

Burgos, Alexander N

Subject: FW: February 2025 RRC Meeting-21 NCAC 06 - Barber Board Periodic Review Report

From: Seavers, Dennis <dennis.seavers@nc.gov>
Sent: Friday, January 24, 2025 4:34 PM
To: Wiggs, Travis C <travis.wiggs@oah.nc.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: RE: February 2025 RRC Meeting-21 NCAC 06 - Barber Board Periodic Review Report

Thanks, Travis

From: Wiggs, Travis C <travis.wiggs@oah.nc.gov>
Sent: Friday, January 24, 2025 4:16 PM
To: Seavers, Dennis <dennis.seavers@nc.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: February 2025 RRC Meeting-21 NCAC 06 - Barber Board Periodic Review Report

The RRC will formally review the report at its meeting on Thursday, February 27, 2025, at 10:00 a.m. The meeting will be a hybrid of in-person and WebEx attendance, and an evite should be sent to you as we get close to the meeting, or you are welcome to attend in-person. If there are any other representatives from your agency who want to attend virtually, please let me know prior to the meeting, and we will get evites out to them as well.

I have attached the report and I plan to recommend that the RRC adopt it. Let me know if you have any questions.

Thanks,

Travis C. Wiggs
Rules Review Commission Counsel
Office of Administrative Hearings
Telephone: 984-236-1929
Email: travis.wiggs@oah.nc.gov

Burgos, Alexander N

Subject: FW: 21 NCAC 06 - Barber Board Periodic Review Report

From: Seavers, Dennis <dennis.seavers@nc.gov>
Sent: Friday, January 24, 2025 4:08 PM
To: Wiggs, Travis C <travis.wiggs@oah.nc.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: RE: 21 NCAC 06 - Barber Board Periodic Review Report

Hi, Travis,

It's an unusual situation, so I can understand why the commission might ask. As explained below, I'm not sure it makes a difference either way, and I'm happy to have the report reflect either option.

We didn't select anything on the report because these rules no longer are in the code, and we didn't think it made sense to make a selection (including "agency did not review") on a report reviewing rules in the code if they were no longer in the code. "Agency did not review" seems like it would apply when an agency declined to review rules in the code, not when the rules were no longer relevant because they weren't in the code anymore. But if you think it makes more sense for us to select "Agency did not review," that's fine with me – unless I'm overlooking something, it seems like the outcome is the same regardless, and I don't have strong opinions one way or the other.

Thanks!
Dennis

From: Wiggs, Travis C <travis.wiggs@oah.nc.gov>
Sent: Friday, January 24, 2025 3:53 PM
To: Seavers, Dennis <dennis.seavers@nc.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: RE: 21 NCAC 06 - Barber Board Periodic Review Report

Your agency did not review the expired temporary rules listed on the report because those rules were no longer in the code at the time other rules were being reviewed, correct?

I'm seeking clarification because the RRC may ask why your agency didn't select the "Agency did not review" option.

Thanks,

Travis C. Wiggs
Rules Review Commission Counsel
Office of Administrative Hearings
Telephone: 984-236-1929
Email: travis.wiggs@oah.nc.gov

Burgos, Alexander N

Subject: FW: 21 NCAC 06 - Barber Board Periodic Review Report
Attachments: RRC submission for periodic review

From: Seavers, Dennis <dennis.seavers@nc.gov>
Sent: Friday, January 24, 2025 3:38 PM
To: Wiggs, Travis C <travis.wiggs@oah.nc.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: RE: 21 NCAC 06 - Barber Board Periodic Review Report

Hi, Travis,

I submitted the signed 800B on December 10, along with the report you're reviewing. Please see the attached email that has the form. If this wasn't what you needed, please let me know.

The rules that don't have a determination made were temporary rules that expired after the original report was issued by OAH but before we completed the review. These rules are no longer in the code.

If you need anything else from me, please let me know!

Dennis

Burgos, Alexander N

From: Seavers, Dennis
Sent: Tuesday, December 10, 2024 12:02 PM
To: Rules, Oah
Subject: RRC submission for periodic review
Attachments: 21 NCAC 06 periodic review of rules RRC.pdf; 21 NCAC 06 periodic review of rules RRC.xlsx

Hello,


Please see the attached submission for 21 NCAC 06. There were a few fields in the RRC columns where the formula didn't carry over, but I fixed them.

If you need anything else from me, please let me know!

Dennis

Dennis Seavers
Executive Director
NORTH CAROLINA BOARD OF BARBER AND ELECTROLYSIS EXAMINERS
(919) 814-0641 (Office)
(919) 981-5068 (Fax)
7001 Mail Service Center
Raleigh, NC 27699-7000
www.bbee.nc.gov
barbers@nc.gov | electrolysis@nc.gov

PERIODIC REVIEW AND EXPIRATION OF EXISTING RULES REPORT FOR SUBMISSION TO THE RULES REVIEW COMMISSION

1. Rule-Making Agency:	
2. Administrative Code Chapter/Subchapter(s):	
3. Agency Steps: The agency made the initial classification on: Report published on agency website: Report published on OAH website: Comment Period: The agency made the final classification on: The agency changed determination of rules in the report: <input type="checkbox"/> Yes. List rule citations: <input type="checkbox"/> No. Date of RRC review scheduled per Rule 26 NCAC 05 .0211: <input type="checkbox"/> RRC granted agency request to change month and year of review. New date for review:	
4. Comments: <input type="checkbox"/> Public comments and agency response are contained in the report. <input type="checkbox"/> Public comments and agency response are attached to the report as separate documents. <input type="checkbox"/> The agency received no public comments.	
5. Rule-making Coordinator: Address: Phone: E-Mail: Agency Contact, if any: Phone: E-Mail:	6. Signature of Agency Head* or Rule-making Coordinator: <div style="text-align: center;">  <hr style="width: 80%; margin: 0 auto;"/> </div> *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Title: Email of Agency Head:
RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC reviewed; sent to APO on: <input type="checkbox"/> RRC extended period of review. New review date: <input type="checkbox"/> RRC returned incomplete report to agency. <input type="checkbox"/> Other:	

Burgos, Alexander N

Subject: FW: 21 NCAC 06 - Barber Board Periodic Review Report
Attachments: 21 NCAC 06 periodic review of rules RRC.xlsx; 21 NCAC 06.pdf

From: Wiggs, Travis C <travis.wiggs@oah.nc.gov>
Sent: Friday, January 24, 2025 3:31 PM
To: Seavers, Dennis <dennis.seavers@nc.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: FW: 21 NCAC 06 - Barber Board Periodic Review Report

Mr. Seavers,

Good afternoon. I am the attorney who is reviewing your agency's periodic review report. I was not provided a completed, signed copy of the 800B form that's so supposed to accompany periodic review reports. Do you have a copy of the 800B form that you can email to me?

Also, there are several rules in the report where no selection was made in column J (Agency Determination Following Public Comment). Was this by mistake? Was no selection made in column J because your "agency did not conduct the review" for those rules? If so, that selection needs to be made on the report.

Please make any necessary corrections to the attached report and send it back to me at your earliest convenience. Let me know if you have any questions.

Thanks,

Travis C. Wiggs
Rules Review Commission Counsel
Office of Administrative Hearings
Telephone: 984-236-1929
Email: travis.wiggs@oah.nc.gov