

**21 NCAC 50 .1203            DISPOSITION OF PETITIONS**

(a) The Executive Director of the Board shall determine whether the public interest will be served by granting the request. Prior to making this determination, the Executive Director may request additional information from the petitioner(s); he may contact interested persons or persons likely to be affected by the proposed rule and request comments and he may use any other method for obtaining information on which to base a determination. The Executive Director shall consider all of the contents of the petition submitted plus any other information obtained by the means described in this Paragraph.

(b) The Executive Director shall make a recommendation to the Board for the institution of rulemaking proceedings or for the denial of the petition, as the case may be.

(c) At its next regularly scheduled meeting but within 120 days of submission of the petition, a final decision shall be rendered by the Board. If the decision is to deny the petition the Board shall notify the petitioner in writing, stating the reasons therefor. If the decision is to grant the petition, the Board, within 120 days of submission, shall initiate a rulemaking proceeding by publishing a notice of text in the North Carolina Register as required by G.S. 150B-21.2.

*History Note:    Authority G.S. 87-18; 150B-20;  
                         Eff. February 1, 1991;  
                         Amended Eff. December 31, 2011;  
                         Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 22,  
                         2015.*