

**06 NCAC 02 .0102            PETITIONS FOR RULE-MAKING HEARINGS**

Whenever any person submits a petition for rule-making relating to matters for which the Council of State must approve or promulgate rules, the chief executive official of the responsible department shall determine if the public interest will be served by granting the request. If the request is denied, the petitioning party may appeal that decision to the Council of State by filing a request for review of the denial decision with the secretary to the Council within 15 days after receipt of the notice of denial. If the Council determines that a hearing would serve the public interest, it may direct the chief executive official of the responsible executive department to designate a hearing officer and conduct a rule-making hearing or the Council itself may conduct a rule-making hearing.

*History Note:*     *Authority G.S. 126-12; 143-260.8(g); 143-341(4),(8)(k); 143-345.1; 146-1;*  
                          *Eff. February 3, 1976;*  
                          *Amended Eff. May 1, 1989;*  
                          *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 20,*  
                          *2015.*