

26 NCAC 05 .0206 REPORT

- (a) All agencies participating in the review shall use the report prepared by the Commission.
- (b) The agency shall complete the following fields of the report prior to posting:
 - (1) the initial agency determination;
 - (2) whether a rule is necessary to implement or conform to federal law. If it is, the agency must include a citation to that law in the report; and
 - (3) the public comment period, which shall be no less than 60 days and begin upon posting on the agency's and the Office of Administrative Hearings' websites. If the posting does not occur on the same day for both sites, the comment period shall begin upon posting on the second website.
- (c) The agency shall post the report on its website continuously throughout the public comment period and accept comments on the initial determinations made by the agency in the report.
- (d) Prior to submitting the report to the Commission, the agency shall state in the report whether comments were received and the final determination for each rule. The agency shall attach to the report a copy of every comment received. The full text of all comments shall be included with or attached to the report. The agency shall also attach a brief response addressing the merits of each comment.
- (e) The agency shall submit a report with all fields completed along with all required attachments set forth in Paragraph (d) of this Rule. Reports that are not complete shall be considered not filed and shall be returned to the agency to complete.
- (f) The agency shall submit the report to the Commission with one original of the report and the comments received. The agency shall also submit an electronic version of the report that shall be compatible with or convertible to the most recent version of Microsoft Excel. The electronic report shall be submitted by email at oah.rules@oah.nc.gov.

*History Note: Authority G.S. 150B-21.3A;
 Eff. April 1, 2014.*