

# WILDLIFE COMMISSIONER ORIENTATION PACKAGE



NORTH CAROLINA WILDLIFE RESOURCES COMMISSION  
OCT. 26, 2021

**NOTES**

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# I. PURPOSE-MISSION-VISION

## PURPOSE

To develop and administer programs directed to the conservation of fish and wildlife resources and their habitats.

## MISSION

To conserve North Carolina's wildlife resources and their habitats and provide programs and opportunities that allow hunters, anglers, boaters and other outdoor enthusiasts to enjoy wildlife-associated recreation.

## VISION

The N.C. Wildlife Resources Commission (NCWRC) is providing safe, comprehensive, effective and efficient fisheries, wildlife and boating programs that:

- ◆ Conserve the diversity and abundance of the State's wildlife resources.
- ◆ Provide diverse opportunities for all citizens regardless of age or physical abilities to access and enjoy hunting, angling, boating and other wildlife-associated experiences.
- ◆ Demonstrate to the citizens of North Carolina through education and communication the critical role of wildlife management in sustaining the quality of our wildlife resources and their habitats.
- ◆ Sustain working lands and their associated wildlife communities.
- ◆ Have a strong and unequivocal statutory base that supports constituent needs and agency sustainability.
- ◆ Feature strong partnerships with other natural resource entities to complement the mission of the NCWRC and leverage resources to achieve that mission.
- ◆ Are financially secure through diverse, dedicated and ample funding.
- ◆ Are based on sound science.

## STRATEGIC PLAN



## II. COMMISSION MAKEUP

### AGENCY ESTABLISHED

The agency is established under [G.S. 143-239](#), which reads:

“The purpose of this Article is to create a separate State agency to be known as the North Carolina Wildlife Resources Commission, the function, purpose, and duty of which shall be to manage, restore, develop, cultivate, conserve, protect, and regulate the wildlife resources of the State of North Carolina, and to administer the laws relating to game, game and freshwater fishes, and other wildlife resources enacted by the General Assembly to the end that there may be provided a sound, constructive, comprehensive, continuing, and economical game, game fish, and wildlife program directed by qualified, competent, and representative citizens, who shall have knowledge of or training in the protection, restoration, proper use and management of wildlife resources.”

### BOARD ESTABLISHED

The 19-member citizen board is established under [G.S. 143-240](#)

Qualifications to serve: “Each member of the Commission shall be an experienced hunter, fisherman, farmer, or biologist, who shall be generally informed on wildlife conservation and restoration problems.”

### APPOINTMENTS and TERMS OF OFFICE

Commissioner appointments and respective terms are set forth under [G.S. 143-241](#), as follows:

#### Governor Appointments (11 total):

- ◆ District Commissioners (9 total) serve six-year terms, which are set in a staggered manner such that every two years a group of three District Commissioners is appointed.
  - ◇ Districts 1, 4, and 7 terms run concurrently,
  - ◇ Districts 2, 5, and 8 terms run concurrently, and
  - ◇ Districts 3, 6, and 9 terms run concurrently.
- ◆ At-large Governor-appointed Commissioners (2 total) serve four-year terms that run concurrent with the term of the governor.
- ◆ All members appointed by the Governor serve at the pleasure of the Governor that appointed them and they may be removed by that Governor at any time. A successor to the appointing Governor may remove a Commission member only for cause as provided in [G.S. 143B-13](#).

#### General Assembly Appointments (8 total):

- ◆ Legislative appointments serve two-year terms. All legislative appointment terms run concurrently and are set as follows:
  - ◇ Four Commissioners are appointed upon the recommendation of the Speaker of the House, and

- ◇ Four Commissioners are appointed upon the recommendation of the President Pro Tempore of the Senate.
- ◇ At least one of each of the four House and Senate appointments shall be a member of the political party to which the largest minority of the members of the General Assembly belongs.

## ORGANIZATION of the COMMISSION

[G.S. 143-243](#) establishes that the Commission shall hold at least two meetings per year. Other meetings may be held as needed upon the call of Chairman or upon the call of any five Commissioners.

Seven Commissioners constitute a quorum for transacting business of the board (Committee quorum is simple majority of committee members.)

The Commission determines its own organization and procedures consistent with [Article 24](#), however:

- ◆ Meetings of the Commission must be conducted following [Robert's Rules of Order](#)
- ◆ At its July meeting in odd-numbered years, the Commission “*shall select from among its membership a chairman and a vice-chairman who shall serve for terms of two years or until their successors are elected and qualified.*”
  - ◇ Informal nominations for officers may take place at the July Committee of the Whole meeting, but formal nominations and election of officers shall be conducted in open session during the July Commission meeting following Robert's Rules of Order.
- ◆ The Chairman shall guide and coordinate the official actions and official activities of the Commission in fulfilling its program responsibility for:
  - ◇ Appointment and separation of the Executive Director of the Commission
  - ◇ Organizing the personnel of the Commission
  - ◇ Setting the statewide policy of the Commission
  - ◇ Budgeting and planning the use of the Wildlife and Motorboat Funds, subject to the approval of the General Assembly
  - ◇ Holding public hearings, and
  - ◇ Adopting rules as authorized by law.
  - ◇ The Chairman shall report to and advise the Governor on the official actions and work of the Commission and on all wildlife conservation and boating safety matters that affect the interest of the people of the State.

### Executive Director

- ◆ The role of the Executive Director is established in [G.S. 143-246](#) and is:
- ◆ Charged with the supervision of all activities under the jurisdiction of the Commission and serves as the chief administrative officer of the Commission.
- ◆ Authorized, subject to the approval of the Commission and the Director of the Budget, to employ staff as may be deemed necessary.
- ◆ Shall have had training and experience in conservation, protection, and management of wildlife resources.

- ◆ Salary is set by the NCWRC.
  - ◇ Must be equal to or greater than the salary of the Director of the Division of Marine Fisheries.
- ◆ Serves at the pleasure of the Commission.

## III. COMMISSION BUSINESS

### COMMISSION BUSINESS MEETINGS

The Commission generally conducts six scheduled business meetings each year. These meetings are usually held on Thursdays beginning at 9 a.m. in the months of February, April, July, August, October, and December. These months were chosen primarily due to the rulemaking calendar. Commissioners are expected to be on time and dressed appropriately, business professional. The Commission meeting is streamed live over the internet and is recorded as a permanent public record.

The Commission meeting agenda and exhibits are posted on the NCWRC website prior to the meeting for review. The Chairman controls the flow of the meeting and will call on other Commissioners, staff, and guests as necessary to present agenda items and exhibits. The Chairman will also call for motions, seconds, discussion, and votes for action items throughout the meeting. The Commission meeting generally lasts approximately two hours and always concludes with comments from the Chairman and Executive Director.

### COMMITTEE MEETINGS

The heart of Commission policy development occurs through its standing and ad hoc committees. Committee meetings typically occur on the Wednesday prior to the Commission's business meeting, though it has become more common to have committee meetings outside of the Commission meeting week. Although not required, all Commissioners are invited to attend any of the committee meetings, whether they are a member of the committee or not. Committee meetings are far less transactional than the Commission business meeting, and attire is business casual.

Committee meetings are not recorded, but there is a great deal of information presented by agency professional staff and conservation partners. Typically, committee chairs incorporate staff, conservation partner organizations, and the public-at-large into committee discussions. This collaborative process not only provides a forum to develop and evaluate proposed policy, but it also builds relationships and a foundation of trust among those participating in the meetings.

## [Current Committees and Committee Assignment Roster](#)

Big Game  
Small Game and Wild Turkey  
Migratory Birds and Waterfowl  
Education and Communication  
Fisheries  
Finance, Audit and Compliance  
Land Acquisitions and Property  
Habitat, Nongame, and Endangered Species  
Boating Safety  
Rules  
Executive

## IV. EXPECTATIONS OF COMMISSIONERS

### CODE OF CONDUCT

All Commissioners are required to read and follow the Code of Conduct, complete the Acknowledgment Form upon appointment, and reaffirm these actions on at least a biennial basis.

1. **Duties of the Position:** Each Commissioner is expected to exercise the duties and responsibilities as a member of the Commission with integrity, collegiality, and reasonable care. These include:
  - ◆ Attending all meetings of the Commission board is a high priority, see [EO 34](#).
  - ◆ Being prepared to discuss the issues and business on the meeting agenda and having read all background material relevant to the topic at hand.
  - ◆ Cooperating with and respecting the opinions of fellow Commissioners, as well as respecting NCWRC staff and individuals addressing the Commission, including leaving personal prejudices out of all meeting discussions, and not frustrating but, rather, accepting all adopted actions of the Commission Board, even though the Commissioner may not have supported a particular action during the discussion stage.
  - ◆ Putting the interests of the NCWRC above personal interests.
  - ◆ Remembering that they represent the Commission at all times and shall maintain high ethical and moral character, both professionally and personally, so that their behavior will reflect positively upon the Commission.
  - ◆ Representing the NCWRC in a positive and supportive manner at all times and in all places.
  - ◆ Showing respect and courteous conduct in all Commission Board and Committee meetings.
  - ◆ Refraining from intruding on administrative issues that are the responsibility of the NCWRC Executive Director and senior management, except to monitor results and ensure procedures are consistent with NCWRC policy, see [EO 75](#).

2. **Duty of Loyalty:** Each Commissioner owes a duty of loyalty to the citizens of North Carolina while acting as stewards of the public trust resources of the State.
3. **Duty of Confidentiality:** No Commissioner shall accept employment or engage in any public or professional activity which such Commissioner might reasonably expect would require or induce him/her to disclose any confidential information acquired by reason of his/her official position.
4. **Fair Treatment:** No Commissioner shall use or attempt to use his/her official position to secure special privileges or exemptions for himself/herself or a member of his/her family, or for those with whom he/she has a substantial financial relationship or financial interest that is not available to others, except as may otherwise be provided by law.
5. **Conflict of Interest:** A Commissioner shall not participate in, vote on, influence, or attempt to influence an official decision of the Commission Board or a Committee if the Commissioner has a conflict of interest in the matter under consideration, see [NCGS 138A-15](#).
6. **Gifts:** In accordance with the State Government Ethics Act, a Commissioner shall not knowingly, directly or indirectly, ask, accept, demand, exact, solicit, seek, assign, receive, or agree to receive anything of value, or for another person, in return for being influenced in the discharge of their official responsibilities, see [NCGS 138A-32](#).
7. **Ethics Acknowledgment:** Each Commissioner shall attend ethics education within six months of their appointment and refresher ethics education presentations at least every two years thereafter. Commissioners are required to individually file the Statement of Economic Interests as required by the NC Ethics Commission, see [NCGS 138A-14](#) and [NCGS 138A-22](#).
8. **Commissioner and Employee Relations:**  
**Commissioners should not:**
  - ◆ Direct the activities of an employee;
  - ◆ Direct the expenditure of funds by an employee;
  - ◆ Make demands on an employee for the Commissioner's personal pleasure or convenience.
9. **Prohibition Against Harassment:** The NCWRC strives to maintain a work atmosphere that is free from illegal discrimination and harassment. While all forms of harassment are prohibited, it is the NCWRC's policy to emphasize that sexual harassment is specifically prohibited. Any Commissioner who engages in discriminatory or harassing conduct towards another individual is subject to removal from the Commission. Complaints alleging misconduct on the part of Commissioners will be investigated promptly and as confidentially as possible. All allegations of misconduct will be investigated by the NCWRC HR Director or a third party under the direction of the Executive Director.
10. **Discretion:** Commissioners should exercise discretion in the use of information proprietary to the Commission. Commissioners should be mindful that most of the content of written communications, including emails, between Commissioners and NCWRC employees is subject to public access as "public records" under the North Carolina Freedom of Information Act.

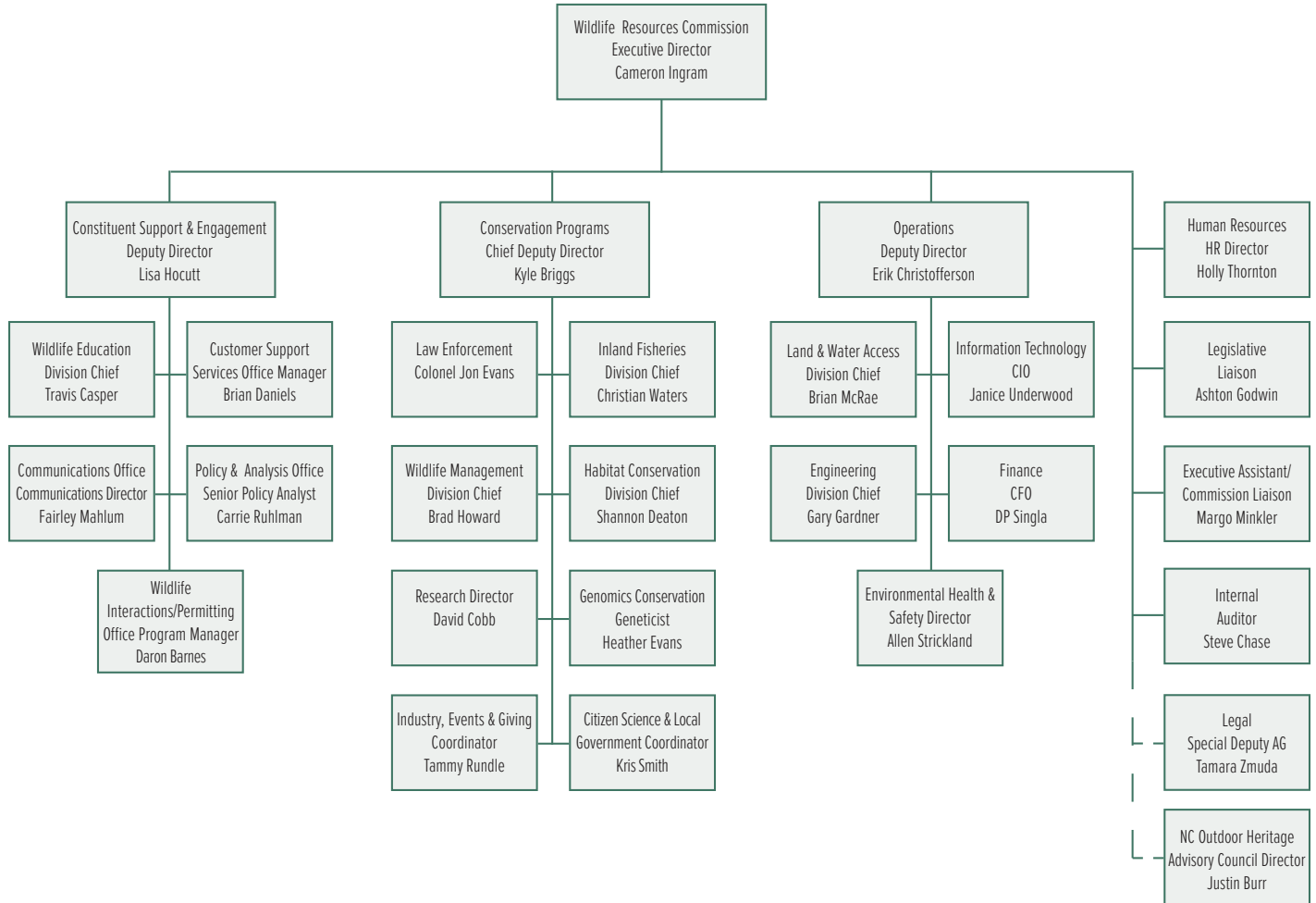


**11. Public Statements:** The Commission Chairman may designate who will represent the Commission for specific appearances before governmental agencies, allied conservation groups, or the general public; however, the Chairman, all Commissioners or other spokespersons for the Commission may only speak in accordance with the policies and mission of the NCWRC. When speaking or taking a public position on their own behalf, or on the behalf of organizations other than the NCWRC, Commissioners shall avoid giving the impression that they are representing the Commission and endeavor to correct any misimpression in this regard.



# V. ORGANIZATION OF THE AGENCY

## ORG CHART



# MAP WITH CONTACT BY DISTRICT

## Coastal Region

IFD – Vacant  
 WMD – Jonathan Shaw – 910-324-3710  
 LAWA – Brent Wilson – 252-402-6347

## Piedmont Region

IFD – Vacant  
 WMD – Ken Knight – 704-985-6277  
 LAWA – Chris Dawes – 919-218-2675

## Mountain Region

IFD – Doug Besler – 828-674-3278  
 WMD – James Tomberlin – 828-400-7497  
 LAWA – Nick Shaver – 828-442-8799

## District 1

LED – Robert Wayne – 252-269-6734  
 IFD – Katy Patoka – 252-548-4933  
 WMD – Chris Turner – 252-221-9961

## District 3

LED – Sam Craft – 919-609-1192  
 IFD – Kirk Rundle – 252-903-7744  
 WMD – Greg Batts – 919-727-0546

## District 7

LED - Steve Bullins - 336-309-2573  
 IFD – Kin Hodges – 828-234-5853  
 WMD – Jason Smith – 336-830-9794

## District 2

LED – Brandon Joyner – 252-675-5292  
 IFD – Ben Ricks – 919-309-0683  
 WMD – Chris Kent – 252-617-0019

## District 5

LED – Chris Moore – 336-341-5738  
 IFD – Kelsey Roberts – 919-618-7945  
 WMD – Jason Allen – 336-514-0306

## District 8

LED – Allen Carlisle – 828-358-5215  
 IFD – Chris Wood – 828-475-9643  
 WMD – Danny Ray – 828-406-6720

## District 4

LED – Brandon Dean – 910-742-8814  
 IFD – Kyle Rachels – 252-548-4938  
 WMD - John Henry Harrelson - 910-874-2725

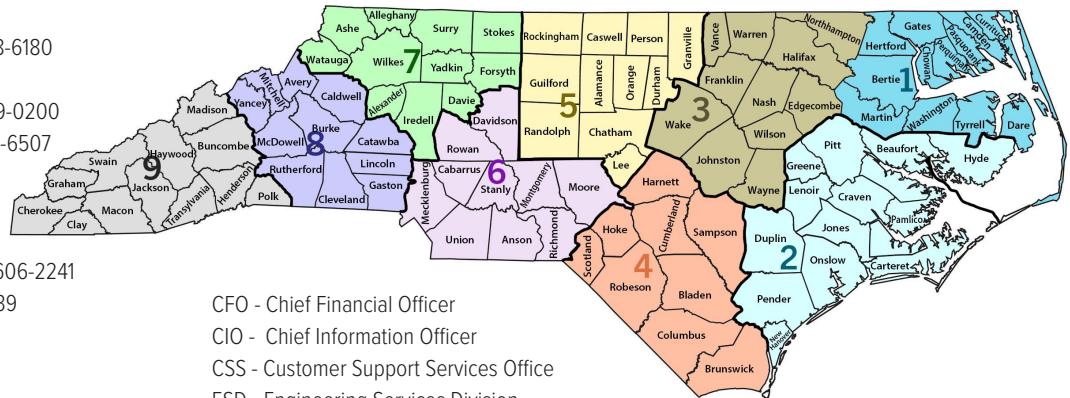
## District 6

LED – Jeremy Harrill – 704-680-2131  
 IFD – Casey Grieshaber – 910-729-0872  
 WMD – Rupert Medford – 910-975-0577

## District 9

LED – Andrew Helton – 828-450-4078  
 IFD – Powell Wheeler – 828-230-8739  
 WMD – Justin McVey – 828-273-7980

Cameron Ingram, Executive Director  
 Kyle Briggs, Deputy Director, 919-414-9322  
 Erik Christofferson, Deputy Director, 919-218-6180  
 Lisa Hocutt, Deputy Director, 919-414-1922  
 Margo Minkler, Commission Liaison, 919-219-0200  
 Ashton Godwin, Legislative Liaison, 919-616-6507  
 Tamara Zmuda, Special Deputy AG  
 DP Singla, CFO, 919-707-0081  
 Janice Underwood, CIO, 919-744-0974  
 Carrie Ruhlman, Senior Policy Analyst, 919-606-2241  
 David Cobb, Research Director, 919-306-0139  
 Jon Evans, Colonel, 919-270-4898  
 Brad Howard, WMD Chief, 828-413-1939  
 Christian Waters, IFD Chief, 919-810-1758  
 Brian McRae, LAWA Chief, 919-612-6579  
 Travis Casper, WED Chief, 252-883-3953  
 Brian Daniels, CSS Chief, 919-707-0268  
 Shannon Deaton, HabCon Chief, 919-218-1023  
 Gary Gardner, ESD Chief, 919-608-3788  
 Fairley Mahlum, Communications Director, 919-817-6820



CFO - Chief Financial Officer  
 CIO - Chief Information Officer  
 CSS - Customer Support Services Office  
 ESD - Engineering Services Division  
 HabCon - Habitat Conservation Division  
 IFD - Inland Fisheries Division  
 LAWA - Land and Water Access Division  
 LED - Law Enforcement Division  
 WMD - Wildlife Management Division  
 WED - Wildlife Education Division

## VI. FIDUCIARY RESPONSIBILITIES

### WILDLIFE RESOURCES FUND

[G.S. 143-250](#) establishes a non-reverting special revenue fund in the Office of the State Treasurer that includes all moneys derived from hunting, fishing, trapping, and related license fees.

For the purposes of this statute, license revenues include the proceeds from: the sale of hunting, fishing, trapping, and related licenses, the sale, lease, rental, or other granting of rights to real or personal property acquired or produced with license revenues, and from federal aid project reimbursements to the extent that license revenues originally funded the project for which the reimbursement is being made.

- ◆ Real property includes lands, buildings, minerals, energy resources, timber, grazing rights, and animal products.
- ◆ Personal property includes equipment, vehicles, machines, tools, and annual crops Federal aid project reimbursements to the extent that license revenues originally funded the project for which the reimbursement is being made. Income received and accruing from the investment of the revenues included herein.
- ◆ All moneys credited to the Wildlife Resources Fund shall be made available to carry out the intent and purposes of this Article in accordance with plans approved by the North Carolina Wildlife Resources Commission, and all such funds are hereby appropriated, reserved, set aside and made available until expended, for the enforcement and administration of this Article, Chapter 75A, Article 1, and Chapter 113, Subchapter IV of the General Statutes of North Carolina.
- ◆ The Commission is required to submit an annual expenditure report to the Joint Legislative Commission on Governmental Operations on the expenditures from the Wildlife Resources Fund during the fiscal year that ended the previous July 1 of that year and on the planned expenditures for the current fiscal year.

### WILDLIFE ENDOWMENT FUND

The North Carolina Wildlife Endowment Fund was established in G.S. 143-250.1 for the purpose of providing the opportunity for citizens and residents of the State to invest in the future of its wildlife resources.

The income and principal of the fund may only be used to support wildlife conservation programs.

The Wildlife Resources Commissioners are designated the Board of Trustees of the North Carolina Wildlife Endowment Fund, with full authority over its administration. The Commission Chairman, Vice-Chairman, and members serve in the corresponding capacities on the Board of Trustees.

The State Treasurer is the custodian of the Wildlife Endowment Fund and is required to invest Fund assets in accordance with the provisions of [G.S. 147-69.2](#) and [G.S. 147-69.3](#).

The assets of the Wildlife Endowment Fund are derived from the following: The proceeds of any specifically designated gifts, grants and contributions. The proceeds from the sale of lifetime hunting, fishing, and trapping licenses. The NCWRC's portion of the proceeds from the sale of lifetime unified licenses. The proceeds of lifetime subscriptions to the magazine *Wildlife in North Carolina* (Lifetime subscriptions were discontinued; however, principal remains in the fund) Such other sources as may be specified by law.

The Wildlife Endowment Fund is a special trust derived from a contractual relationship between the State and the members of the public whose investments contribute to the fund. In recognition of that special trust, the following limitations and restrictions are placed on expenditures from the funds:

- ◆ Any limitations or restrictions specified by the donors on the uses of the income derived from gifts, grants and voluntary contributions shall be respected but shall not be binding.
- ◆ No expenditures or disbursements from the income from the proceeds derived from the sale of Infant Lifetime Sportsman or Youth Lifetime Sportsman Licenses shall be made for any purpose until the respective holders of such licenses attain the age of 16 years (also see [Resolution on Allocation of Available Interest in the North Carolina Wildlife Endowment Fund from Sales of Infant and Youth Lifetime Licenses, December 10, 2020](#)).
- ◆ The State Treasurer is required “from time to time “to “determine actuarially” the amount of income within the fund which remains encumbered by and which is free of this restriction.
- ◆ The Executive Director shall cause deposits of proceeds and related investment income from Infant Lifetime Sportsman Licenses and Youth Lifetime Sportsman Licenses to be accompanied by information as to the ages of the license recipients.

No expenditures shall be made from the principal of the Wildlife Endowment Fund.

The income received and accruing from the investments of the Wildlife Endowment Fund may only be spent to further the conservation of wildlife resources and the efficient operation of the NCWRC in accomplishing the purposes of the agency as set forth in [G.S. 143-239](#).

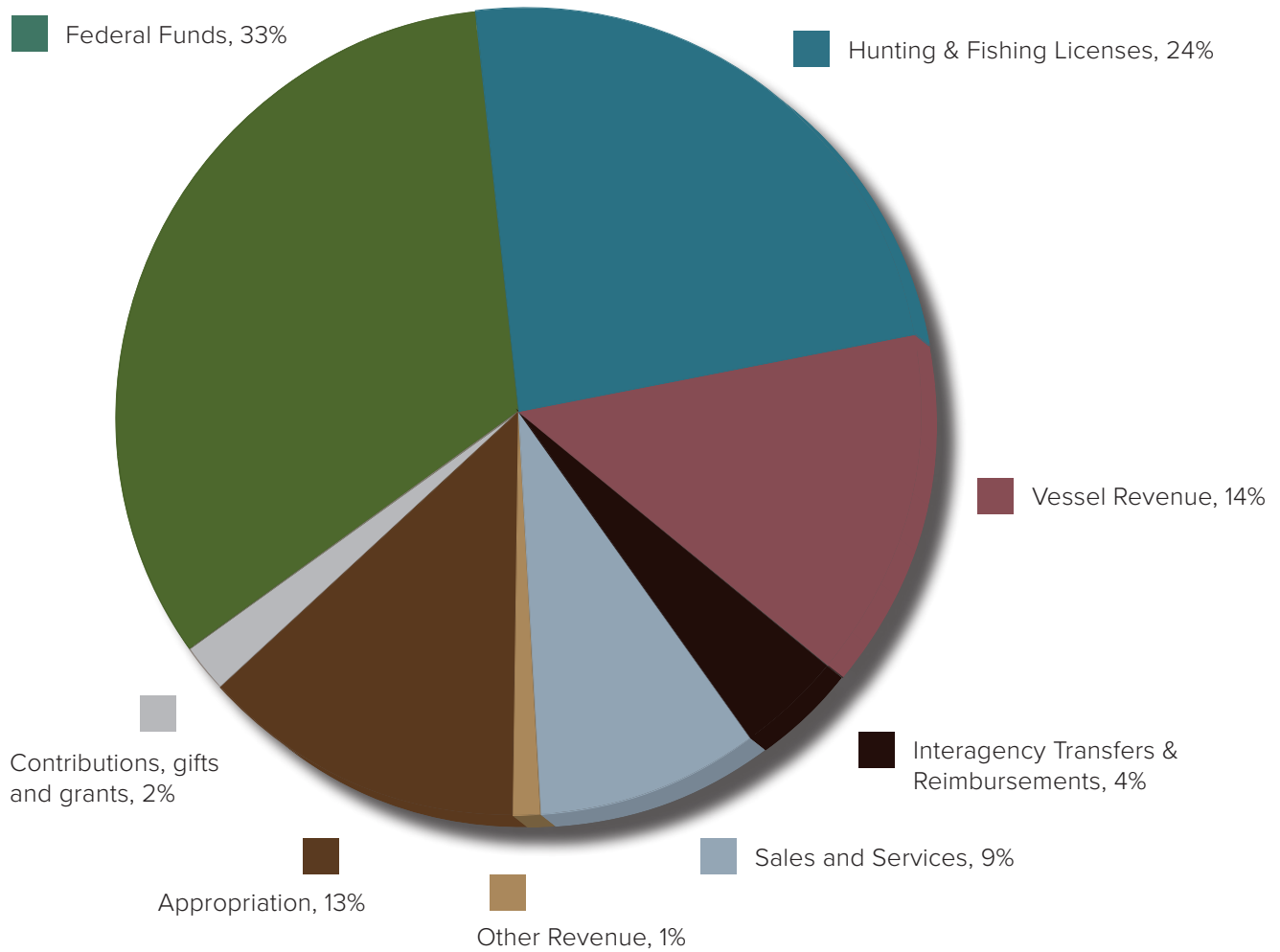
The Board of Trustees of the Wildlife Endowment Fund may, accumulate the investment income and may direct expenditures from the investment income of the fund.

At all times during which the cash balance in the Wildlife Endowment Fund is equal to or greater than the sum of one hundred million dollars (\$100,000,000), the NCWRC is required to budget at least twenty-five percent (25%) of the annual expendable investment income from the Fund, as determined by the Board to implement the conservation goals set forth in the NCWRC's strategic plan.

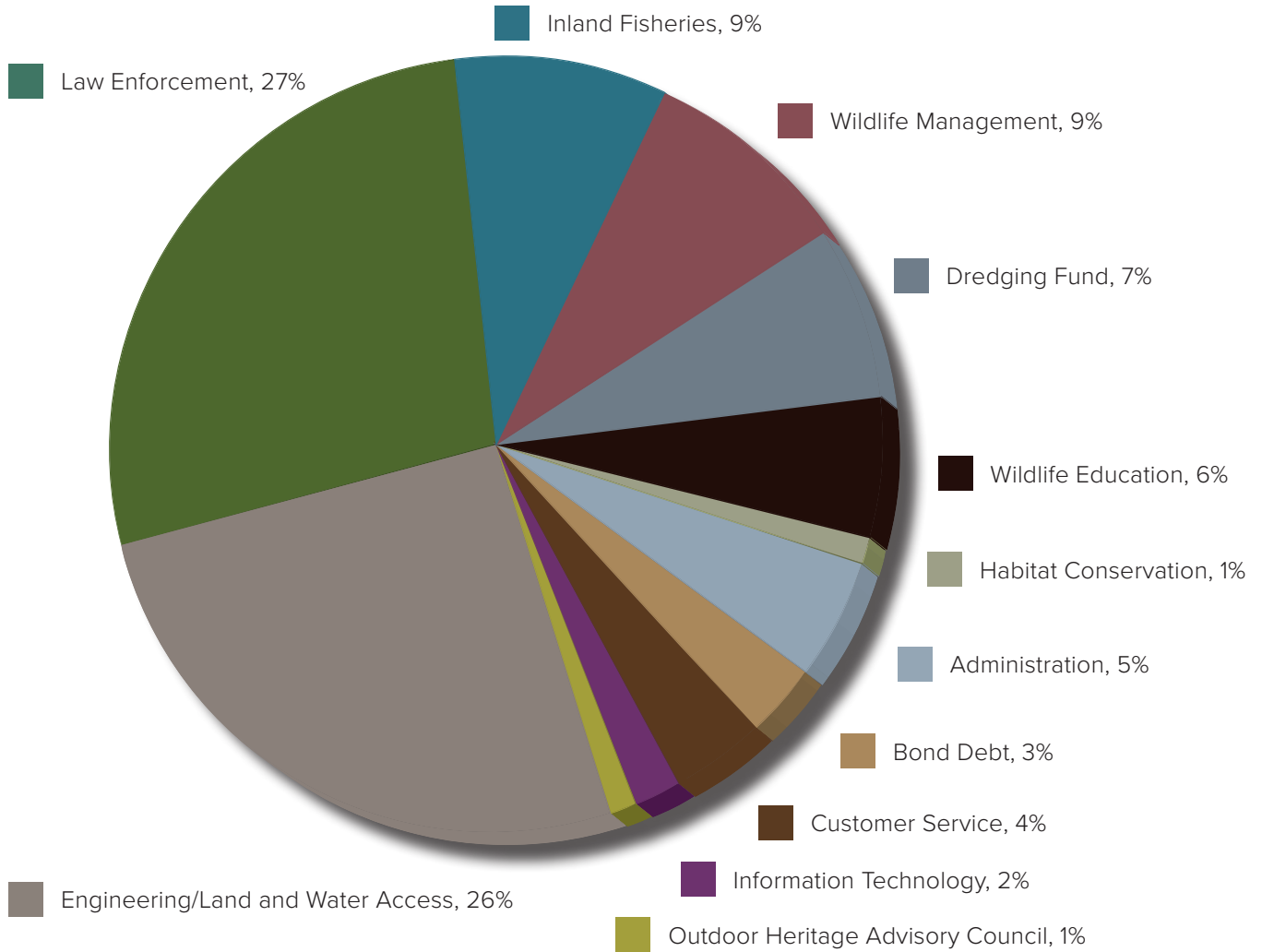
This statute includes the following language that expresses important legislative intent: “The Wildlife Endowment Fund and the investment income therefrom shall not take the place of State appropriations or agency receipts...” Moreover, it “...shall be used to supplement other income of and appropriations to the Wildlife Resources Commission to the end that the Commission.”

## COMMISSION EXPENDITURE/REVENUE CHARTS

FY20 REVENUES: \$93,891,792.87



FY20 EXPENDITURES: \$93,470,327.59



## INTERNAL AUDIT CHARTER

The Chief Audit Executive functionally reports to the Commission and administratively to the Executive Director with the goal of assisting the agency in accomplishing its objectives by bringing a systematic and disciplined approach to evaluate and improve the effectiveness of the organization's governance, risk management, internal control. The Commission's role in the internal audit process is to:

- ◆ Approve the internal audit charter.
- ◆ Approve the risk based internal audit plan.
- ◆ Receive communications from the Chief Audit Executive on the internal audit activity's performance relative to its plan and other matters.
- ◆ Make appropriate inquiries of management and the Chief Audit Executive to determine whether there is inappropriate scope or resource limitations.
- ◆ The Chief Audit Executive will communicate and interact directly with the Commissioners, including in executive sessions and between Commission meetings as appropriate.

## VII. RULEMAKING RESPONSIBILITIES

### KEY REQUIREMENTS OF RULEMAKING

The Commission is granted specific authority by the General Assembly to adopt the rules necessary to implement requirements on subject matter within its statutory jurisdiction. The Commission may not establish rules which exceed the scope of its authority.

To complete this charge, the Commission has authority to adopt three types of administrative rules: permanent, temporary, and emergency. All administrative rulemaking must be performed by an agency in accordance with G.S. 150B – The Administrative Procedures Act. Rulemaking agencies are required to adhere to the following six principles for developing and adopting rules:

1. An agency may adopt only rules that are expressly authorized by federal or State law and that are necessary to serve the public interest.
2. An agency shall seek to reduce the burden upon those persons or entities who must comply with the rule.
3. Rules shall be written in a clear and unambiguous manner and must be reasonably necessary to implement or interpret federal or State law.
4. An agency shall consider the cumulative effect of all rules adopted by the agency related to the specific purpose for which the rule is proposed. The agency shall not adopt a rule that is unnecessary or redundant.
5. When appropriate, rules shall be based on sound, reasonably available scientific, technical, economic, and other relevant information. Agencies shall include a reference to this information in the notice of text required by [G.S. 150B-21.2\(c\)](#).
6. Rules shall be designed to achieve the regulatory objective in a cost-effective and timely manner.



After an agency has properly fulfilled the prescribed steps of the rulemaking process and adopted rules, the agency is required to submit the adopted rules to the Rules Review Commission (RRC).

The RRC is a 10-member commission appointed by the General Assembly, five upon the recommendation of the President Pro Tempore of the Senate, and five upon the recommendation of the Speaker of the House of Representatives.

In accordance with [G.S. 150B-21.9](#), the RRC is required to review rules adopted by agencies to determine whether a rule meets the following criteria:

1. The rule is within the authority delegated to the agency by the General Assembly.
2. The rule is clear and unambiguous.
3. The rule is reasonably necessary to implement or interpret an enactment of the General Assembly, or of Congress, or a regulation of a federal agency. The RRC is also required to consider the cumulative effect of all rules adopted by the agency related to the specific purpose for which the rule is proposed.
4. The rule was adopted in accordance with the statutory requirements for adoption of rules. Importantly, the scope of the RRC review is limited to those criteria only. They may not consider questions relating to the quality or efficacy of the rule.

Rulemaking is not complete and rules cannot be effective until they have been approved by the RRC.

In accordance with [G.S. 150B-21.3\(b2\)](#), any person who objects to the adoption of a permanent rule may submit their objection in writing to the RRC. If 10 letters of objection are received by the RRC before 5:00 p.m. on the day following the RRC meeting (if the RRC approves the rule), the rule becomes subject to legislative review ([G.S. 150B-21.3\(b1\)](#)). The earliest that a rule subject to legislative review can be effective is the earlier of the date that a bill regarding the rule is enacted into law or the thirty-first legislative day of the next regular session of the General Assembly that begins at least 25 days after the date the RRC approved the rule.

## Permanent Rulemaking

The Commission has permanent rulemaking authority for the regulation of hunting, boating, fishing and trapping; setting seasons and bag limits; issuance of various permits; selling licenses; and regulating activities on game lands. For the majority of its permanent rules, the Commission utilizes an annual rulemaking cycle. Exceptions include water safety rules, rule changes with little to no anticipated public interest, or other rules for which the Commission has determined action is warranted outside of its customary regulatory cycle timeline.

- ◆ Permanent rules must be adopted following the procedures laid out in [G.S. 150B-21.2](#), which include the following actions:
  - ◇ Prepare a fiscal note for the Office of State Budget and Management's concurrence on the proposed regulatory impacts per [G.S. 150B-21.4](#);
  - ◇ Publish Notice of Text in the N.C. Register;

- ◇ Open a public comment period for at least 60 days after the text is published in the N.C. Register; and
- ◇ Conduct at least one public hearing (not required unless requested by the public but standard for WRC rules).

### Temporary Rulemaking

Agencies have the ability to adopt temporary rules when they determine that adherence to the notice and hearing requirements of the permanent rulemaking process would be contrary to the public interest and that immediate adoption is required for one of the following reasons:

- ◆ A serious and unforeseen threat to public health, safety, or welfare.
- ◆ A recent act of the General Assembly or U.S. Congress.
- ◆ A recent change in federal or State budgetary policy.
- ◆ A recent federal regulation.
- ◆ A recent court order.

In addition to the standard reasons for adopting a temporary rule, the Commission can adopt temporary rules for any of the following:

- ◆ No wake zones.
- ◆ Hunting or fishing seasons, including provisions for manner of take or any other conditions required for the implementation of such season.
- ◆ Hunting or fishing bag limits.
- ◆ Management of public game lands as defined in [G.S. 113-129\(8a\)](#).

Temporary rules are adopted on an accelerated schedule (minimum 15-day public comment period required), are not subject to legislative review, and expire 270 days from publication in the N.C. Register. Temporary rulemaking does require one public hearing. Additionally, temporary rulemaking is typically followed by permanent rulemaking.

### Emergency Rulemaking

Agencies may adopt an emergency rule without notice or a public hearing when it finds that notice and hearing requirements of rulemaking would be contrary to the public interest and that immediate adoption of the rule is required by a serious and unforeseen threat to public health or safety. When an agency adopts an emergency rule, it must simultaneously begin the process for adopting a temporary rule.

Emergency rules require a written justification signed by the Chairman of the Commission. They do not need the approval of the RRC.

## PETITIONS FOR RULEMAKING

Any individual can petition the Commission to adopt a rule by submitting a written rulemaking petition requesting the adoption in accordance with [15A NCAC 10A .0401](#). The Commission must initiate rulemaking or deny the petition within 120 days of receipt.

## BASIC OUTLINE OF THE ANNUAL PERMANENT RULE-MAKING CYCLE

### March - April (Year 1)

- ◆ Staff review potential regulation changes submitted by the public during the previous annual rule-making cycle and consider proposals for the upcoming annual rule-making cycle.
- ◆ Staff update harvest trend or other biological data to be considered in policy development.
- ◆ Commission members who have proposals or ideas for rule changes may submit their idea(s) to the appropriate Committee chair. Committee chairs should contact the appropriate Division Chief with Commissioner proposals.

### June (Year 1)

- ◆ Agency staff attend interdivisional meetings to consider rule change proposals for the upcoming annual rule-making cycle.

### July (Year 1)

- ◆ Division Chiefs, law enforcement, and policy staff meet with Director's Office to discuss proposals.
- ◆ Proposed rule changes are presented to Commission Committees for discussion.

### August (Year 1)

- ◆ The Rules Committee receives Division proposals and justifications, and staff present any new or modified proposals.
- ◆ Rule proposals are submitted to the Office of Administrative Hearings for pre-review and fiscal notes are submitted to the Office of State Budget Management for approval.

### October (Year 1)

- ◆ The Commission approves fiscal notes and proposed rule text to be noticed in the North Carolina Register and be presented at public hearings in January.

### December (Year 1)

- ◆ Notice of Rule text is published in the North Carolina Register and the 60-day public comment period is opened. Public comments are received at hearings, by mail, email, phone, and through the agency's website.

### **January (Year 1)**

- ◆ Public hearings are held to receive public input on proposed rule changes, and Rules Committee members are encouraged to attend.

### **February (Year 1)**

- ◆ Staff presents public comments for consideration and rules that are recommended for adoption to the Rules Committee.
- ◆ The Commission votes to adopt, amend, or deny rules that were presented at public hearings in January.

### **April (Year 2)**

- ◆ Rules that are adopted in February are filed with the Office of Administrative Hearings for final review by the Rules Review Commission.

### **August (Year 2)**

- ◆ Rules adopted by the Commission in February and approved by the Rules Review Commission are entered in the North Carolina Administrative Code and become effective on August 1.





## Acknowledgment Form

I \_\_\_\_\_, a Commissioner of the Wildlife Resources Commission, certify that I have received a copy of the Commissioner Orientation Package that outlines the requirements and expectations of my service on the Commission. I also acknowledge that I have read and understand the Commissioner Code of Conduct and realize that reported violations may be investigated and could result in removal from the Commission.

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Print Name

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Date

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Signature