



STATE OF NORTH CAROLINA  
OFFICE OF STATE BUDGET AND MANAGEMENT



Employment First State for Individuals with Disabilities

ROY COOPER  
GOVERNOR

KRISTIN WALKER  
STATE BUDGET DIRECTOR

March 1, 2023

MEMORANDUM

TO: Governor Roy Cooper

The Honorable Phil Berger  
President Pro Tempore of the Senate

The Honorable Tim Moore  
Speaker of the House

Mr. Kevin Leonard, Executive Director  
North Carolina Association of County Commissioners

Ms. Rose Williams, Executive Director  
North Carolina League of Municipalities

FROM: Kristin Walker *Kristin Walker*

SUBJECT: Schedule of Anticipated Administrative Rule Actions and Summary of  
Administrative Rules Affecting Local Governments

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Enclosed is a report required by G.S. 150B-21.28. The report contains a schedule of rule actions state agencies anticipate taking in Fiscal Year 2023-24 that might affect the state government or local governments, or that might create a substantial economic impact. The second part of this report includes a summary of rules agencies adopted in Fiscal Year 2021-22 that had an economic impact on local governments.

Please contact Jessica Robinson ([jessica.robinson@osbm.nc.gov](mailto:jessica.robinson@osbm.nc.gov)) should you have any questions or comments about these items.

Enclosure

Cc: Ashley Snyder  
Jeff Hudson  
Chris Saunders

Erin Wynia  
Adam Pridemore  
Jennifer Davison



# **North Carolina Rules with Economic Impact 2023**

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## Background

On May 17, 1994, Governor James B. Hunt Jr. issued Executive Order No. 49 entitled “Fiscal Notes on Administrative Rules Affecting Local Governments.” The Executive Order set forth policies and procedures for state agencies to follow when proposing permanent rules with an impact on local governments. Through Session Law 1995-415, the General Assembly incorporated these policies, as well as other changes, in [G.S. 150B-21.28](#) of the [Administrative Procedure Act](#) (APA). The revised APA increases state agencies’ awareness of the effect proposed rules would have on local governments and enables local governments to be more involved in estimating the fiscal impact of permanent rules on local budgets.

According to requirements in the APA, the North Carolina Office of State Budget and Management (OSBM) prepares annually a report containing a schedule of anticipated rule actions in the upcoming fiscal year, as well as a summary of the projected economic impact on local governments of rules adopted in the preceding fiscal year. OSBM provides a copy of this annual report to the Governor, the General Assembly, the North Carolina Association of County Commissioners, and the North Carolina League of Municipalities, as required by the APA.

## Outline

### *I. Summary*

The Summary section contains statistics on anticipated rule actions in the following fiscal year that might have an economic impact, and rules adopted in the previous year with projected impact on local governments.

### *II. Schedule of Anticipated Rule Actions, July 1, 2023 – June 30, 2024*

This section contains information on rules state agencies expect to adopt in SFY 2023-24 that would have an impact on: i) state expenditure or distribution of funds; ii) local government revenues or expenditures; or iii) would create a substantial economic impact. Substantial impact is statutorily defined as an aggregate financial impact to all parties involved of \$1,000,000 or greater over a 12-month period ([G.S. 150B-21.4\(b1\)](#)). The information in this section is organized by agency and agency division, and it includes the rule title, the North Carolina Administrative Code (NCAC) citation, staff contact information, proposed action, anticipated impact, and a brief description of the rule change.

### *III. Rules that Affected Local Governments, Adopted July 1, 2021 – June 30, 2022*

The last section provides information on rules North Carolina agencies adopted in SFY 2021-22 that have a projected impact on local governments. The information is organized by agency and by adoption date, and it includes the rule title, NCAC citation, staff contact information, and expected net impact on local government revenues and expenditures over a five-year period.

## I. Summary

In SFY 2023-24, state agencies anticipate taking action on 65 different rule packages, based on reports submitted by 69 percent of agencies. This report uses the terms “rule change” or “rule” to refer to a package of permanent individual rules an agency proposes to adopt together that constitute a new policy. Therefore, the number of individual rules on which the agencies plan to take action is higher than the number noted in this report. See Table 1 below for a breakdown by agency.

The 65 rule package actions agencies anticipate making in SFY 2023-24 is a larger amount than the 49 actions agencies anticipated engaging in during the current fiscal year (SFY 2022-23), based on information presented in the 2022 NC Rules with Economic Impact Report. Approximately 65% of the 65 anticipated rule actions with economic impact for the following year include an *amendment* to existing regulations. Approximately 19% of the anticipated rule actions are related to rule packages agencies are required to *readopt* per [G.S. 150B-21.3A](#). New rule *adoptions* make up 32% of the anticipated actions, and 3% include rule *repeals* (see Table 2).

**Table 1. Number of Anticipated Rules with Economic Impact in SFY 2023-24**

<i>Agency</i>	<i>Number of Rule Packages</i>	<i>Percentage of Total</i>
Department of Environmental Quality	20	30.8%
Department of Health and Human Resources	17	26.2%
Department of Labor	9	13.8%
Wildlife Resources Commission	7	10.8%
North Carolina Building Code Council	3	4.6%
North Carolina Board of Barber and Electrolysis Examiners	2	3.1%
North Carolina Industrial Commission	2	3.1%
Department of Public Instruction	2	3.1%
Department of State Treasurer	2	3.1%
Secretary of State	1	1.5%
<b>Total Anticipated Rules</b>	<b>65</b>	<b>100.0%</b>

**Table 2. Number of Anticipated Rules by Type of Action**

<i>Type of Impact</i>	<i>Number of Rule Packages</i>	<i>Percentage of Total</i>
Amend	32	49.2%
Readopt	12	18.5%
Adopt	11	16.9%
Adopt and Amend	8	12.3%
Adopt, Amend, and Repeal	2	3.1%
Repeal and Amend	0	0.0%
Repeal and Adopt	0	0.0%
Repeal	0	0.0%
<b>Total Anticipated Rules</b>	<b>65</b>	<b>100.0%</b>

The Department of Environmental Quality (DEQ) and Department of Health and Human Services (DHHS) anticipate carrying out the majority of the rulemaking in SFY 2022-23. Note that five of the 20 DEQ actions and seven of the 17 DHHS actions are readoptions of existing regulations, which are required for the agency to comply with the review of existing regulation provisions in [G.S. 150B-21.3A](#).

As agencies continue to engage in the existing rule review process, there might be additional rulemaking actions than those contained in this report. Based on the [Readoption Schedule](#) published by the Office of Administrative Hearings (as of February 10, 2023), agencies are planning to review another 16 rule chapters, totaling 6,292 individual rules, in the following fiscal year. At this point, it is unclear how many of those rules will be repealed or readopted, and of those readopted, how many will result in an economic impact. Since agencies may still be in the planning stages for their readoption packages, they may not be able to state whether the rules will be readopted with substantive changes. Therefore, it is possible for the total number of rule actions with economic impact to be higher in the upcoming year than the 65 reported here.

Table 3 presents the number of anticipated rule actions in the next fiscal year that agencies estimate will have a state government, local government, or substantial economic impact, which is defined in [G.S. 150B-21.4\(b1\)](#) as an aggregate economic impact of \$1 million or more over a 12-month period. In comparison to the estimates for the current fiscal year (see the 2022 NC Rules with Economic Impact Report), agencies report an increase in rules that might have an impact on state or local governments, and an increase from two to 16 rules with substantial economic impact. For more details, see Table 6 in Section II of this report.

**Table 3. Number of Anticipated Rules by Type of Impact**

<i>Type of Impact</i>	<i>Number of Rule Packages</i>	<i>Percentage of Total</i>
State Government	34	52.3%
Local Government	23	35.4%
Substantial Economic Impact	16	24.6%

In SFY 2021-22, state agencies adopted 20 rule changes estimated to have an impact on local governments (either a cost or benefit), as shown in Table 4.

**Table 4. Number of Rules Adopted in SFY 2021-2022 with Local Government Impact, by Agency**

<i>Agency</i>	<i>Number of Rule Packages</i>	<i>Percentage of Total</i>
Department of Environmental Quality	9	45.0%
Department of Health and Human Services	7	35.0%
Wildlife Resources Commission	3	15.0%
Department of Labor	1	5.0%
<b>Total Adopted Rules</b>	<b>20</b>	<b>100.0%</b>

Table 5 below presents the estimated quantified impact on local governments over a five-year period resulting from the rules adopted in SFY 2021-22. The net present value of these quantified impacts on local governments is approximately \$4,000 in costs (computed using a 7% discount rate, as mandated in [G.S. 150B-21.4\(b1\)](#) for fiscal note analyses). Note, these rule changes may result in additional costs and

benefits to local governments during the next five years, however these impacts were difficult to quantify. See Table 7 in Section III of this report for more detailed information on these rule changes.

**Table 5. Estimated Impact on Local Governments of Rules Adopted by Agencies in SFY 2021-2022, (in thousands of \$)\***

<i>Agency</i>	<i>SFY</i> <i>2020-21</i>	<i>SFY</i> <i>2020-21</i>	<i>SFY</i> <i>2021-22</i>	<i>SFY</i> <i>2022-23</i>	<i>SFY</i> <i>2023-24</i>
Department of Environmental Quality	\$17	\$-274	\$-274	\$-274	\$-274
Department of Health and Human Services	\$732	-\$29	-\$28	\$27	\$0
Wildlife Resources Commission	\$1	\$0	\$0	\$0	\$0
Department of Labor	\$58	\$58	\$58	\$58	\$58
<b>Total Impact of Adopted Rules</b>	<b>\$808</b>	<b>-\$245</b>	<b>-\$244</b>	<b>-\$243</b>	<b>-\$216</b>

\*Note that positive values are net costs to local governments and negative values are net benefits.

II. Schedule of Anticipated Rules Actions in SFY 2023-2024

**Table 6. Schedule of Anticipated Rule Actions between July 1, 2023 and June 30, 2024**

Division	Rule Title and Description	NCAC Citation(s)	Name	Contact		Rule Action	Required by Federal Law/Regulation	Impacts		
				Phone				State	Local	Substantial
<b>Board of Barber and Electrolysis Examiners</b>										
Board of Barber and Electrolysis Examiners	<b>Mobile barber shops</b>	21 NCAC 06L .0201-.0205; 06N .0101, .0116; 06O .0123-.0126	Dennis Seavers	919-814-0641		Adopt and Amend	No	S	-	U
	S.L. 2022-72, s. 2, established a new license type for mobile barber shops, which are much like food trucks but provide barber services. This rulemaking package would implement the regulations for the new license type.									
Board of Barber and Electrolysis Examiners	<b>Electrology apprenticeship program</b>	21 NCAC 06O .0201-.0203; 06U .0101, .0106-.0110; 06Z .0101-.0110	Dennis Seavers	919-814-0641		Adopt and Amend	No	S	-	U
<b>North Carolina Building Code Council</b>										
NCDOI-OSFM	<b>2024 NC Administrative Code &amp; Policies - Section 107 Inspections: 107.1 #5 Sheathing Inspections</b>	11 NCAC 08 .0201 and 11 NCAC 008 .0202	David B. Rittlinger	919-647-0008		Adopt and Amend	No	-	-	SE
	This amendment is proposed to protect the public by requiring sheathing inspections where the sheathing is a major structural component for the lateral force resisting system.									
NCDOI-OSFM	<b>2024 NC Energy Conservation Code</b>	11 NCAC 08 .0201 and 11 NCAC 008 .0202	David B. Rittlinger	919-647-0008		Adopt and Amend	No	U	U	SE
	This amendment is proposed to protect the public by updating the code to current standards of practice.									

\* S = State Impact, L = Local Impact, SE = Substantial Economic Impact of \$1,000,000 or greater in a 12-month period, U = Impact Unknown.



## II. Schedule of Anticipated Rules Actions in SFY 2023-2024

NCDOI-OSFM	<b>2024 NC Residential Code</b>	11 NCAC 08 .0201 and 11 NCAC 008 .0202	David B. Rittlinger	919-647-0008	Adopt and Amend	No	U	U	SE
This amendment is proposed to protect the public by updating the code to current standards of practice.									
<b>Department of Environmental Quality</b>									
DMF	<b>Readopt Shellfish Plant and Inspection Rules</b>	15A NCAC 18A .0301, .0305, .0401-.0424, .0426-.0430, .0432-.0439, .0501-.0504, .0601-.0621, .0701-.0713, .0801-.0806	Catherine Blum	252-726-7021	Readopt	No	S	-	-
Pursuant to N.C.G.S. § 150B-21.3A, this package of 83 rules in 15A NCAC 18A is proposed for the readoption of 56 rules with amendments, repeal through readoption of 23 rules, adoption of three rules, and the repeal of one rule. Proposed changes would help ensure that North Carolina remains in full compliance with national requirements, provide efficiencies for the Division of Marine Fisheries (DMF) in the process of implementing and enforcing the rules, and clarify and update the rules for stakeholders. North Carolina is part of the National Shellfish Sanitation Program (NSSP), which is a federal/state cooperative program designed to “promote and improve the sanitation of shellfish (oysters, clams, mussels, and scallops) moving in interstate commerce” as stated in Section I, page 2 of the NSSP Guide for the Control of Molluscan Shellfish (Guide). DMF staff work together with representatives from other states, the federal government, and industry through the Interstate Shellfish Sanitation Conference to develop guidelines for all state shellfish programs that are summarized in the Guide. North Carolina must meet the minimum standards included in the Guide for N.C. shellfish to be able to be sold through interstate commerce and protect N.C. shellfish consumers within and outside of the State. The requirements are already being enforced by the DMF consistent with the Guide. Proposed changes to one rule that would subject violators to criminal penalties for failing to comply with the time and temperature requirements for the safety of human consumption of shellfish may produce small unquantifiable costs to stakeholders caught violating the rule. Overall, minimal unquantifiable benefits for the State and stakeholders are expected, primarily due to increased consumer confidence in the safety of N.C. shellfish products, efficiencies achieved in implementing and enforcing the rules, and through clarifying the requirements for stakeholders.									
DMF	<b>Data Collection and Harassment Prevention for the Conservation of Marine and Estuarine Resources</b>	15A NCAC 03I .0113, 03O .0101, .0109, .0112, .0301	Catherine Blum	252-726-7021	Amend	No	S	-	-

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## II. Schedule of Anticipated Rules Actions in SFY 2023-2024

Due to the increasing occurrence and severity of harassment during, and decreasing participation in, N.C. Division of Marine Fisheries (DMF) data collection initiatives, amendments are proposed to several N.C. Marine Fisheries Commission (MFC) rules. Proposed amendments set requirements to address harassment by any person engaged in regulated activity under Chapter 113, Subchapter IV, of the General Statutes (e.g., fishing), not just licensees, of DMF employees that occurs in the process of obtaining data for the conservation of marine and estuarine resources, and data for the protection of public health related to the public health programs that fall under the authority of the MFC. Additional amendments more fully characterize the types of data that may be collected. The amendments support the importance of participation by persons engaged in regulated fishing activity in DMF data collection and provide a safer working environment for DMF employees. Data collected from the commercial and recreational fishing sectors are essential in fisheries management for the State and play a vital role in federal fisheries management, as well. The proposed amendments to these rules broaden the scope of enforceability to enhance protections for DMF employees as they collect data. Such protections not only enhance the DMF's data collection efforts, but also improve DMF's ability to provide a workplace that is free from unlawful harassment, which typically leads to higher employee satisfaction, lower turnover, and better recruitment. The proposed rules are expected to produce small unquantifiable costs to stakeholders caught violating the rules. Overall, unquantifiable benefits for the State and stakeholders are expected, primarily due to enhanced fisheries management and a safer working environment for DMF employees.

DAQ	<b>Digital Documents</b>	15A NCAC, Subchapters 02D and 02Q	Katie Quinlan	919-707-8702	Amend	No	S	L	-
Revise rules that currently require submittals to the agency in hard copy format to allow digital or electronic submissions.									
DAQ	<b>Advanced Clean Trucks (ACT) Rule</b>	15A NCAC 02D .2900	Katie Quinlan	919-707-8702	Adopt	No	S	L	SE
Adopt California's Advanced Clean Trucks (ACT) Rule under Section 177 of the Clean Air Act, to require manufacturers of medium and heavy duty (MHD) vehicles to sell an increasing percentage of zero-emission vehicles (ZEVs) in the state each year.									
DAQ	<b>CO<sub>2</sub> Budget Trading Program</b>	15A NCAC 02D .2800	Katie Quinlan	919-707-8702	Adopt	No	S	L	SE
Adopt Rules to become a participating State in the Regional Greenhouse Gas Initiative (RGGI) pursuant to the EMC-approved petition for rulemaking.									
DAQ	<b>Sulfur Dioxide Emissions from Combustion Sources</b>	15A NCAC 02D .0516	Katie Quinlan	919-707-8702	Amend	No	S	-	-
Clarify the applicability of the rule and limitations to various source categories.									
DAQ	<b>Synthetic Minor Public Noticing</b>	15A NCAC 02Q .0306, .0307, .0315	Katie Quinlan	919-707-8702	Amend	Yes	S	L	U
Revise rules pertaining to public notice requirements for synthetic minor facility permits, following anticipated proposal or action by EPA.									
DAQ	<b>Synthetic Minor Permit Fee Revisions</b>	15A NCAC 02Q .0203	Katie Quinlan	919-707-8702	Amend	No	S	L	U
Revise permit fees for synthetic minor facilities.									

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## II. Schedule of Anticipated Rules Actions in SFY 2023-2024

DWM	<b>Adding Solar Panels as Universal Waste and Clarifications and Corrections to the Hazardous Waste Rules</b>	15A NCAC 13A .0101, .0102, .0106, .0107, .0109-.0113, and .0119	Jenny Patterson	919-270-3124	Amend	No	U	U	U
<p>The proposed amendments add solar panels as a state universal waste. Universal waste is a subset of hazardous waste and apply to specific categories of materials that would otherwise be a hazardous waste when disposed. Universal wastes have less stringent management standards to encourage recycling instead of disposal. The amendments will reduce the cost of management of solar panels when recycled (that would otherwise be a hazardous waste when disposed). Additionally, proposed amendments will provide clarifications to the existing federal regulations that are incorporated by reference in the state rules. For instance, the term "annual" is used in describing the period of recurrence for training in the federal regulations, however, this term is not defined in state rules or federal regulations. Additional amendments are needed for corrections as well as to maintain state authorization of the Hazardous Waste Management Program. The proposed amendments for authorization purposes provide clarification as it pertains to delegation of authority (e.g., clarifying EPA retains authority over certain portions of the electronic manifest program and International shipments). The proposed amendments for clarification and corrections are not anticipated to have a fiscal impact to state or local government.</p>									
DWR	<b>Triennial Review of Surface Water Quality Standards</b>	15A NCAC 02B .0100, .0200, .0300	Chris Ventaloro	919-707-9016	Amend	Yes	-	-	-
<p>Updating surface water quality standards in compliance with Clean Water Act.</p>									
DWR	<b>Watauga River Basin HQW/ORW Reclassifications</b>	15A NCAC 02B .0305	Adriene Weaver	919-707-3692	Amend	Yes	S	L	-
<p>Reclassify waters to Class HQW or ORW within the Watauga River Basin.</p>									
DWR	<b>Teer Quarry Water Supply Watershed Reclassification</b>	15A NCAC 02B .0315	Elizabeth Kountis	919-707-3685	Amend	Yes	S	L	-
DWR	<b>Tar-Pamlico Wastewater</b>	15A NCAC 02B .0733	John Huisman	919-707-3677	Amend	Yes	-	-	-
<p>Update the Tar-Pamlico Nutrient Management strategy wastewater rule.</p>									
DEMLR	<b>Mining Rules Readoption; Mining: Mineral Resources: Organization and Administration</b>	15A NCAC 5A	Toby Vinson	919-707-9201	Readopt	No	U	-	U

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## II. Schedule of Anticipated Rules Actions in SFY 2023-2024

The NC Mining Commission has only recently been re-formed and is in the process of readopting this rule set. This set includes organization and administration rules as required by the State Mining Act.									
DEMLR	<b>Mining Rules Readoption; Mining: Mineral Resources: Permitting and Reporting</b>	15A NCAC 5B	Toby Vinson	919-707-9201	Readopt	No	U	-	U
The NC Mining Commission has only recently been re-formed and is in the process of readopting this rule set. This set includes Permitting and Reporting requirement rules as required by the State Mining Act.									
DEMLR	<b>Mining Rule Readoption; Mining: Mineral Resources: Civil Penalties</b>	15A NCAC 5F	Toby Vinson	919-707-9201	Readopt	No	U	-	U
The NC Mining Commission has only recently been re-formed and is in the process of readopting this rule set. This set includes Civil Penalty rules as required by the State Mining Act.									
DEMLR	<b>Mining Rule Readoption; Mining Mineral Resources: Uranium Exploration Regulations</b>	15A NCAC 5G	Toby Vinson	919-707-9201	Readopt	No	U	-	U
The NC Mining Commission has only recently been re-formed and is in the process of readopting this rule set. This set includes Uranium Exploration requirement rules as required by the State Mining Act.									
DCM	<b>Inlet Hazard Areas</b>	15A NCAC 07H .0304, .0308, .0310, .1800.	Ken Richardson	252-515-5433	Amend	No	-	L	-
These amendments reference the updated Inlet Hazard Area (IHA) boundary reports and maps. The methods used to calculate the inlet shoreline erosion rate setback factors and for mapping the IHA boundaries.									
DCM	<b>Septic Tanks</b>	15A NCAC 07H .0306, .0309; 07J .0210.	Mike Lopazanski	252-515-5431	Amend	No	-	L	-
Amendments clarify that any new septic tank systems and components as defined in 15A NCAC 18A .1935 (DEH rules) must meet the oceanfront setback provisions associated with the primary structure. The existing provisions regarding the relocation of septic tanks are proposed to be amended to clarify that septic tank systems relocated with public funds must meet the applicable oceanfront setback, and that septic tank systems relocated with non-public funds are prohibited from being sited seaward of the primary structure or the Vegetation Line, Pre-project Vegetation Line or Measurement Line.									

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## II. Schedule of Anticipated Rules Actions in SFY 2023-2024

DCM	<b>LUP Enforceable Policies</b>	15A NCAC 07B .0702, .0803	Rachel Love-Adrick	252-515-5403	Amend	No	S	L	-
These amendments include increased flexibility for plan content and policy statements. These amendments will allow local governments to identify which enforceable Land Use Plan policies shall apply to CAMA permitting reviews within the bounds of CAMA and NCAC 07B.									
<b>Department of Health and Human Services</b>									
DPH/ CPH	<b>Environmental Health Rule Readoptions in 15A NCAC 18A .1000, .1500, .1600, and .2500</b>	15A NCAC 18A .1001-.1004; .1006; .1011; .1012; .1014; .1019; .1021; .1511 .1601-.1621; .2518	Virginia Niehaus	919-634-0184	Readopt	No	U	L	-
Anticipated readoption of rules in 15A NCAC 18A Sections .1000, .1500, .1600, and .2500 that govern environmental health in summer camps, local confinement facilities, residential care facilities, and pools in accordance with G.S. 150B-21.3A, Periodic Review and Expiration of Existing Rules.									
DPH/ CPH	<b>Minimum Standard Health Department: Staffing</b>	10A NCAC 46 .0301	Virginia Niehaus	919-634-0184	Amend	No	U	L	-
Anticipated amendment of the rule that establishes minimum requirements for health department staffing.									
DPH/ CPH	<b>Newborn Screening Fee</b>	10A NCAC 42B .0108	Virginia Niehaus	919-634-0184	Amend	No	S	-	U
Anticipated amendment of the newborn screening fee rule to adjust for recents updates to the Recommended Uniform Screening Panel developed by the Secretary of the United States Department of Health and Human Services and the Advisory Committee on Heritable Disorders of Newborns and Children (the RUSP).									
Commission for MH/DD/SAS	<b>Staff Definition</b>	10A NCAC 27G .0104	Denise Baker	984-236-5272	Amend	No	U	U	U
Amendment will permit both pre- and post-degree experience to be considered when credentialing an individual as a Qualified Professional; add definitions for "Family Partner" and "Direct Support Professional"									
Commission for MH/DD/SAS	<b>Definitions</b>	10A NCAC 28A .0102	Denise Baker	984-236-5272	Amend	No	U	U	U
Amendment will permit both pre- and post-degree experience to be considered when credentialing an individual as a Qualified Professional									
Commission for MH/DD/SAS	<b>Admissions</b>	10A NCAC 28F .1101	Denise Baker	984-236-5272	Adopt	No	U	U	U
Adopt new rules governing State-operated neuro-medical facilities									
DHSR	<b>Certificate of Need SMFP Permanent Rules and Readoptions</b>	10A NCAC 14C .1401, .1403, .2703	Nadine Pfeiffer	919-855-3811	Readopt	No	U	-	-

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## II. Schedule of Anticipated Rules Actions in SFY 2023-2024

Two rules are being proposed for re-adoption following the periodic review and expiration of existing rules process having been identified as "Necessary With Substantive Public Interest," in Subchapter 10A NCAC 14C for criteria and standards for neonatal services. In addition, one rule is proposed for amendment to make a temporary rule permanent to complement or be made consistent with the 2023 State Medical Facilities Plan (SMFP). The Healthcare Planning and Certificate of Need Section of DHSR is responsible for reviewing applications and awarding applicants a Certificate of Need (CON) only when need is demonstrated based on the State Medical Facilities Plan and criterion in law for health care providers acquiring, replacing, or adding to their facilities and equipment, and for the initiation of certain medical services. Monitoring of the progress of conditions in the awarded CON is conducted by the Healthcare Planning and Certificate of Need Section through licensing with the respective agency within DHSR. The proposed rules for re-adoption, 10A NCAC .1401 and .1403, are revised to reflect the need methodology change for neonatal services for removing an exception for an applicant in a defined neonatal service area to demonstrate an unmet need if a need is determined in the SMFP, in addition, definitions have been updated. Rule 10A NCAC 14C .2703 is proposed for amendment so that correct performance standards reflective of the MRI need methodology changes in the SMFP shall be used by CON applicants for MRI services. There is a possibility for state impact if the rules increase the time for CON applications review by CON staff. The amount of anticipated fiscal economic impact is unknown. There will be no local government impact. These changes are not predicted to be of a substantial fiscal impact.

DHSR/MCC	<b>Medical Care Commission rule petitions</b>	10A NCAC 13A .0201	Nadine Pfeiffer	919-855-3811	Amend	No	S	-	-
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One rule is being amended to revise, update and clarify the requirements for the procedure for rule petition submission and rule petition approval by the NC Medical Care Commission (MCC). The MCC is granted rulemaking authority for specific healthcare programs in G.S. 143B-165. Petitions are submitted to the DHSR Director, who serves as the Secretary to the Commission. Staff within DHSR serve to support the Commission in fulfilling their statutory work. The rule has been reorganized to identify items the petitioner may include in the petition but are not required to submit and to add criteria for petition approval by the Commission. In addition, requirements governed by and text restating statutory requirements have been removed. Costs will be incurred by the person in preparing and submission of a petition. The amount of time saved by the state agency from this rule amendment results in a minimal fiscal impact. There is no local government or substantial economic impact for this rule amendment.

DHSR/MCC	<b>Adult Care Home/Family Care Home Phase 5 Readoptions</b>	10A NCAC 13F .0402, .0601-.0606, .0801-.0802; 10A NCAC 13G .0601, .0801-.0802	Nadine Pfeiffer	919-855-3811	Readopt	No	S	L	-
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Twelve rules are being readopted following the periodic review and expiration of existing rules process having been identified as "Necessary With Substantive Public Interest," in Subchapters 10A NCAC 13F and 10A NCAC 13G. Adult Care Homes and Family Care Homes are licensed long-term residential healthcare facilities operated by for-profit and non-profit entities that located in urban and rural areas in the State. The Adult Care Licensure Section of DHSR is responsible for the licensure and regulatory oversight of licensed Adult Care Homes and licensed Family Care Homes. They also have oversight by the County Department of Social Services in where they are located. These rules for re-adoption have yet to be drafted with stakeholder input. These rules will update requirements for qualifications of the administrator-in-charge; management of facilities with a capacity or census of seven to 30 residents, 31 to 80 residents, and 81 or more residents; personal care and other staffing; staffing of personal care aide supervisors; staffing chart; management and other staff; and resident assessment and care plan. Costs will be incurred by the private entity licensed Adult Care Homes and Family Care Homes with these rule changes. However, it is anticipated that local government will be impacted from oversight activities costs by the County DSS offices. It is anticipated there may be a state impact with a cost incurred to the Adult Care Licensure Section for regulatory compliance activities. None of these changes are predicted to be of a substantial fiscal impact; however, the amount of fiscal impact is unknown.

\* S = State Impact, L = Local Impact, SE = Substantial Economic Impact of \$1,000,000 or greater in a 12-month period, U = Impact Unknown.

## II. Schedule of Anticipated Rules Actions in SFY 2023-2024

DHSR/MCC	<b>Nursing Pool Licensure</b>	10A NCAC 13L .0201, .0301, .0302	Nadine Pfeiffer	919-855-3811	Amend	No	S	-	U
<p>These rules are being amended in response to the N.C. Medical Care Commission's granting of a petition submitted for rulemaking. Nursing Pools are any person, firm, corporation, partnership, or corporation licensed and operated for-profit that engage for hire in the business for providing or procuring temporary employment in healthcare facilities for nursing personnel, including nurses, nursing assistants, nurses aides, and orderlies. The Acute and Home Care Licensure &amp; Certification Section of DHSR is responsible for licensing and regulating these providers. These rules have yet to be drafted with stakeholder input. These rule amendments will revise the application for license, written policies and procedures, and personnel records. It is anticipated that costs may be incurred by these rule changes by the licensed nursing pool providers in developing policies and procedures, storing medical records, and implementing a staff evaluation process. It is anticipated there will be a state impact with a cost incurred to the Acute and Home Care Licensure &amp; Certification Section for regulatory compliance activities, but no local government impact. The amount of anticipated fiscal economic impact is unknown. Until the rules are finished being developed, it is unknown if the amount of fiscal impact will be of a substantial fiscal impact.</p>									
DHSR/MCC	<b>Adult Care Home and Family Care Home Construction Readoptions and Amendments – Phase 4.5</b>	10A NCAC 13F .0206, .0301-.0302, .0304-.0307, .0309-.0311, .1304; 10A NCAC 13G .0206, .0301-.0302, .0305-.0309, .0312-.0313, .0315-.0318	Nadine Pfeiffer	919-855-3811	Readopt	No	S	-	-
<p>Nineteen rules are being readopted following the periodic review and expiration of existing rules process having been identified as "Necessary With Substantive Public Interest," in Subchapters 10A NCAC 13F and 10A NCAC 13G, and six rules are being amended. Adult Care Homes and Family Care Homes are licensed long-term residential healthcare facilities operated by for-profit and non-profit entities that located in urban and rural areas in the State. The Adult Care Licensure Section of DHSR is responsible for the licensure and regulatory oversight of licensed Adult Care Homes and licensed Family Care Homes. They also have oversight by the County Department of Social Services in where they are located. The Construction Section of DHSR is responsible for regulating the physical plant and construction aspect for these providers. The final draft of these rules will be completed with stakeholder input following statutory changes by the General Assembly clarifying rulemaking authority. These rules are being readopted with substantive and non-substantive changes, and being amended to clarify the physical plant requirements for adult care homes and family care homes for bed capacity, application of physical plant requirements, design and construction, living room, dining room, kitchen, bedrooms, bathroom, outside entrance and exits, outside premises, laundry equipment, housekeeping and furnishings, plans and specifications, physical environment, housekeeping and furnishings, fire alarm system, plan for evacuation, fire safety and disaster plan, building service equipment, electrical outlets, special care unit building requirements, and other physical plant requirements. The likelihood of costs being incurred by the licensed Adult Care Home and Family Care Home providers is unknown for private entities, and negligible to none for local government impact. It is anticipated there will be a state impact with a minimal cost incurred to the Construction Section for regulatory compliance activities. The amount of anticipated fiscal economic impact is unknown. None of these changes are predicted to be of a substantial fiscal impact.</p>									

\* S = State Impact, L = Local Impact, SE = Substantial Economic Impact of \$1,000,000 or greater in a 12-month period, U = Impact Unknown.

## II. Schedule of Anticipated Rules Actions in SFY 2023-2024

DHSR/MCC	<b>Emergency Medical Services and Trauma rules</b>	10A NCAC 13P .0101, .0102, .0201, .0207, .0216 - .0218, .0221, .0224, .0301, .0401 - .0404, .0407, .0410, .0502, .0503, .0512, .0601, .0602, .0904, .0905, .1505, and .1507.	Nadine Pfeiffer	919-855-3811	Readopt	No	S	L	U
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Twenty five rules will be amended in this package for Emergency Medical Services and Trauma Rules in Subchapter 10A NCAC 13P. The Office of Emergency Medical Services Section of DHSR is responsible for the regulatory oversight of emergency medical services and trauma systems, and to credential emergency medical system personnel in providing responses to emergencies and disasters. The final draft of these rules are still in the process of being approved with stakeholder input. The rules will revise and update abbreviations and definitions; EMS system requirements; ground ambulance, medical ambulance/evacuation bus, pediatric specialty care ground ambulance requirements; forbidden weapons and explosives; patient transportation between hospitals; ground ambulance manufacturing standards; specialty care transport program criteria; medical oversight for EMS systems, air medical, and specialty care transport systems; emergency medical dispatch priority requirements; credentialing requirements for emergency personnel; continuing education requirements for EMS educational programs and educational institutions; initial and renewal trauma designation processes; EMS educational institutions requirements; and EMS personnel credentials. These changes effect either the EMS individual credentialed personnel, private entities, the EMS System (made up of local and county governments) and OEMS, therefore state and local government will be impacted, but the amount of the fiscal impact is unknown at this time. It is unknown whether these changes will be of a substantial fiscal impact.

DHSR/RPC	<b>Radiation Protection Phase 4 Readoptions</b>	10A NCAC 15 .0501- .0517, .0519-.0525	Nadine Pfeiffer	919-855-3811	Readopt	Yes	U	-	-
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This package contains 24 rules. Twenty-three rules are being readopted following the periodic review and expiration of existing rules process having been identified as "Necessary With Substantive Public Interest" in Chapter 10A NCAC 15. Safety requirements for licensed operators of industrial radiography sources are regulated by the Radiation Protection Section (RPS) of DHSR. Radiation for industrial radiography is operated by persons licensed utilizing this source of radiation in private for-profit entities located in urban and rural areas in the State. The rules are still in the process of being drafted with stakeholder input, however; it is anticipated that seven rules will be repealed through readoption, sixteen rules will be repealed, and one rule will be amended from stakeholder input through a subcommittee of the Radiation Protection Commission. It is anticipated the rule amendment will combine all the safety requirements for industrial radiography operations into one rule and refer the requirements to the federal regulations applicable for these services. It is anticipated that minimal costs will be incurred by this rule change that affect the licensed providers and that no local government impact will be impacted. It is undetermined whether there will be any state impact for costs incurred to the Radiation Protection Section for regulatory compliance activities. The amount of anticipated fiscal economic impact is unknown. None of these changes are predicted to be of a substantial fiscal impact.

\* S = State Impact, L = Local Impact, SE = Substantial Economic Impact of \$1,000,000 or greater in a 12-month period, U = Impact Unknown.



## II. Schedule of Anticipated Rules Actions in SFY 2023-2024

DHSR/RPC	<b>Radiation Protection Phase 5 Readoptions</b>	10A NCAC 15 .0301-.0322, .0324, .0327, .0328, .0330-.0335, .0337-.0344, .0348, .0351-.0365, .0701-.0702,	Nadine Pfeiffer	919-855-3811	Readopt	Yes	U	-	U
<p>This package contains 57 rules. All of the rules are being readopted following the periodic review and expiration of existing rules process having been identified as "Necessary With Substantive Public Interest" in Chapter 10A NCAC 15. The licensing of radioactive material is regulated by the Radiation Protection Section (RPS) of DHSR. Licenses are issued by the RPS to persons to receive, possess, use, transfer, own, transport, manufacture and produce, or acquire radioactive material except as authorized in a specific or general license for private for-profit entities located in urban and rural areas in the State. These rules have yet to be drafted; however, it is anticipated that ten rules will be readopted with substantive changes and 47 rules will be repealed through readoption from stakeholder input through a subcommittee of the Radiation Protection Commission. It is anticipated the rule readoptions will update the requirements for the purpose and scope; the exemptions for source material, sealed radioactive sources in the healing arts, quantities other than source material, items containing other than source material; general and specific types of licenses; source material general licenses; general licenses for manufacture, transfer, install generally licensed devices; general licenses for luminous safety devices; broad scope specific licenses; and refer the requirements to the federal regulations applicable for these types of licenses. It is anticipated that minimal costs will be incurred by this rule change that affect the licensed providers and that no local government impact will be impacted. It is undetermined whether there will be any state impact for cost incurred to the Radiation Protection Section for regulatory compliance activities. It is undetermined whether these changes are predicted to be of a substantial fiscal impact.</p>									
DCDEE	<b>Staff/Child Ratios for Centers</b>	10A NCAC 09 .0713	Dedra Alston	919-814-6307	Amend	No	S	-	-
<p>To align it with statute and provide clarity pertaining to the staff/child ratios and multi-age group allowance.</p>									
DCDEE	<b>Cooperative Arrangement for Instructional Needs</b>	10A NCAC 09 .2513	Dedra Alston	919-814-6307	Adopt	No	S	-	-
<p>To clarify a 2020 statute change to G.S. 110-86(2)(i) that exempted cooperative arrangements for "instructional needs" from child care licensure requirements. Minimal, unquantified benefits are expected in the form of time savings to the regulated community and DCDEE.</p>									
DCDEE	<b>Enhanced Space Requirements</b>	10A NCAC 09 .2809	Dedra Alston	919-814-6307	Amend	No	S	-	-
<p>To correct a conflict with another rule regarding outdoor space requirements in child care facilities.</p>									
<b>North Carolina Industrial Commission</b>									
North Carolina Industrial Commission	<b>Amendments to Mediation Rule(s) and/or amendment to Mediation Form(s).</b>	11 NCAC 23G .0101-.0112	Gina Cammarano, Rulemaking Coordinator	919-807-2524	Amend	No	S	L	SE

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## II. Schedule of Anticipated Rules Actions in SFY 2023-2024

We potentially could amend one or more of the IC mediation rules in Subchapter G of our rules (11 NCAC 23G .0101-0112) in FY 2023-24. This would potentially include, but not necessarily be limited to Rule 11 NCAC 23G .0101 to require the filing of an appointment of mediator form in all mediations (even voluntary mediations) to help the Commission better track the mediations in its program and Rule 11 NCAC 23G .0106 to make it clear that a mediator is required to file a Report of Mediator if a mediation is scheduled but not completed within the required timeframe. Additionally, or in the alternative, we potentially could amend one or more of our mediation forms. Any substantive amendments to our existing forms are subject to formal rulemaking per N.C. Gen. Stat. §97-81(a), notwithstanding N.C. Gen. Stat. §150B-2(8a)d. Potential amendments to our existing mediation forms could be made to provide further clarity on the forms.

North Carolina Industrial Commission	<b>Amendment to Medical Fee Schedule</b>	11 NCAC 23J .0102	Gina Cammarano	919-807-2524	Amend	No	S	L	SE
<p>We potentially could amend our fee schedule in FY 2023-24 (specifically 11 NCAC 23J .0102), and/or adopt a new provision in our fee schedule (Subchapter J of our Rules), to provide for a dollar amount or range of dollar amounts to be paid for certain CPT codes that are commonly used in workers' compensation cases but that are not payable under Medicare Part B. The reason for doing this would be to provide more consistency from case-to-case the fee allowed for these CPT codes.</p>									

### Department of Labor

Occupational Safety and Health	<b>Heat Stress Prevention - Construction and General Industry</b>	13 NCAC 07H	Jill F. Cramer	919-707-7710	Adopt	No	S	L	SE
Occupational Safety and Health	<b>Heat Stress Prevention - Agriculture</b>	13 NCAC 07F.300	Jill F. Cramer	919-707-7710	Adopt	No	S	L	SE
<p>Implements requirements for agricultural employers when the ambient temperature reaches 80 degrees Fahrenheit or higher to include a heat stress prevention program; emergency response procedures; a heat stress prevention training program; and requirements for high heat exposure periods.</p>									
Occupational Safety and Health	<b>Airborne infectious Disease -Public Health Emergency - Migrant Housing</b>	13 NCAC 16	Jill F. Cramer	919-707-7710	Adopt	No	U	U	SE
Occupational Safety and Health	<b>Airborne infectious Disease -Public Health Emergency - Agriculture</b>	13 NCAC 07F.0300	Jill F. Cramer	919-707-7710	Adopt	No	S	U	SE

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II. Schedule of Anticipated Rules Actions in SFY 2023-2024

Occupational Safety and Health	<b>Airborne infectious Disease -Public Health Emergency - General Industry</b>	13 NCAC 07I	Jill F. Cramer	919-707-7710	Adopt	No	S	L	SE
Occupational Safety and Health	<b>Airborne infectious disease -Public Health Emergency - Construction</b>	13 NCAC 07I	Jill F. Cramer	919-707-7710	Adopt	No	S	L	SE
Occupational Safety and Health	<b>Modernization of rule petition information</b>	13 NCAC 07A.0512	Jill F. Cramer	919-707-7710	Amend	No	-	-	-
Elevator and Amusement Device	<b>Modernization of Rules by Incorporation by reference of ASTM F2374-21a - Standard Practice for Design, Manufacture, Operation, and Maintenance of Inflatable Amusement Devices</b>	13 NCAC 15	Jill F. Cramer	919-707-7710	Amend	No	-	-	U
Wage and Hour	<b>Modernization of various wage and hour rules</b>	13 NCAC 12	Jill F. Cramer	919-707-7710	Amend	No	U	U	U
<b>State Board of Education/Department of Public Instruction</b>									
DPI - Educator Preparation and Teacher Licensure	<b>"LICENSURE" (There is no title in the NCAC.)</b> Teacher licensure rules are likely to be adopted, amended, and repealed to provide pathways to excellence and build licensing on articulated standards of practice, multiple practice evidence points of attainment of knowledge of the practice, and advanced/lead teacher support. Changes may necessitate increased licensure fees to support the program.	16 NCAC 06C .0300	Thomas Ziko	984-236-2245	Adopt, Amend, and Repeal	No	-	-	SE

\* S = State Impact, L = Local Impact, SE = Substantial Economic Impact of \$1,000,000 or greater in a 12-month period, U = Impact Unknown.

## II. Schedule of Anticipated Rules Actions in SFY 2023-2024

DPI - Educator Preparation Programs	<b>Teacher Education</b>	16 NCAC 06C .0200	Thomas Ziko	984-236-2245	Adopt and Amend	No	-	L	SE
Education preparation program rules are likely to be adopted, amended, or repealed to implement SBE policies on program approvals, renewals and revocations. Changes may result in costs to approved programs in community colleges and private education programs.									
<b>Secretary of State</b>									
Notary Enforcement	<b>Remote Electronic Notary Act rules</b>	18 NCAC 07	Ann B. Wall	919 814 5310	Adopt and Amend	No	S	L	SE
The Remote Electronic Notary Act (RENA), SL 2022-54 requires extensive rulemaking by the Secretary of State that will apply to: remotely located principals, remote electronic notaries public (RENPs), certain traditional notaries, and vendors offering communication platforms, identity proofing and credential analysis, among others. The Department must adopt rules for topics that include: registration of RENPs and instructors; identity proofing and credential analysis to verify remote principal identity; approval and licensing of online platforms and vendors; contents and secure, confidential storage and retention of electronic notary journals and communication technology recordings; geolocation of remotely located principals; information technology security standards; background investigations of online platforms and certain of their officers and employees.									
The Department's goal is to establish a system that will continue to promote public confidence in the reliability of signatures and the identification of remotely located principals to ensure that transactions are not repudiated as a result of: (1) Mental incapacity of the principal; (2) Coercion or duress; or (3) Fraud. The rules must be drafted in accordance with RENA so as to enhance and facilitate economic activity being conducted remotely, and ensure that crucial business, legal, health-care, and other transactions are conducted safely, securely and efficiently in the rapidly changing remote environment.									
<b>Department of State Treasurer</b>									
Local Governmental Employees' Retirement System Board of Trustees	<b>Surety Rules</b>	20 NCAC 02C .0210; .0211	Laura Rowe	919-814-3851	Adopt	No	U	L	U
Establish how non-taxing authorities can participate in LGERS by obtaining a surety to cover any subsequent withdrawal liability that may be incurred. See fiscal note online at <a href="https://www.osbm.nc.gov/documents/files/DST_2023-01-11">https://www.osbm.nc.gov/documents/files/DST_2023-01-11</a>									
State Treasurer - Unclaimed Property Division	<b>Escheats and Abandoned Property Rules</b>	20 NCAC 08	Laura Rowe	919-814-3851	Adopt, Amend, and Repeal	No	U	U	U
Reviewing and updating all rules in 20 NCAC 08									
<b>Wildlife Resources Commission</b>									
NCWRC	<b>Game Lands</b>	15A NCAC 10D	Carrie Ruhlman	919-707-0011	Amend	No	S	U	-
Multiple modifications to include changes to use, establishment of a new game land, target shooting, fishing, permit requirements, and administrative updates.									

\* S = State Impact, L = Local Impact, SE = Substantial Economic Impact of \$1,000,000 or greater in a 12-month period, U = Impact Unknown.

## II. Schedule of Anticipated Rules Actions in SFY 2023-2024

NCWRC	<b>Inland Fishing</b>	15A NCAC 10C	Carrie Ruhlman	919-707-0011	Amend	No	S	U	-
Modify size and/or creel limits; modify list of waters designated as Public Mountain Trout Waters to further classifications: Hatchery Supported, Delayed Harvest or Wild Trout;									
NCWRC	<b>Water Safety</b>	15A NCAC 10F	Carrie Ruhlman	919-707-0011	Amend	No	S	U	-
Modify and add no wake zones throughout the state.									
NCWRC	<b>Wildlife Management</b>	15A NCAC 10B	Carrie Ruhlman	919-707-0011	Adopt and Amend	No	S	U	-
Modify hunting and trapping seasons and bag limits and regulations in CWD surveillance areas.									
NCWRC	<b>Hunter Education</b>	15A NAC 10K	Carrie Ruhlman	919-707-0011	Amend	No	U	U	-
Update rule language and requirements as part of periodic review.									
NCWRC	<b>Wildlife Conservation Areas</b>	15A NCAC 10J	Carrie Ruhlman	919-707-0011	Amend	No	U	U	-
Update rule language and requirements as part of periodic review.									
NCWRC	<b>Protection of Endangered species</b>	15A NCAC 10I .0102	Carrie Ruhlman	919-707-0011	Amend	No	U	U	-
Update rule language and requirements as part of periodic review.									

\* S = State Impact, L = Local Impact, SE = Substantial Economic Impact of \$1,000,000 or greater in a 12-month period, U = Impact Unknown.

III. Rules with Estimated Local Government Impact Adopted in SFY 2020-2021

**Table 7. Rules with Estimated Local Government Impact Adopted Between July 1, 2021 and June 30, 2022**

Agency, Division	Title of Rule Change	Citation(s)	Contact	Date Adopted	Quantified Impact on Local Government (thousands):*					
					2021-22	2022-23	2023-24	2024-25	2025-26	
<b>Department of Environmental Quality</b>										
DEQ/DCM	Beach Mats	15A NCAC 07H .0308; 07K .0207	Heather Coats	9/15/21						Unquantified
DEQ/DCM	Development Permit Extensions	15A NCAC 07J .0403 and .0404	Daniel Govoni	9/15/21						Unquantified
DEQ/DCM	Coastal Reserve Program	15A NCAC 07O .0101-.0105; .0201-.0203	Rebecca Ellin	10/1/21						Unquantified
DEQ/DCM	Beach Management Plans	15A NCAC 07H .0104, .0304-.0306, .0308, .0310; 07J .1200, .1201-.1206, .1301-.1303	Mike Lopazanski	4/27/22	\$291	\$0	\$0	\$0	\$0	\$0
DEQ/DCM	Relocation and Elevation of Structures	15A NCAC 07H .0306 and 07K .0208	Mike Lopazanski	4/27/22						Unquantified
DEQ/DMF	Foreign Crab Meat Repackaging	15A NCAC 03L .0210, 18A .0136, .0173	David Dietz	2/25/22						Unquantified
DEQ/DMF	Blue Crab FMP	15A NCAC 03J .0301; 03L .0201-.0205; 03R .0110, .0118	David Dietz	5/19/22						Unquantified
DEQ/DWR	Surface Water Triennial Review	15A NCAC 02B .0202, .0208, .0212, .0215-.0216, .0218-.0220, .0301, .0311	Julie Ventaloro	3/10/22	-\$167	-\$167	-\$167	-\$167	-\$167	-\$167

\* Note that positive values are net costs to local governments and negative values are net benefits. The table does not present unquantified costs and benefits.

III. Rules with Estimated Local Government Impact Adopted in SFY 2020-2021

DEQ/DWR	Reinstating Permitting Mechanism for Non-Jurisdictional Wetlands and Waters	15A NCAC 02H .1301, .1401-.1405	Julie Ventaloro	1/13/22	-\$107	-\$107	-\$107	-\$107	-\$107
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**Total quantified impact for Department of Environmental Quality: \$17 -\$274 -\$274 -\$274 -\$274**

**Department of Health and Human Services**

DHHS/DCDEE	Serving School Aged Children During Covid-19 Emergency	10A NCAC 09 .3101-.3104	Dedra Alston	8/3/21					Unquantified
DHHS/DPH	Wastewater Treatment and Disperal Systems	15A NCAC 18A/18E	Trish Angoli	8/4/21	-\$30	-\$29	-\$28	-\$27	Unquant.
DHHS/DPH	Sanitation of Food Service Establishments	15A NCAC 18A .2650-.2655, .2661, .2670, .2674	Virginia Niehaus	8/4/21	\$762	\$0	\$0	\$0	\$0
DHHS/DPH	Restaurant and Lodging Fee Distribution	15A NCAC 18A .2901	Virginia Niehaus	5/4/22					Unquantified
DHHS/DPH	Display Spas at Temporary Events	15A NCAC 18A .2508, .2545	Virginia Niehaus	5/4/22					Unquantified
DHHS/DHB	Hospital Uncompensated Care Fund	10A NCAC 22Q .0101-.0106; 22R .0101-.0105	Shazia Keller	5/23/22					Unquantified
DHHS/DHSR	Certificate of Need Group 2	10A NCAC 14C .1601, .1603, .1701, .1703, .1901, .1903, .2701, .2703, .3701, .3703	Lisa Pittman	11/10/21					Unquantified

**Total quantified impact for Department of Health and Human Services: \$732 -\$29 -\$28 -\$27 \$0**

\* Note that positive values are net costs to local governments and negative values are net benefits. The table does not present unquantified costs and benefits.

III. Rules with Estimated Local Government Impact Adopted in SFY 2020-2021

Department of Labor										
		13 NCAC 13								
		.0101, .0103,								
		.0201-.0203,								
		.0205, .0207,								
		.0211, .0213,								
		.0214, .0303,								
		.0401, .0402,								
		.0405, .0406,								
		.0409, .0420,								
		.0422, .0423,								
DOL	Boiler Fees and Updates	.0701	Jill Cramer		3/8/22	\$58	\$58	\$58	\$58	\$58
<b>Total quantified impact for Department of Labor:</b>						<b>\$58</b>	<b>\$58</b>	<b>\$58</b>	<b>\$58</b>	<b>\$58</b>
Wildlife Resources Commission										
WRC	Protected Species List	15A NCAC 10I .0103-.0105	Carrie Ruhlman		7/29/21					Unquantified
WRC	Various	15A NCAC 10D .0100 & .0200	Carrie Ruhlman		2/24/22					Unquantified
WRC	No Wake Zone Pitt County	15A NCAC 10F .0354	Carrie Ruhlman		4/14/22	\$1	\$0	\$0	\$0	\$0
<b>Total quantified impact for Wildlife Resources Commission:</b>						<b>\$1</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Total for ALL Agencies (quantifiable impact only)*:</b>						<b>\$808</b>	<b>-\$245</b>	<b>-\$244</b>	<b>-\$243</b>	<b>-\$216</b>

\* Note that positive values are net costs to local governments and negative values are net benefits. The table does not present unquantified costs and benefits.