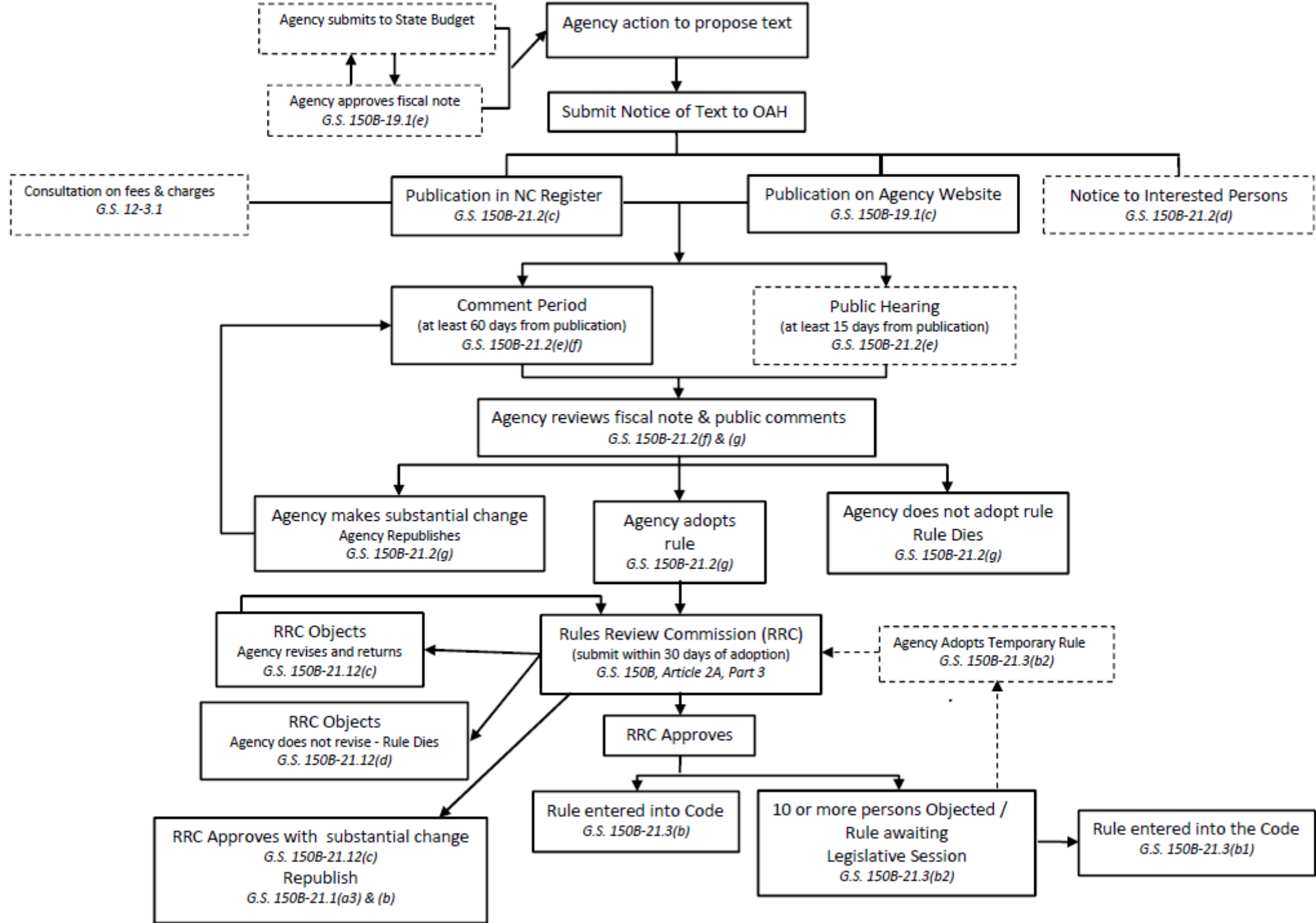


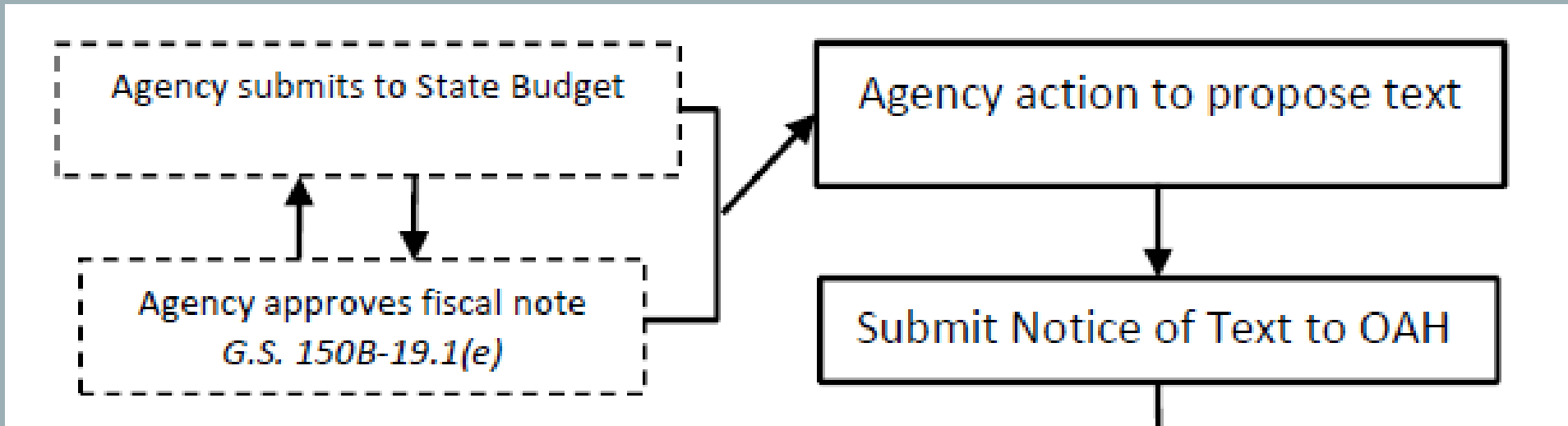
# RULEMAKING REFRESHER

Shawn Maier, Assistant Attorney General

\*This presentation has not been reviewed by the Attorney General's Office in accordance with the procedure for issuing an advisory opinion.



# STEP ONE?



## GETTING TO THE STARTING LINE: DEVELOPING PROPOSED TEXT

Commission discussion on an issue to be addressed through rulemaking

Staff develops a white paper framing the issue

With guidance from MFC, staff prepares an issue paper- overview of current research, lay out possible rulemaking options

Issue paper presented to MFC

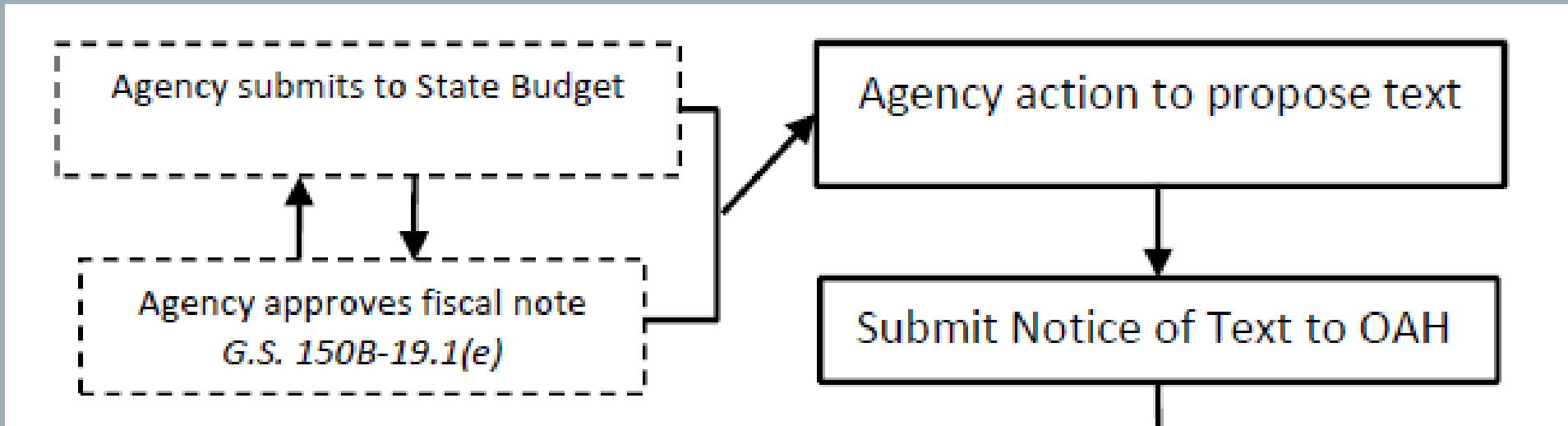
MFC selects its preferred management option

## GETTING TO THE STARTING LINE: FISCAL ANALYSIS

Any rule that requires expenditure of State funds, OR has a substantial economic impact (\$1M aggregate impact in 12 months) must have a fiscal note certified by OSBM

Fiscal note must list: description of parties affected by the rule, types of expenditures necessary to comply with the rule, purpose and benefits of the rule, explanation of how the impact was calculated, and at least two alternatives to the proposed rule

# STEP ONE!



# NOTICE OF TEXT

1 15A NCAC 03M .0509 is proposed for re adoption with substantive changes as follows:

2

3 **15A NCAC 03M .0509 TARPON**

4 (a) It ~~is~~ shall be unlawful to ~~sell~~ possess, sell, or offer for sale tarpon.

5 ~~(b) It is unlawful to possess more than one tarpon per person taken in any one day.~~

6 ~~(e)~~(b) It ~~is~~ shall be unlawful to take tarpon by any method other than ~~hook and line~~ hook and line.

7 (c) It shall be unlawful to gaff, spear, or puncture a tarpon.

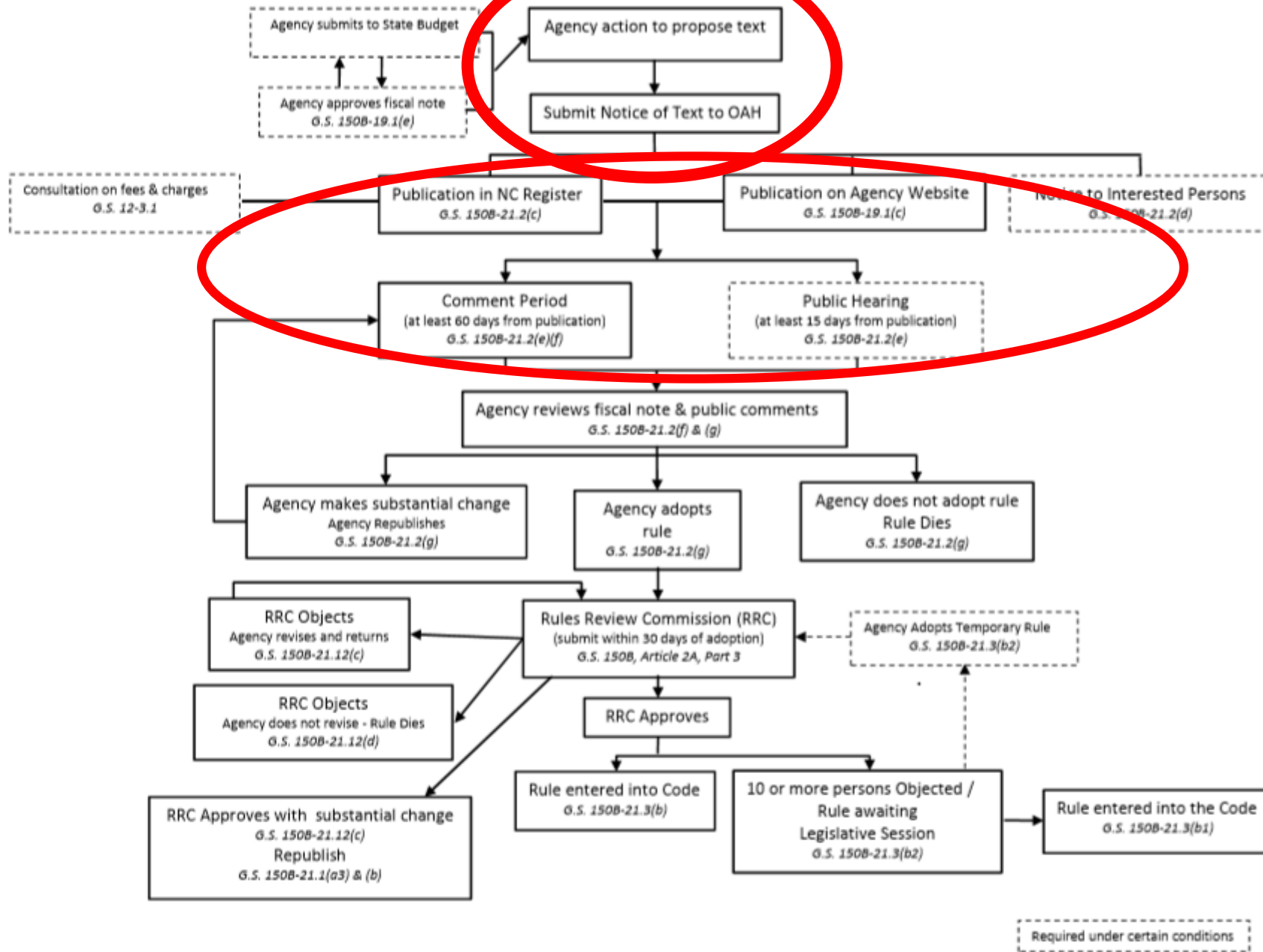
8

9 *History Note: Authority G.S. 113-134; 113-182; ~~113-221; 143B-289.4; 143B-289.52;~~*

10 *Eff. October 1, 1992;*

11 *Readopted Eff. April 1, 2020.*

# PERMANENT RULEMAKING PROCESS





# ***NORTH CAROLINA REGISTER***

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**February 17, 2020**

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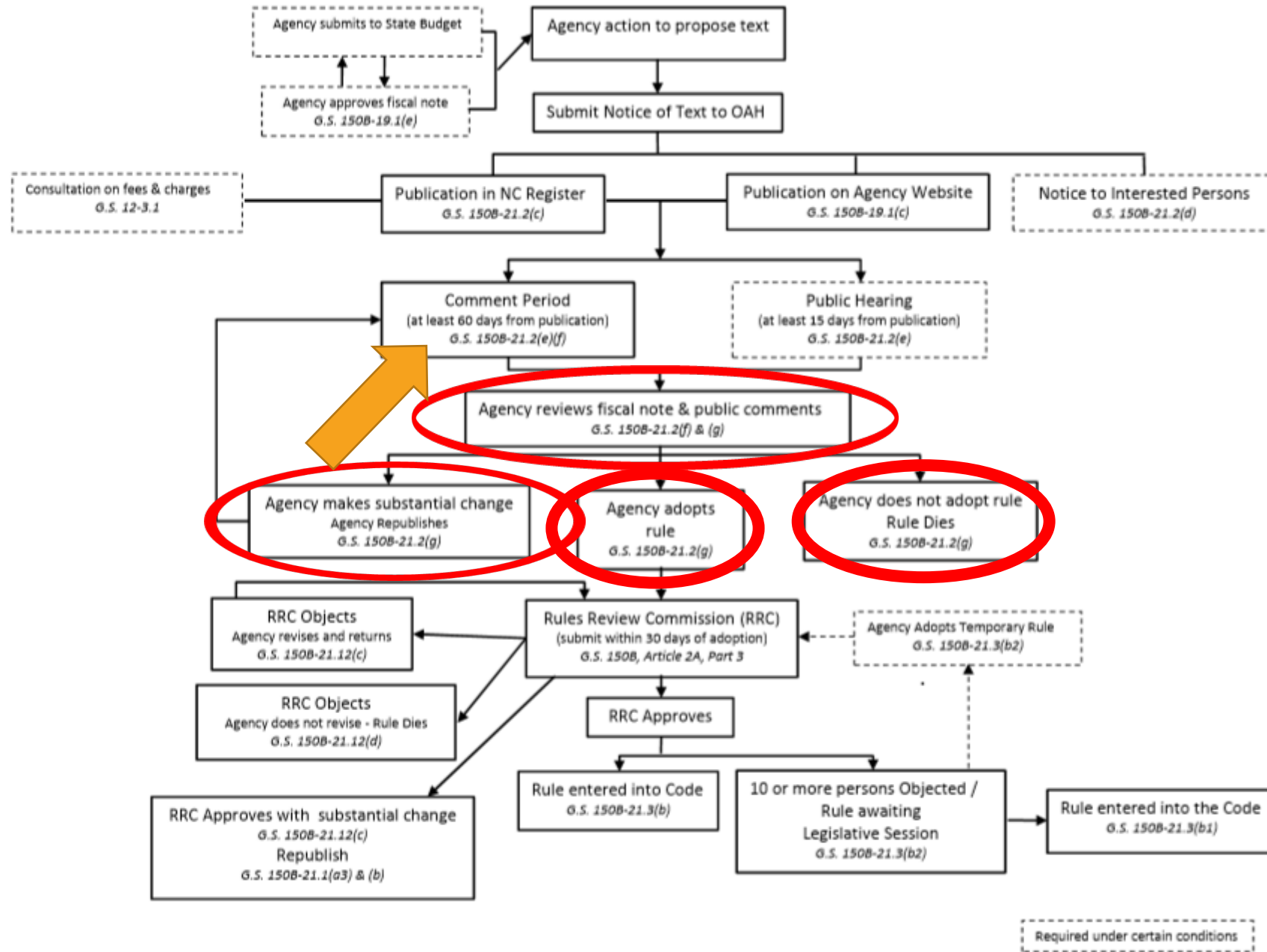
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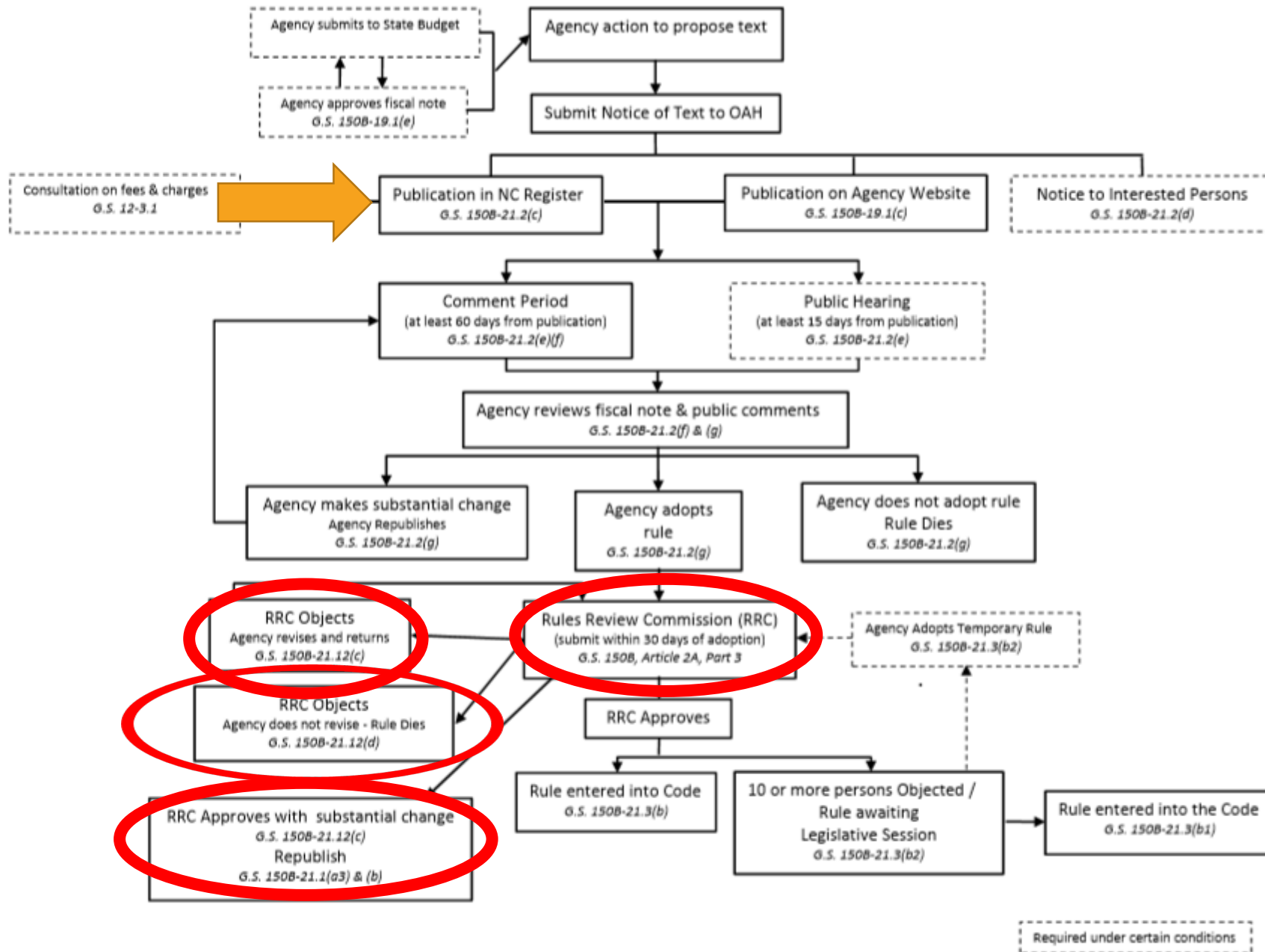
## PERMANENT RULEMAKING PROCESS



# RULES REVIEW COMMISSION



# PERMANENT RULEMAKING PROCESS



## RRC GROUNDS FOR REJECTION

Is outside the MFC's authority

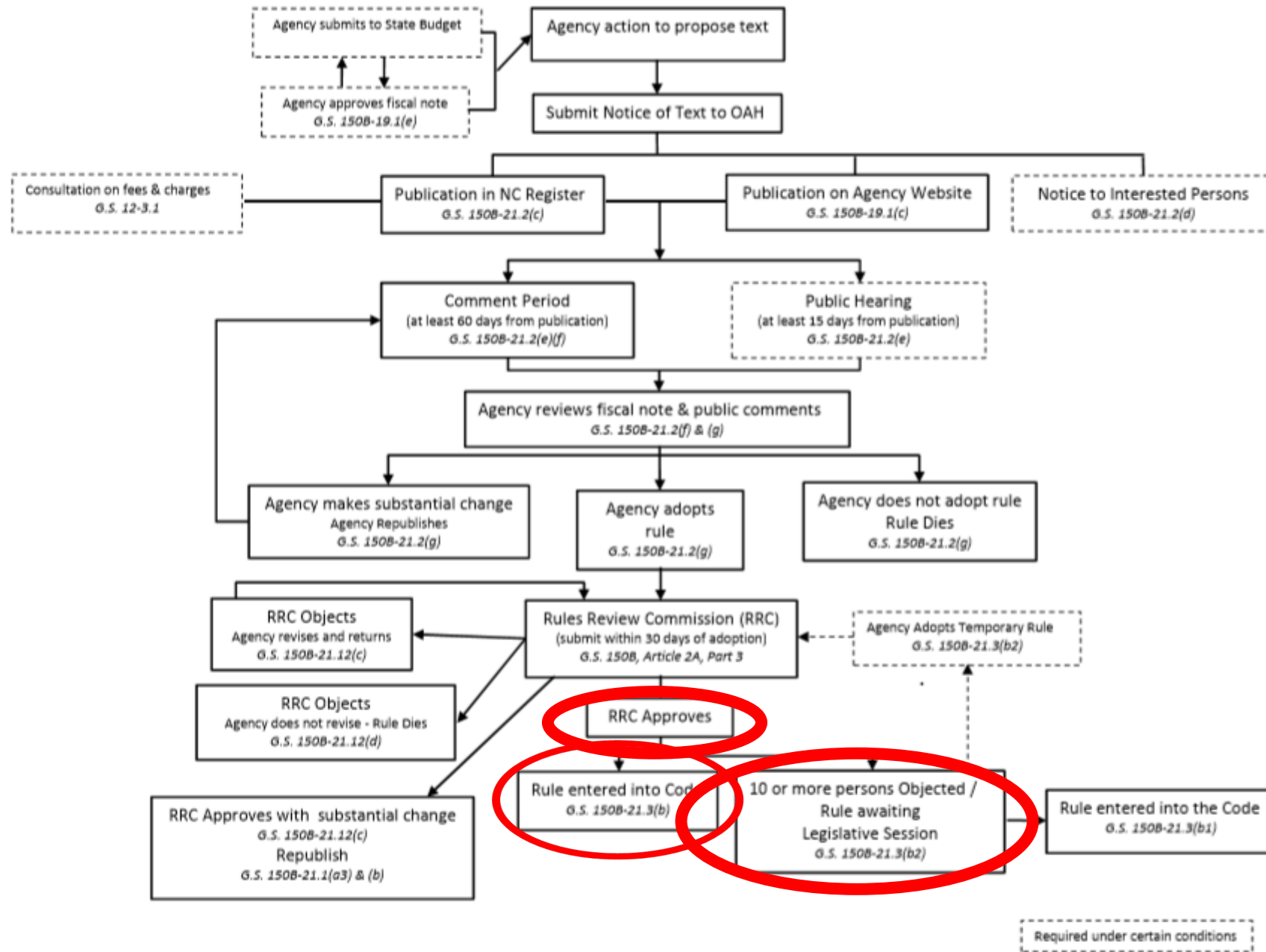
Is not clear and unambiguous

Is not reasonably necessary to implement or interpret statute or federal law

Complies with the principles of rulemaking

RRC does NOT consider the quality or efficacy of the rule

## PERMANENT RULEMAKING PROCESS



NORTH CAROLINA  
MARINE FISHERIES COMMISSION  
RULES

MAY 1, 2015

