

SUBCHAPTER 07J - PROCEDURES FOR PROCESSING AND ENFORCEMENT OF MAJOR AND MINOR DEVELOPMENT PERMITS, VARIANCE REQUESTS, APPEALS FROM PERMIT DECISIONS, DECLARATORY RULINGS, AND STATIC LINE EXCEPTIONS

SECTION .0600 - DECLARATORY RULINGS AND PETITIONS FOR RULEMAKING

15A NCAC 07J .0604 FEDERAL ACTIVITIES

Authority G.S. 113A-124; 150B-4.

SUBCHAPTER 07M - GENERAL POLICY GUIDELINES FOR THE COASTAL AREA

SECTION .0500 - POST-DISASTER POLICIES

15A NCAC 07M .0501 DECLARATION OF GENERAL POLICY

Authority G.S. 113A-102; 113A-107; 113A-120; 113A-124(c).

SECTION .0600 - FLOATING STRUCTURE POLICIES

15A NCAC 07M .0602 DEFINITIONS

Authority G.S. 113A-102; 113A-107; 113A-108; 113A-118; 113A-120(a)(8).

15A NCAC 07M .0603 POLICY STATEMENTS

(a) It is the policy of the State of North Carolina that floating structures shall not be allowed or permitted within the public trust waters of the coastal area except in a marina permitted as development pursuant to the Coastal Area Management Act of 1974.

(b) All floating structures shall be in conformance with local regulations for on-shore sewage treatment.

(c) A boat shall be deemed a floating structure when its means of propulsion has been removed or rendered inoperative and it contains at least 200 square feet of living space area.

(d) A floating upweller system is a structure used in mariculture for the purpose of growing shellfish. For the purpose of this Rule, floating upweller systems are considered floating structures.

(e) Floating upweller systems may be permitted as a platform at a private docking facility in accordance with 15A NCAC 07H .0208(b)(6) or at a permitted marina in accordance with 15A NCAC 07H .0208(b)(5).

Authority G.S. 113A-102; 113A-103; 113A-107; 113A-108; 113A-118; 119.2(a)(2); 113A-120(a)(8).

SECTION .0900 - POLICIES ON USE OF COASTAL AIRSPACE

15A NCAC 07M .0902 POLICY STATEMENTS

Authority G.S. 113A-102(b); 113A-107.

TITLE 21 - OCCUPATIONAL LICENSING BOARDS AND COMMISSIONS

CHAPTER 06 – BOARD OF BARBER AND ELECTROLYSIS EXAMINERS

Notice is hereby given in accordance with G.S. 150B-21.2 that the Board of Barber and Electrolysis Examiners intends to amend the rules cited as 21 NCAC 06G .0103; and 06J .0108.

Link to agency website pursuant to G.S. 150B-19.1(c): <https://www.barbers.nc.gov/news.html>

Proposed Effective Date: June 1, 2023

Public Hearing:

Date: February 21, 2023

Time: 10:00 a.m.

Location: By videoconference at <http://bit.ly/3Gua4M1> or by teleconference at (984) 204-1487 conference ID 530 516 847#

Reason for Proposed Action: Applicants for apprentice and instructor licenses must take two types of exams: written and practical. If they pass one part but fail the other, they have six months to pass the failed exam. Otherwise, they must retake both exams. The board proposes to extend the six-month deadline to three years. The amendment to 21 NCAC 06G .0103 would extend this deadline for instructor applicants, and the amendment to 21 NCAC 06J .0108 would extend this deadline for apprentice applicants.

Comments may be submitted to: Dennis Seavers, 7001 Mail Service Center, Raleigh, NC 27699-7000; phone (919) 814-0641; fax (919) 981-5068; email dennis.seavers@nc.gov

Comment period ends: April 3, 2023

Procedure for Subjecting a Proposed Rule to Legislative Review:

If an objection is not resolved prior to the adoption of the rule, a person may also submit written objections to the Rules Review Commission after the adoption of the Rule. If the Rules Review Commission receives written and signed objections after the adoption of the Rule in accordance with G.S. 150B-21.3(b2) from 10 or more persons clearly requesting review by the legislature and the Rules Review Commission approves the rule, the rule will become effective as provided in G.S. 150B-21.3(b1). The Commission will receive written objections until 5:00 p.m. on the day following the day the Commission approves the rule. The Commission will receive those objections by mail, delivery service, hand delivery, or facsimile transmission. If you have any further questions concerning the submission of objections to the Commission, please call a Commission staff attorney at 984-236-1850.

Fiscal impact. Does any rule or combination of rules in this notice create an economic impact? Check all that apply.

- State funds affected
- Local funds affected
- Substantial economic impact (>= \$1,000,000)
- Approved by OSBM
- No fiscal note required

SUBCHAPTER 06G - BARBER SCHOOL INSTRUCTORS

21 NCAC 06G .0103 INSTRUCTOR EXAMINATION

(a) ~~A prospective~~ An applicant for an instructor of barbering license shall make a grade of at least 80 percent on both the written and practical parts (written and practical) of the instructor's examination before being certified. licensed.

(b) If any applicant to be licensed as a barber school instructor fails one portion of the examination, but passes the other portion, he or she may take and pass the failed portion within ~~six months~~ three years of the notification of failure. If the failed portion is not

passed within ~~six months~~ three years of the notification of failure, the applicant shall take all parts of the examination again.

Authority S.L. 2022-72, s. 2.

SUBCHAPTER 06J - APPRENTICE BARBERS

21 NCAC 06J .0108 EXAMINATION

If any applicant to be licensed as an apprentice barber fails either the written or practical portion of the examination, he or she shall take and pass the failed portion within ~~six months~~ three years of the notification of failure. If the failed portion is not passed within ~~six months~~ three years of the notification of failure, the applicant shall take both portions of the examination again.

Authority S.L. 2022-72, s. 2.