL RESOURCES

RULE CITATION: 15A NCAC 12B .0201

DEADLINE FOR RECEIPT: Tuesday, February 16, 2010

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 18, delete or define "official."

Delete the first comma on line 19.

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 ENVIRONMENT AND NATURAL RESOURCES

RULE CITATION: 15A NCAC 12B .0203

DEADLINE FOR RECEIPT: Tuesday, February 16, 2010

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:

Change "shall not be" to "are not."

Change the first "as" to "when."

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 ENVIRONMENT AND NATURAL RESOURCES

RULE CITATION: 15A NCAC 12B .0204

DEADLINE FOR RECEIPT: Tuesday, February 16, 2010

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." Delete "within certain designated parks" or tell what the particular parks are. Change each "and/or" to "and" or "or."

In (e), change "may" to "shall" or set out the standards used to determine whether to revoke the permit.

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 ENVIRONMENT AND NATURAL RESOURCES

RULE CITATION: 15A NCAC 12B .0301

DEADLINE FOR RECEIPT: Tuesday, February 16, 2010

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:

Change each semicolon to a comma.

Change "may designate as appropriate" to "designates."

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 ENVIRONMENT AND NATURAL RESOURCES

RULE CITATION: 15A NCAC 12B .0401

DEADLINE FOR RECEIPT: Tuesday, February 16, 2010

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 the first seven words to "No one shall." Delete "etc."

In (b), tell by whom authorized.

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 ENVIRONMENT AND NATURAL RESOURCES

RULE CITATION: 15A NCAC 12B .0501

DEADLINE FOR RECEIPT: Tuesday, February 16, 2010

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:

Correctly underline and strikethrough. Punctuation cannot stand alone.

In (a), change "are" to "is."

In (d) and (e), change "15A NCAC 12B .0501(a)" to "Paragraph (a) of 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.

REQUEST FOR TECHNICAL CHANGE

AGENCY: DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES

RULE CITATION: 15A NCAC 12B .0602

DEADLINE FOR RECEIPT: Tuesday, February 16, 2010

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) and (c), change "will" to "shall."

In (e), change "may" to "shall."

In (h), change "should" to "shall" or delete the paragraph.

In (k), tell by whom authorized. Begin the last sentence: "This paragraph does not apply to" and delete "is excluded."

In (m), change "may" to "shall" or set out the standards for making the decision.

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 ENVIRONMENT AND NATURAL RESOURCES

RULE CITATION: 15A NCAC 12B .0701

DEADLINE FOR RECEIPT: Tuesday, February 16, 2010

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:

Correctly underline and strikethrough.

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 ENVIRONMENT AND NATURAL RESOURCES

RULE CITATION: 15A NCAC 12B .0802

DEADLINE FOR RECEIPT: Tuesday, February 16, 2010

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 "shall be" to "is."

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 ENVIRONMENT AND NATURAL RESOURCES

RULE CITATION: 15A NCAC 12B .1001

DEADLINE FOR RECEIPT: Tuesday, February 16, 2010

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:

Correctly underline and strikethrough.

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 ENVIRONMENT AND NATURAL RESOURCES

RULE CITATION: 15A NCAC 12B .1003

DEADLINE FOR RECEIPT: Tuesday, February 16, 2010

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) and (c), delete or define "specifically."

In (e) and (f), delete or define "clearly."

In (g), change "In the event" to "If." Change "shall conclude" to "concludes." Change each "shall not" to "will not." Change "may" to "shall" or set your other standards.

In (h), change "will" to "shall." Delete each "but not limited 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: DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES

RULE CITATION: 15A NCAC 12B .1004

DEADLINE FOR RECEIPT: Tuesday, February 16, 2010

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), delete "under any circumstances" as redundant.

In (d), change "will" to "shall."

In (f), change "shall not be" to "are 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.

REQUEST FOR TECHNICAL CHANGE

AGENCY: DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES

RULE CITATION: 15A NCAC 12B .1101

DEADLINE FOR RECEIPT: Tuesday, February 16, 2010

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 who may authorize.

In (b), change "shall not be" to "are not." Change "cannot" to "shall 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: DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES

RULE CITATION: 15A NCAC 12B .1105

DEADLINE FOR RECEIPT: Tuesday, February 16, 2010

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 "will" to "shall."

Delete the first "and" on page 1, line 26.

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

In (e), delete "but are not limited to."

In (h), change "Section" to "Rule." Change each "shall be" to "are." Divide the rule into Subparagraphs by putting a colon after the word changed to "Rule" and adding (1), (2), (3).

Delete the commas on page 2, line 19.

Add "or" to the end (i)(3).

In (j), change "section" to "Rule." Change "may" to "shall" or set out the standards for making the decision.

Please send me a copy of any written decision or order in the litigation prompting 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: DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES

RULE CITATION: 15A NCAC 12B .1201

DEADLINE FOR RECEIPT: Tuesday, February 16, 2010

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."

In (b), correctly underline and strikethrough. It would seem logical to combine your spring and fall months or else divide by season.

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 ENVIRONMENT AND NATURAL RESOURCES

RULE CITATION: 15A NCAC 12B .1205

DEADLINE FOR RECEIPT: Tuesday, February 16, 2010

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 each "will" to "shall."

Correctly underline and strikethrough.

Correctly identify your paragraphs. You have no (b).

In (c), delete last sentence unless this rule only applies to group permits. If this rule only applies to group permits, then make that sentence Paragraph (a) and re-letter as appropriate. If you keep the sentence, change "15A NCAC 12B .1205" to "this Rule." Delete "will."

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

In (f), change each "will" to "shall." Delete "etc."

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 ENVIRONMENT AND NATURAL RESOURCES

RULE CITATION: 15A NCAC 12B .1206

DEADLINE FOR RECEIPT: Tuesday, February 16, 2010

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 the first sentence, change "shall apply" to "applies."

In the second sentence, change "shall be" to "is."

On page 2, line 5, move "Pines" to the right so as to be correctly formatted.

Correct the formatting in (10).

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 Environment and Natural Resources

RULE CITATION: 15A NCAC 28 .0103

DEADLINE FOR RECEIPT: March 16, 2010

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:

Change "such" to "the".

Delete "approved"

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 Environment and Natural Resources

RULE CITATION: 15A NCAC 28 .0104

DEADLINE FOR RECEIPT: March 16, 2010

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:

Change "will be" to "are".

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 Environment and Natural Resources

RULE CITATION: 15A NCAC 28 .0105

DEADLINE FOR RECEIPT: March 16, 2010

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 "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: Department of Environment and Natural Resources

RULE CITATION: 15A NCAC 28 .0107

DEADLINE FOR RECEIPT: March 16, 2010

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:

Change "shall have" to "has".

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 Environment and Natural Resources

RULE CITATION: 15A NCAC 28 .0201

DEADLINE FOR RECEIPT: March 16, 2010

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 each "Outside".

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 Environment and Natural Resources

RULE CITATION: 15A NCAC 28 .0203

DEADLINE FOR RECEIPT: March 16, 2010

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 "outside".

Begin (1), (3) and (5) with "the".

In (1), change "adequate supervision" to supervision adequate".

In (4), delete "certified" or tell by whom certified. Change "instructor" to "instructors".

In (7), change "has the discretion to" 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.

Robert A. Bryan, Jr.
Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: Department of Environment and Natural Resources

RULE CITATION: 15A NCAC 28 .0302

DEADLINE FOR RECEIPT: March 16, 2010

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".

In (b), change "will be" to "is".

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 Environment and Natural Resources

RULE CITATION: 15A NCAC 28 .0504

DEADLINE FOR RECEIPT: March 16, 2010

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 "immediately".

Delete "properly" assuming it means in compliance with local ordinances. If it means something else, define it.

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 Environment and Natural Resources

RULE CITATION: 15A NCAC 28 .0605

DEADLINE FOR RECEIPT: March 16, 2010

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 "Only" since it is no longer true.

Change "shall be permitted to" 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.

Robert A. Bryan, Jr.
Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: Department of Environment and Natural Resources

RULE CITATION: 15A NCAC 28 .0606

DEADLINE FOR RECEIPT: March 16, 2010

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:

Change each "will" to "shall".

In (1), delete or define "clearly".

In (2), delete "current" as redundant.

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 Environment and Natural Resources

RULE CITATION: 15A NCAC 28 .0703

DEADLINE FOR RECEIPT: March 16, 2010

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:

Change "are not permitted to" to "shall 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: BOARD OF DENTAL EXAMINERS

RULE CITATION: ALL RULES (21 NCAC 16B and 16I)

DEADLINE FOR RECEIPT: Tuesday, March 16, 2010

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:

Each of your rules was proposed as a separate rule number. In your introductory statements, include a reference to the rule number as published in the Register.

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: BOARD OF DENTAL EXAMINERS

RULE CITATION: 21 NCAC 16B .0901

DEADLINE FOR RECEIPT: Tuesday, March 16, 2010

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 "will."

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: BOARD OF DENTAL EXAMINERS

RULE CITATION: 21 NCAC 16B .0902

DEADLINE FOR RECEIPT: Tuesday, March 16, 2010

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 each "hereby."

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: BOARD OF DENTAL EXAMINERS

RULE CITATION: 21 NCAC 16I .0110

DEADLINE FOR RECEIPT: Tuesday, March 16, 2010

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 "will."

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: BOARD OF DENTAL EXAMINERS

RULE CITATION: 21 NCAC 16I .0111

DEADLINE FOR RECEIPT: Tuesday, March 16, 2010

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 each "hereby."

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: Dietetics/Nutrition Board

RULE CITATION: All Rules

DEADLINE FOR RECEIPT: March 15, 2010

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 your 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

REQUEST FOR TECHNICAL CHANGE

AGENCY: Dietetics/Nutrition Board

RULE CITATION: 21 NCAC 17 .0101

DEADLINE FOR RECEIPT: March 15, 2010

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 page 1, line 5, delete "shall".

In (10), change "shall include" to "includes".

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: Dietetics/Nutrition Board

RULE CITATION: 21 NCAC 17 .0116

DEADLINE FOR RECEIPT: March 15, 2010

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:

Tell what your list is in (b). If it is not a list, then write in paragraph form.

In (b)(1), change the first eight works to "This Rule applies".

In (b)(2), put the material after the colon in list form.

In (c), tell what the list is or write in paragraph form.

In (d), change "may" to "shall". If there are other options, set tem out.

End (d)(3) with "or".

In (g), tell what the list is or write in paragraph forms. Do the same in (g)(1).

In (g)(1)(C), delete "in and of itself". Change "shall" to "does".

In (g)(2)(A), define or delete "short and plain".

In (g)(2)(F), delete "also may be included."

Tell what the list is in (i) or write in paragraph form.

Tell what the list is in (l) or write in paragraph form.

Tell what the list is in (n) or write in paragraph form.

Tell what the list is in (p) or write in paragraph form.

In (p)(1) before (A) add: "As used in this Rule".

Delete the colon in (p)(1)(A)&(B).

In (p)(1)(A), delete or define "clearly".

Robert A. Bryan, Jr.
Commission Counsel

In (p)(1)(B), change "shall" to "does".

In (p)(2), change "in the event that" to "if".

In (q), tell what the list is or write in paragraph form.

On page 6, line 6, delete "shall".

In (r), change "shall apply" to "applies". Tell what the list is or write in paragraph form.

In (s), tell what the list is or write in paragraph form.

End (s)(2)(C) with "and".

In (t), tell what the list is or write in paragraph form.

In (u), change "said" 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.

REQUEST FOR TECHNICAL CHANGE

AGENCY: Dietetics/Nutrition Board

RULE CITATION: 21 NCAC 17 .0401

DEADLINE FOR RECEIPT: March 15, 2010

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)(A), change "Paragraph" to "Subparagraph". Delete "and" at the end.

In (a)(3)(C), begin "Meet" with a lowercase letter.

In (c), change "is responsible for the supervision of" to "shall supervise". Change "maintains" to "maintain".

In (d), change "are to" to "shall".

In (d)(2), delete "the licensed dietetics/nutrition determination of" as unnecessary

In (d)(3), delete "but are not limited" as unnecessary.

End (d)(3)(B) with "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

REQUEST FOR TECHNICAL CHANGE

AGENCY: LICENSING BOARD FOR GENERAL CONTRACTORS

RULE CITATION: 21 NCAC 12 .0208

DEADLINE FOR RECEIPT: Tuesday, March 16, 2010

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 "Such" to "The."

In (b)(2), delete "without limitation" as unnecessary. Do the same in (b)(2)(E).

Make (b)(3) into a new paragraph (c) making necessary conforming changes including the reference to it in (b)(2).

On page 2, line 4, change "shall" to "do."

On page 2, line 18, change "shall be" to "is."

On line 22, change "shall not be held" 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: N.C. BOARD OF MASSAGE AND BODYWORK THERAPY

DEADLINE FOR RECEIPT: Tuesday, March 16, 2010

RULE CITATION: 21 NCAC 30 .0303

The staff of the Rules Review Commission has completed its opinion review of the rule or set of rules your agency filed with us 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.

In reviewing the 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-21.1

It seems to me that in (e) line 15 "Rule0700" should be either "Rule0701" or "Section0700."

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and submit it along with two copies and an electronic copy 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: N.C. APPRAISAL BOARD

DEADLINE FOR RECEIPT: Tuesday, March 16, 2010

RULE CITATION: 21 NCAC 57A .0201

The staff of the Rules Review Commission has completed its opinion review of the rule or set of rules your agency filed with us 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.

In reviewing the 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-21.1.

In (c) lines 17 and 18 change the commas to semicolons except for the comma after "computers," in line 18 or leave the commas and delete the comma after "computers," in line 18. In line 18 it seems to me that "introduction of computers" should be "introduction to computers."

In (d) line 26 it seems to me that "Bachelor's, or higher," should be "Bachelor's degree, or higher,". It also seems to me that the commas surrounding "or higher," are not necessary.

In (e) page 2 line 2 it seems to me that one of the instances of "complete" is unnecessary and should be deleted.

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and submit it along with two copies and an electronic copy 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: N.C. APPRAISAL BOARD

DEADLINE FOR RECEIPT: Tuesday, March 16, 2010

RULE CITATION: 21 NCAC 57A .0204

The staff of the Rules Review Commission has completed its opinion review of the rule or set of rules your agency filed with us 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.

In reviewing the 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-21.1.

In submitting the technical changes for this rule please be sure to number the pages as required by 26 NCAC 02C .0108(1)

In (b) line 18 change "may" to "shall" in the two places it occurs.

In (g) page 2 line 7 change "as prescribed in G.S. 93E-1-8(d)" to "of fifty dollars (\$50.00) as set out in G.S. 93E-1-8(d)" or similar language. The fee is not actually set in the statute but only allowed. The fee must actually be set by rule.

In (j) page 3 (or in a new paragraph) please specify whether this rule is the Board's statement required under G.S. 93B-15(b) to set out the rules applying to postponement or waiver of the Board's rules for those to whom G.S. 105-249 applies.

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and submit it along with two copies and an electronic copy 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: N.C. APPRAISAL BOARD

DEADLINE FOR RECEIPT: Tuesday, March 16, 2010

RULE CITATION: 21 NCAC 57A .0407

The staff of the Rules Review Commission has completed its opinion review of the rule or set of rules your agency filed with us 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.

In reviewing the 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-21.1.

Under current OAH formatting rules the structure of sub-paragraphs (a)(2) – (7) is supposed to be a hanging indent with all lines of the sub-paragraphs falling under each other.

In (a)(2) line 11 specify what type of “certified general” appraiser is referred to; if it is a “certified general appraiser” then make that clear.

In (c) page 2 line 3 change “prescribed” to “provided” or delete “prescribed by the Board.”

In (d) page 2 lines 11 and 12 delete “and the supervisor must ... begin supervising a trainee” as unnecessary and repetitive of previous portions of the rule.

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and submit it along with two copies and an electronic copy 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: N.C. APPRAISAL BOARD

DEADLINE FOR RECEIPT: Tuesday, March 16, 2010

RULE CITATION: 21 NCAC 57B .0102

The staff of the Rules Review Commission has completed its opinion review of the rule or set of rules your agency filed with us 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.

In reviewing the 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-21.1.

At the end of (a)(10) it appears to me that the sentence in lines 15 and 16, "Credit for these ... sponsor or school" should begin on the line after (a)(10) beginning at the outside margin. Otherwise they should be in a hanging indent under (a)(10).

In (b) line 17 it seems to me that "may satisfy" should be "shall satisfy" unless there is another way to satisfy the educational requirements.

The same would apply in (c) line 25.

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and submit it along with two copies and an electronic copy 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: N.C. APPRAISAL BOARD

DEADLINE FOR RECEIPT: Tuesday, March 16, 2010

RULE CITATION: 21 NCAC 57B .0103

The staff of the Rules Review Commission has completed its opinion review of the rule or set of rules your agency filed with us 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.

In reviewing the 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-21.1.

In (b) line 18 it seems to me that "may satisfy" should be "shall satisfy" unless there is another way to satisfy the educational requirements.

The same would apply in (c) line 27 and (d) line 36.

It seems to me that in (f) page 2 line 9 "trainee or" should be "trainee and." It could also be that the paragraph would read better, still be accurate, and be more easily distinguished from (e) if in lines 9 and 10 the language "or who is not ... residential real estate appraiser" were deleted.

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and submit it along with two copies and an electronic copy 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: N.C. APPRAISAL BOARD

DEADLINE FOR RECEIPT: Tuesday, March 16, 2010

RULE CITATION: 21 NCAC 57B .0304

The staff of the Rules Review Commission has completed its opinion review of the rule or set of rules your agency filed with us 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.

In reviewing the 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-21.1.

In (a) line 4 change "may not" to "shall not."

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and submit it along with two copies and an electronic copy 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: N.C. APPRAISAL BOARD

DEADLINE FOR RECEIPT: Tuesday, March 16, 2010

RULE CITATION: 21 NCAC 57B .0306

The staff of the Rules Review Commission has completed its opinion review of the rule or set of rules your agency filed with us 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.

In reviewing the 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-21.1.

In (c)(2) line 35 delete or define "thorough."

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and submit it along with two copies and an electronic copy 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: N.C. APPRAISAL BOARD

DEADLINE FOR RECEIPT: Tuesday, March 16, 2010

RULE CITATION: 21 NCAC 57B .0611

The staff of the Rules Review Commission has completed its opinion review of the rule or set of rules your agency filed with us 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.

In reviewing the 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-21.1.

It seems to me that given the explanation for the change in this rule that in (a) line 11 "upon the" should be "every."

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and submit it along with two copies and an electronic copy 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: N.C. BOARD OF COMMUNITY COLLEGES

DEADLINE FOR RECEIPT: TUESDAY, MARCH 16, 2010

RULE CITATION: 23 NCAC 02C, 02D, 03A – ALL RULES SUBMITTED

The staff of the Rules Review Commission has completed its opinion review of the rule or set of rules your agency filed with us 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.

In reviewing the 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-21.1.

In the introductory phrase please include the reference showing which NCAC volume, issue and page number where the rule was first proposed for adoption.

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and submit it along with two copies and an electronic copy 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: N.C. BOARD OF COMMUNITY COLLEGES

DEADLINE FOR RECEIPT: TUESDAY, MARCH 16, 2010

RULE CITATION: 23 NCAC 02C .0305

The staff of the Rules Review Commission has completed its opinion review of the rule or set of rules your agency filed with us 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.

In reviewing the 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-21.1.

It seems to me that in (b) line 7 "the local public" should be "the local public ... the minor last attended" or similar language.

In (b)(1) line 15 it seems to me that "in less than" should be "for less than" or "within the last."

In (c)(3) page 2 line 3 make "Chief Administrative School Officer" lower case to parallel the construction in (1) and (2).

In (e) page 2 line 9 unless the term "Huskins" is defined somewhere (and then referenced in this rule) it is unclear what this term means or its relation to the requirements in this rule.

In (f)(3)(E) page 2 line 29 delete or define what is meant or required by "[t]he student is encouraged to complete an online readiness assessment" It also appears that the semicolon in line 30 should be a comma.

In (f)(7) page 3 lines 16 and 18 change "and/or" to "and" or "or," probably the latter.

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and submit it along with two copies and an electronic copy 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: N.C. BOARD OF COMMUNITY COLLEGES

DEADLINE FOR RECEIPT: TUESDAY, MARCH 16, 2010

RULE CITATION: 23 NCAC 03A .0102

The staff of the Rules Review Commission has completed its opinion review of the rule or set of rules your agency filed with us 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.

In reviewing the 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-21.1.

Change the language in (d)(1) to delete the table and specific amounts and simply refer to the statute, such as: Proprietary schools shall make payment to the Student Protection Fund in the amounts as set out in G.S. 115D-95.1.

Since the amounts in (d)(2) are set by session law I believe it is more appropriate to leave those in the rule. However you need to include a reference to the specific session law and section number in the statutory authority of the history note.

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and submit it along with two copies and an electronic copy 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