**RULES REVIEW COMMISSION**

**August 16, 2012**

**MINUTES**

The Rules Review Commission met on Thursday, August 16, 2012, in the Commission Room at 1711 New Hope Church Road, Raleigh, North Carolina. Commissioners present were: Addison Bell, Anna Baird Choi, Margaret Currin, Jeanette Doran, Garth Dunklin, Pete Osborne, Bob Rippy, Faylene Whitaker.

Staff members present were: Joe DeLuca and Bobby Bryan, Commission Counsel; Molly Masich; Dana Vojtko; Julie Edwards; and Tammara Chalmers.

The meeting was called to order at 10:03 a.m. with Vice-Chairman Currin presiding. She reminded the Commission members that they have a duty to avoid conflicts of interest and the appearances of conflicts as required by NCGS 138A-15(e).

**APPROVAL OF MINUTES**

Vice-Chairman Currin asked for any discussion, comments, or corrections concerning the minutes of the July 19, 2012 meeting. There were none and the minutes were approved as distributed.

**FOLLOW-UP MATTERS**

10A NCAC 09 .0901, .0902, .1702, .1706, .1718 – Child Care Commission –The agency has not yet met and responded to the objection and no action was taken.

12 NCAC 09E .0102 – Criminal Justice Education and Training Standards Commission. The agency has not yet met and responded to the objection and no action was taken.

**LOG OF FILINGS**

Vice-Chairman Currin presided over the review of the log of permanent rules.

**Child Care Commission**

All rules were approved unanimously.

**Commission for the Blind**

10A NCAC 63F .0403 was approved unanimously.

Vice-Chairman Currin recognized Mary Flanagan, the Rulemaking Coordinator, on her upcoming retirement.

**Board of Cosmetic Art Examiners**

All rules were approved unanimously.

**Medical Board**

All rules were approved unanimously.

**Board of Nursing**

Prior to the discussion of these Rules, Commissioner Choi recused herself and did not participate in any discussion or vote concerning these rules because the law firm where she is employed represents the Board.

All rules were approved unanimously.

**TEMPORARY LOG OF FILINGS**

There were no temporary rules filed for review.

**OTHER BUSINESS**

The staff showed the Commission the form that will be used for the G.S. 150B-19.1 certification and discussed with the Commission the new role the Commission has in certifying that Council of State agencies have complied with the principles in G.S.150B-19.1 before publishing rules in the North Carolina Register.

The Commission also reviewed State Budget Director Andy Willis’s response to the Commission’s May 17th letter to Speaker Tillis and President Pro-Tempore Berger.  The Commission drafted a response to that letter clarifying that the original letter was sent in response to a request from the legislative leadership that the Commission submit to them suggestions for needed legislation and was not meant to be critical of the work of the Office of State Budget and Management.  The letter also expressed a desire for an open dialogue with that office to understand better the work both agencies do in assisting agencies in adopting rules beneficial to citizens of the State and invited Anca Grozav to make a presentation to the Commission to explain the fiscal analysis process.

The meeting adjourned at 11:08 p.m.

The next scheduled meeting of the Commission is Thursday, September 20th 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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Julie Edwards

Editorial Assistant

Minutes approved by the Rules Review Commission.

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Judge Ralph A. Walker/Chair

