

# Young Moore

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January 29, 2008

Governmental Operations via [govops@ncleg.net](mailto:govops@ncleg.net)

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Fiscal Research Division

Re: Consultation on Fee Change – G.S. 12-3.1  
State Board of Examiners of Electrical Contractors  
Rules 21 NCAC 18B.0209 and 21 NCAC 18B.0404

To: Chairs

This letter is to renew the request for consultation contained in our letter dated October 17, 2007 (copy attached). Rule 21 NCAC 18B.0209, adopted on October 16, 2007, raises the examination fees from \$75.00 to \$90.00. Rule 21 NCAC 18B.0404, also adopted on October 16, 2007, raises the license fee, now \$60.00, \$100.00 or \$150.00 depending on the license level, by \$15.00 each.

Both changes are well within the statutory authority contained in G.S. 87-44 and both cleared the public hearing before the Board and approval by the Administrative Rules Review Commission without objection.

The fees have not changed in five years and the cost to the Board for personnel, outside exam administration and complaint investigation has increased. The statutory authority for the fee changes is G.S. 87-44.

Sincerely yours,

YOUNG MOORE AND HENDERSON, P.A.

John N. Fountain

By: *John N. Fountain*

Rule-Making Coordinator

JNF/jbf:ldb

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October 17, 2007

Governmental Operations via [govops@ncleg.net](mailto:govops@ncleg.net)

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Fiscal Research Division

Re: Consultation on Fee Change – G.S. 12-3.1  
State Board of Examiners of Electrical Contractors  
Rules 21 NCAC 18B.0209 and 21 NCAC 18B.0404

To: Chairs

Attached is a copy of 21 NCAC 18B.0209 and 21 NCAC 18B.0404 which we propose to amend. Rule .0209 proposes to raise the examination fees from \$75.00 to \$90.00 and Rule .0404 changes the license fees by \$15.00 each. The fees have not changed in five years and costs to the Board have increased. The statutory authority for the fee changes is G.S. 87-44.

Sincerely yours,

YOUNG MOORE AND HENDERSON, P.A.

*John N. Fountain*

By:

John N. Fountain  
Rule-Making Coordinator

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11/1/0710/16/07

21 NCAC 18B.0209 has been amended as published in 22:04 NCR pages 244 – 247 as follows with  
changes:

**.0209 FEES**

(a) The examination fee for regular qualifying examinations is ~~seventy-five~~ninety dollars ~~(\$75.00)~~(\$90.00)  
for all classifications.

(b) The examination fee for a specially-arranged qualifying examination is two-hundred dollars (\$200.00)  
for all classifications.

(c) The fee for a supervised review of a failed examination ~~with the Board or staff assistance~~ is twenty -five  
dollars ~~(\$25.00) for all classifications (\$ 25.00).~~ All reviews are supervised by the Board or staff.

(d) The examination fees for regular or specially-arranged examinations in all classifications and the fees  
for examination reviews may be in the form of cash, check, money order, Visa or Mastercard made payable  
to the Board and must accompany the respective applications when filed with the Board.

(e) Examination fees received with applications filed for qualifying examinations shall be retained by the  
Board unless:

\_\_\_\_\_ (1) an application is not filed as prescribed in Rule .0210 of this Section, in which case the  
examination fee and application shall be returned; or

(2) the applicant does not take the examination during the examination-period applied for which  
application was made, and files with the Board a written request for a refund, setting out  
extenuating circumstance. ~~The circumstance, and the~~ The Board shall refund the examination fee  
if it finds extenuating circumstances.

(f) Examination review fees are non-refundable unless the applicant does not take the review ~~and review,~~  
~~files with the Board~~ a written request for a refund, setting out extenuating circumstance, and the ~~The~~  
~~Board shall refund the fee if it finds extenuating circumstances.~~

(g) Any fee retained by the Board shall not be creditable toward ~~the payment of any future application of~~  
~~examination fee or the fee for an examination review.~~

(h) Extenuating circumstances for the purposes of Paragraphs (e)(2) and (f) of this Rule shall be the  
applicant 's illness, bodily injury or death, or death of the applicant's spouse, child, parent or sibling, or a  
breakdown of the applicant's transportation to the designated site of the examination or examination review.

*History Note: Authority G.S. 87-42; 87-43.3; 87-43.4; 87-44;*

*Eff. October 1, 1988;*

*Amended Eff. May 1, 1998; July 1, 1989;*

*Temporary Amendment Eff. June 30, 2000;*

*Temporary Amendment Eff. August 31, ~~2001~~2001;*

*Amended Eff. January 1, 2008*

21 NCAC 18B.0404 has been amended as published in 22:04 NCR pages 244 – 247 as follows:

**.0404 ANNUAL LICENSE FEES**

(a) The annual license fees and license renewal fees for the various license classifications are as follows:

**LICENSE FEE SCHEDULE**

CLASSIFICATION	LICENSE FEE
Limited	<del>\$ 60.00</del> <u>\$ 75.00</u>
Intermediate	<del>\$100.00</del> <u>\$115.00</u>
Unlimited	<del>\$150.00</del> <u>\$165.00</u>
SP-SFD	<del>\$ 60.00</del> <u>\$ 75.00</u>
Special Restricted	<del>\$ 60.00</del> <u>\$ 75.00</u>

(b) License fees may be paid by ~~in the form of~~ cash, check, money order, Visa or Mastercard made payable to the Board. Payment ~~and must accompany any the applicant's license or license renewal application or license renewal application when either is filed with the Board.~~

*History Note: Authority G.S. 87-42; 87-44;*  
*Eff. October 1, 1988;*  
*Amended Eff. May 1, 1998; July 1, 1989;*  
*Temporary Amendment Eff. June 30, 2000;*  
*Temporary Amended Eff. August 31, 2001;*  
*Amended Eff. December 4, ~~2002~~ 2002;*  
*Amended Eff. January 1, 2008.*