

**RULES REVIEW COMMISSION MEETING  
MINUTES  
June 16, 2015**

The Rules Review Commission met on Tuesday, June 16, 2015, in the Commission Room at 1711 New Hope Church Road, Raleigh, North Carolina. Commissioners present were: Anna Choi, Margaret Currin, Jeanette Doran, Garth Dunklin, Jay Hemphill, Jeff Hyde, Stephanie Simpson, Ralph Walker, and Faylene Whitaker.

Staff members present were Commission Counsels Abigail Hammond, Amber Cronk May, and Amanda Reeder; and Julie Brincefield, Alex Burgos, and Dana Vojtko.

The meeting was called to order at 10:05 a.m. with Chairman Dunklin presiding.

Chairman Dunklin read the notice required by G.S. 138A-15(e) and reminded the Commission members that they have a duty to avoid conflicts of interest and the appearances of conflicts.

**APPROVAL OF MINUTES**

Chairman Dunklin asked for any discussion, comments, or corrections concerning the minutes of the May 21, 2015 meeting. There were none and the minutes were approved as distributed.

**FOLLOW UP MATTERS**

**Social Services Commission**

10A NCAC 73A .0107 and .0108 - All rewritten rules were unanimously approved.

**Board of Dental Examiners**

21 NCAC 16R .0101, .0102, .0103, .0104, .0105, .0106, .0107, .0108, .0110, .0201, .0202, .0203, .0204, .0205; 16S .0101, .0102, .0202; 16T .0101, .0102; 16U .0101, .0102, .0103; 16V .0101, .0102; 16W .0101, .0102; 16Y .0101, .0102, .0103, .0104; 16Z .0101 - All rewritten rules were unanimously approved with the following exceptions:

21 NCAC 16R .0109, .0206; 16S .0203; 16U .0201, .0203, and .0204 were withdrawn at the request of the agency.

**Irrigation Contractors Licensing Board**

21 NCAC 23 .0105 was withdrawn at the request of the agency. No action was required by the Commission.

**Building Code Council**

2012 NC Residential Code, Sections R101.2, R202, and R324; 2012 Building Code, Chapter 36; and 2012 Fire Code, 4504.1. - All rewritten rules were unanimously approved.

**LOG OF FILINGS (PERMANENT RULES)**

**Pesticide Board**

The Commission extended the period of review on all rules. In accordance with G.S. 150B-21.10 and G.S. 150B-21.13, the Commission extended the period of review to allow the Pesticide Board additional time to revise the rules in response to technical change requests.

**Commissioner of Agriculture**

02 NCAC 09M .0101 was withdrawn at the request of the agency. No action was required by the Commission.

**Department of Commerce - Division of Employment Security**

All rules were unanimously approved.

Prior to the review of the rules from the Division of Employment Security, Commissioner Doran recused herself and did not participate in any discussion or vote concerning the rules because she is Chairman of the Board of Review.

**Commission for Public Health**

10A NCAC 46 .0201 and .0212 were unanimously approved.

**Coastal Resources Commission**

All rules were unanimously approved.

**Commission for Public Health**

15A NCAC 18C .1539 was unanimously approved.

**Board of Certified Public Accountant Examiners**

21 NCAC 08G .0409 was unanimously approved.

Prior to the review of the rules from the Board of Certified Public Accountant Examiners, Commissioner Choi recused herself and did not participate in any discussion or vote concerning the rules because her law firm provides legal services to the Board.

**Board of Chiropractic Examiners**

21 NCAC 10 .0305 was withdrawn at the request of the agency. No action was required by the Commission.

**Board of Pharmacy**

21 NCAC 46 .3301 was unanimously approved.

**EXISTING RULES REVIEW**

**Alcoholic Beverage Control Commission**

04 NCAC 02R - The Commission unanimously approved the report as submitted by the agency.

Bob Hamilton with the agency addressed the Commission.

**Division of Medical Assistance**

10A NCAC 21 – The Commission unanimously approved the report as submitted by the agency.

10A NCAC 22 – The Commission unanimously approved the report as submitted by the agency.

**Coastal Resources Commission**

15A NCAC 07B - The Commission unanimously approved the report as submitted by the agency.

**Board of Examiners of Plumbing, Heating and Fire Sprinkler Contractors**

21 NCAC 50 - The Commission unanimously approved the report as submitted by the agency.

**Respiratory Care Board**

21 NCAC 61 - The Commission unanimously approved the report as submitted by the agency.

**COMMISSION BUSINESS**

Staff gave the Commission a brief legislative update.

Chairman Dunklin informed the Commissioners that there will be a hearing in State Board of Education v. RRC on Monday, June 29, 2015.

Commissioners Choi, Currin, and Doran volunteered to serve on the RRC rulemaking subcommittee.

The meeting adjourned at 10:49 a.m.

The next regularly scheduled meeting of the Commission is Thursday, July 16<sup>th</sup> at 10:00 a.m.

There is a digital recording of the entire meeting available from the Office of Administrative Hearings /Rules Division.

Respectfully Submitted,

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Alexander Burgos, Paralegal

Minutes approved by the Rules Review Commission:

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Garth Dunklin, Chair

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Name	Agency
Bob Hamilton	NC ABC Commission
Nick Fountain	Young Moore
Bill Croft	NC Respite Board
Carla M	NC DSS
Bob Brooks	CPA BOARD
David NANCE	CPA Board

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Name	Agency
BARRY GULTON	NCDJI/NCBCC
Jeremy Ray	DES
Lockhart Taylor	DES
Carlin Bakerell	Dental Bd
LINDA RAYNOR	NC DENR
Jennifer Everett	DENR
Jefferson Whisenand	DENR