

RULES REVIEW COMMISSION MEETING
MINUTES
July 30, 2025

The Rules Review Commission met on Wednesday, July 30, 2025, in the Commission Room at 1711 New Hope Church Road, Raleigh, North Carolina, and the meeting was streamed for the public via Webex.

Commissioners Wayne R. Boyles III, Jeanette Doran, John S. Hahn, Jeff Hyde, Chris Loutit, Randy Overton, Jake Parker, and Paul Powell were present in the Commission Room. Commissioner Wyatt Dixon III was present via Webex.

Staff member Alexander Burgos, and Commission Counsel Travis Wiggs were present in the room. Commission Counsel Seth Ascher was present via Webex.

The meeting was called to order at 10:01 a.m. with Chair Doran presiding.

The Chair 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 appearance of conflicts of interest.

Chair Doran introduced Administrative Law Judge William W. Peaslee with the Office of Administrative Hearings to the Commission.

Judge Peaslee administered the Oath of Office to Commissioners Wayne R. Boyles III, Chris Loutit, and Jake Parker.

The Chair read into the record the Evaluation of Statement of Economic Interest for Wyatt Dixon III, which states the NC Ethics Commission did not find an actual conflict of interest but found the potential for a conflict of interest. The potential conflict identified does not prohibit service on this entity.

The Chair informed the Commission that, due to the absence of some members from the meeting room, all votes would be conducted by roll call.

APPROVAL OF MINUTES

The Chair asked for any discussion, comments, or corrections concerning the minutes from the June 26, 2025 meeting.

Upon the call of the Chair, the minutes were approved by roll-call vote, ayes 8, noes 0 as follows: Voting in the affirmative: Wayne R. Boyles III, Wyatt Dixon III, John S. Hahn, Jeff Hyde, Chris Loutit, Randy Overton, Jake Parker, and Paul Powell – 8. Voting in the negative: None.

FOLLOW-UP MATTERS

Gasoline and Oil Inspection Board

Upon the call of the Chair, 02 NCAC 42 .0201 was approved by roll-call vote, ayes 8, noes 0 as follows: Voting in the affirmative: Wayne R. Boyles III, Wyatt Dixon III, John S. Hahn, Jeff Hyde, Chris Loutit, Randy Overton, Jake Parker, and Paul Powell – 8. Voting in the negative: None.

Department of Labor

The agency submitted a request to withdraw 13 NCAC 07F .0201. No action was required by the Commission.

Private Protective Services Board

The Commission voted to further extend the period of review for 14B NCAC 16 .0701, .0707, .0801, .1203, .1301, .1307, .1401, .1501, .1502 to the August meeting by roll-call vote, ayes 8, noes 0 as follows: Voting in the affirmative: Wayne R. Boyles III, Wyatt Dixon III, John S. Hahn, Jeff Hyde, Chris Loutit, Randy Overton, Jake Parker, and Paul Powell – 8. Voting in the negative: None.

Environmental Management Commission

Upon the call of the Chair, 15A NCAC 02B .0733 was approved by roll-call vote, ayes 8, noes 0 as follows: Voting in the affirmative: Wayne R. Boyles III, Wyatt Dixon III, John S. Hahn, Jeff Hyde, Chris Loutit, Randy Overton, Jake Parker, and Paul Powell – 8. Voting in the negative: None.

Commission for Public Health

The Commission objected to 15A NCAC 18C .1540 at the June meeting. No action was required by the Commission.

LOG OF FILINGS (PERMANENT RULES)

State Board of Elections

Upon the call of the Chair, 08 NCAC 02 .0110; 09 .0107, .0110; 20 .0101, .0102, and .0103 were approved by roll-call vote, ayes 6, noes 2 as follows: Voting in the affirmative: Wayne R. Boyles III, Wyatt Dixon III, John S. Hahn, Chris Loutit, Jake Parker, and Paul Powell – 8. Voting in the negative: Jeff Hyde and Randy Overton - 2

Medical Care Commission

Upon the call of the Chair, 10A NCAC 13F .1604 and 10A NCAC 13G .1604 were approved by roll-call vote, ayes 8, noes 0 as follows: Voting in the affirmative: Wayne R. Boyles III, Wyatt Dixon III, John S. Hahn, Jeff Hyde, Chris Loutit, Randy Overton, Jake Parker, and Paul Powell – 8. Voting in the negative: None.

In accordance with G.S. 150B-21.3(b2), the Commission received over ten letters of objection requesting legislative review and a delayed effective date for 10A NCAC 13F .1604 and 10A NCAC 13G .1604.

Interpreter and Transliterator Licensing Board

Upon the call of the Chair, 21 NCAC 25 .0701 was approved by roll-call vote, ayes 8, noes 0 as follows: Voting in the affirmative: Wayne R. Boyles III, Wyatt Dixon III, John S. Hahn, Jeff Hyde, Chris Loutit, Randy Overton, Jake Parker, and Paul Powell – 8. Voting in the negative: None.

Board of Examiners for Engineers and Surveyors

Upon the call of the Chair, 21 NCAC 56 .1602 and .1607 were approved by roll-call vote, ayes 8, noes 0 as follows: Voting in the affirmative: Wayne R. Boyles III, Wyatt Dixon III, John S. Hahn, Jeff Hyde, Chris Loutit, Randy Overton, Jake Parker, and Paul Powell – 8. Voting in the negative: None.

Existing Rules Review

Board of Agriculture

02 NCAC 20B and 37 - Upon the call of the Chair, the Commission approved the reports as submitted by the agency by roll-call vote, ayes 8, noes 0 as follows: Voting in the affirmative: Wayne R. Boyles III, Wyatt Dixon III, John S. Hahn, Jeff Hyde, Chris Loutit, Randy Overton, Jake Parker, and Paul Powell – 8. Voting in the negative: None.

Gasoline and Oil Inspection Board

02 NCAC 42 - Upon the call of the Chair, the Commission approved the report as submitted by the agency by roll-call vote, ayes 8, noes 0 as follows: Voting in the affirmative: Wayne R. Boyles III, Wyatt Dixon III, John S. Hahn, Jeff Hyde, Chris Loutit, Randy Overton, Jake Parker, and Paul Powell – 8. Voting in the negative: None.

Soil and Water Conservation Commission

02 NCAC 59A, 59B, 59C, 59E, 59F, and 59G - Upon the call of the Chair, the Commission approved the reports as submitted by the agency by roll-call vote, ayes 8, noes 0 as follows: Voting in the affirmative: Wayne R. Boyles III, Wyatt Dixon III, John S. Hahn, Jeff Hyde, Chris Loutit, Randy Overton, Jake Parker, and Paul Powell – 8. Voting in the negative: None.

Board of Agriculture

02 NCAC 60A, 60B, and 60C - Upon the call of the Chair, the Commission approved the reports as submitted by the agency by roll-call vote, ayes 8, noes 0 as follows: Voting in the affirmative: Wayne R. Boyles III, Wyatt Dixon III, John S. Hahn, Jeff Hyde, Chris Loutit, Randy Overton, Jake Parker, and Paul Powell – 8. Voting in the negative: None.

Department of Natural and Cultural Resources

07 NCAC 01, 02H, 02I, and 02J - Upon the call of the Chair, the Commission approved the reports as submitted by the agency by roll-call vote, ayes 8, noes 0 as follows: Voting in the affirmative: Wayne R. Boyles III, Wyatt Dixon III, John S. Hahn, Jeff Hyde, Chris Loutit, Randy Overton, Jake Parker, and Paul Powell – 8. Voting in the negative: None.

Board of Trustees of the North Carolina Museum of Art

07 NCAC 03 - Upon the call of the Chair, the Commission approved the report as submitted by the agency by roll-call vote, ayes 8, noes 0 as follows: Voting in the affirmative: Wayne R. Boyles III, Wyatt Dixon III, John S. Hahn, Jeff Hyde, Chris Loutit, Randy Overton, Jake Parker, and Paul Powell – 8. Voting in the negative: None.

USS North Carolina Battleship Commission

07 NCAC 05 - Upon the call of the Chair, the Commission approved the report as submitted by the agency by roll-call vote, ayes 8, noes 0 as follows: Voting in the affirmative: Wayne R. Boyles III, Wyatt Dixon III, John S. Hahn, Jeff Hyde, Chris Loutit, Randy Overton, Jake Parker, and Paul Powell – 8. Voting in the negative: None.

Department of Revenue

17 NCAC 05 - Upon the call of the Chair, the Commission approved the report as submitted by the agency by roll-call vote, ayes 8, noes 0 as follows: Voting in the affirmative: Wayne R. Boyles III, Wyatt Dixon III, John S. Hahn, Jeff Hyde, Chris Loutit, Randy Overton, Jake Parker, and Paul Powell – 8. Voting in the negative: None.

Local Government Commission

20 NCAC 03 - Upon the call of the Chair, the Commission approved the report as submitted by the agency by roll-call vote, ayes 8, noes 0 as follows: Voting in the affirmative: Wayne R. Boyles III, Wyatt Dixon III, John S. Hahn, Jeff Hyde, Chris Loutit, Randy Overton, Jake Parker, and Paul Powell – 8. Voting in the negative: None.

Board of Refrigeration Examiners

21 NCAC 60 - Upon the call of the Chair, the Commission approved the report as submitted by the agency by roll-call vote, ayes 8, noes 0 as follows: Voting in the affirmative: Wayne R. Boyles III, Wyatt Dixon III, John S. Hahn, Jeff Hyde, Chris Loutit, Randy Overton, Jake Parker, and Paul Powell – 8. Voting in the negative: None.

Social Work Certification and Licensure Board

21 NCAC 63 - Upon the call of the Chair, the Commission approved the report as submitted by the agency by roll-call vote, ayes 8, noes 0 as follows: Voting in the affirmative: Wayne R. Boyles III, Wyatt Dixon III, John S. Hahn, Jeff Hyde, Chris Loutit, Randy Overton, Jake Parker, and Paul Powell – 8. Voting in the negative: None.

READOPTON DEADLINES

Environmental Management Commission

15A NCAC 02R – Upon the call of the Chair, the Commission voted to schedule the readoption of these Rules no later than August 1, 2027 pursuant to G.S. 150B-21.3A(d)(2) by roll-call vote, ayes 8, noes 0 as follows: Voting in the affirmative: Wayne R. Boyles III, Wyatt Dixon III, John S. Hahn, Jeff Hyde, Chris Loutit, Randy Overton, Jake Parker, and Paul Powell – 8. Voting in the negative: None.

COMMISSION BUSINESS

The Chair entered into the record a letter of appreciation recognizing the service of outgoing Commissioner Brandon Leebrick.

Upon the call of the Chair, the Commission voted to approve the posting of the proposed amendment to 26 NCAC 05 .0209 for publication in the North Carolina Register and on the OAH website by roll-call vote, ayes 8, noes 0 as follows: Voting in the affirmative: Wayne R. Boyles III, Wyatt Dixon III, John S. Hahn, Jeff Hyde, Chris Loutit, Randy Overton, Jake Parker, and Paul Powell – 8. Voting in the negative: None.

The Chair notified the Commissioners that the proposed 2026 RRC meeting schedule will be taken up at the next meeting.

At 10:31 a.m., upon a motion by the Chair and a second by Commissioner Parker, the Commission voted to call the public meeting of the Rules Review Commission to enter into closed session pursuant to G.S. 143-318.11(a)(3) within the attorney-client privilege to consult with counsel regarding the CRC v. RRC and CJETS v. RRC; and Brian Liebman, in his official capacity as Codifier of Rules by roll-call vote, ayes 8, noes 0 as follows: Voting in the affirmative: Wayne R. Boyles III, Wyatt Dixon III, John S. Hahn, Jeff Hyde, Chris Loutit, Randy Overton, Jake Parker, and Paul Powell – 8. Voting in the negative: None.

The Commission returned to open session and resumed its regular meeting at 11:07 a.m.

The Chair announced that the Commission's officer elections will be held during its September meeting.

Upon the call of the Chair, the meeting adjourned at 11:21 a.m. by roll-call vote, ayes 8, noes 0 as follows: Voting in the affirmative: Wayne R. Boyles III, Wyatt Dixon III, John S. Hahn, Jeff Hyde, Chris Loutit, Randy Overton, Jake Parker, and Paul Powell – 8. Voting in the negative: None.

The next regularly scheduled meeting of the Commission is Thursday, August 28, 2025, at 10:00 a.m.

Alexander Burgos, Paralegal

Minutes approved by the Rules Review Commission:
Jeanette Doran, Chair

July 30, 2025

Rules Review Commission
Meeting

Please Print Legibly

[illegible]

Rules Review Commission Meeting June 26, 2025

Via WebEx

Name	Agency
Brian LiVecchi	NCSBEV
Nancy Hunter	DHHS
Ashley McGhee	NCDOR
April Day	NCDOR
Michael Gossett	NCDOR
Marlika Hairston	NCCOB
Laura Rowe	NC treasurer
Elizabeth Hawley	NC treasurer
Seth Ascher	OAH
Jonathan Avery	DNCR
Marcus Helfrich	NCAGR
Virginia Niehaus	DHHS
Julie Eddins	OAH
Misty Piekaar	DHHS
Wes Tripp	NCBELS
Tracy Turner	DHHS
Tameka Riggsbee	DHHS
Marilyn Smalls	ABC
Kinsey, Elizabeth R	DHHS
Renee Metz	ABC
Genevieve Kaplan	stateside.com
Cliff Isaac	NCHBA
Ryan Mitiguy	Hedrick Gardner
Elizabeth Pope	NCSWBOARD
Joe Starling	NCDOI
Shazia Keller	DHHS



**STATE OF NORTH CAROLINA
OFFICE OF ADMINISTRATIVE HEARINGS**

August 8, 2025

Jennifer Everett, Environmental Management Commission
Sent via email only to: jennifer.everett@deq.nc.gov

Re: Readoption deadline for 15A NCAC 02R

Dear Ms. Everett,

Attached to this letter is a list of rules subject to readoption pursuant to the periodic review and expiration of existing rules as set forth in G.S. 150B-21.3A. After consultation with your agency, the Rules Review Commission established a readoption date for these rules at the July 30, 2025, Rules Review Commission meeting.

Pursuant to G.S. 150B-21.3A(d)(2), the rules listed in the attachment shall be readopted by the agency no later than **August 1, 2027**.

If you have any questions regarding the Commission's actions, please let me know.

Sincerely,

/s/ Seth Ascher

Seth Ascher

Commission Counsel

Melissa Owens Lassiter, Director
Chief Administrative Law Judge

John C. Evans
Senior Administrative Law Judge

An Equal Employment Opportunity Employer
1711 New Hope Church Road, Raleigh, NC 27609
Telephone: (984) 236-1850 | Facsimile: (984) 236-1871
www.oah.nc.gov

**RRC DETERMINATION
PERIODIC RULE REVIEW
April 24, 2025
APO Review: June 25, 2025
Environmental Management Commission
Total: 9**

RRC Determination: Necessary with substantive public interest

Rule	Determination
<u>15A NCAC 02R .0102</u>	Necessary with substantive public interest
<u>15A NCAC 02R .0202</u>	Necessary with substantive public interest
<u>15A NCAC 02R .0203</u>	Necessary with substantive public interest
<u>15A NCAC 02R .0301</u>	Necessary with substantive public interest
<u>15A NCAC 02R .0302</u>	Necessary with substantive public interest
<u>15A NCAC 02R .0402</u>	Necessary with substantive public interest
<u>15A NCAC 02R .0403</u>	Necessary with substantive public interest
<u>15A NCAC 02R .0601</u>	Necessary with substantive public interest
<u>15A NCAC 02R .0602</u>	Necessary with substantive public interest



OATH OF OFFICE

for the

Rules Review Commission


I, Philip J. "Jake" Parker, do solemnly swear (affirm) that I will support the Constitution of the United States.

I, Philip J. "Jake" Parker, do solemnly swear (affirm) that I will be faithful and bear true allegiance to the State of North Carolina, and to the constitutional powers and authorities which are or may be established for the government thereof; and that I will endeavor to support, maintain and defend the Constitution of said state, not inconsistent with the Constitution of the United States.

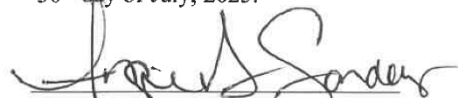
I, Philip J. "Jake" Parker, do solemnly swear (affirm) that I will well and truly execute the duties of my office as a member of the Rules Review Commission according to the best of my skill and ability, according to law, so help me God.

This 30th day of July, 2025.

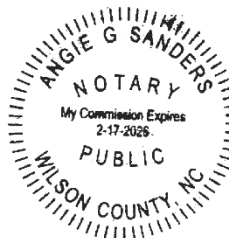

Philip J. "Jake" Parker


William W. Peaslee
Administrative Law Judge

Sworn and subscribed before me this the
30th day of July, 2025.


Angie Sanders
Notary Public

My Commission Expires: February 17, 2026





OATH OF OFFICE

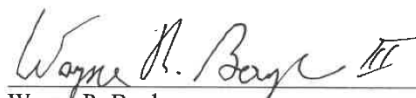
for the
Rules Review Commission

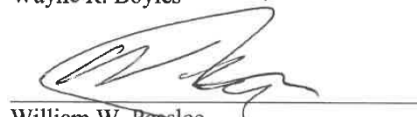
I, Wayne R. Boyles, do solemnly swear (affirm) that I will support the Constitution of the United States.

I, Wayne R. Boyles, do solemnly swear (affirm) that I will be faithful and bear true allegiance to the State of North Carolina, and to the constitutional powers and authorities which are or may be established for the government thereof; and that I will endeavor to support, maintain and defend the Constitution of said state, not inconsistent with the Constitution of the United States.

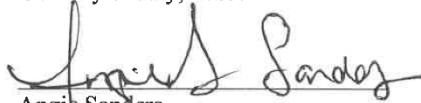
I, Wayne R. Boyles, do solemnly swear (affirm) that I will well and truly execute the duties of my office as a member of the Rules Review Commission according to the best of my skill and ability, according to law, so help me God.

This 30th day of July, 2025.

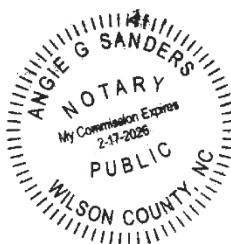

Wayne R. Boyles


William W. Peaslee
Administrative Law Judge

Sworn and subscribed before me this the
30th day of July, 2025.


Angie Sanders
Notary Public

My Commission Expires: February 17, 2026





OATH OF OFFICE
for the
Rules Review Commission

I, Christopher Loutit, do solemnly swear (affirm) that I will support the Constitution of the United States.

I, Christopher Loutit, do solemnly swear (affirm) that I will be faithful and bear true allegiance to the State of North Carolina, and to the constitutional powers and authorities which are or may be established for the government thereof; and that I will endeavor to support, maintain and defend the Constitution of said state, not inconsistent with the Constitution of the United States.

I, Christopher Loutit, do solemnly swear (affirm) that I will well and truly execute the duties of my office as a member of the Rules Review Commission according to the best of my skill and ability, according to law, so help me God.

This 30th day of July, 2025.

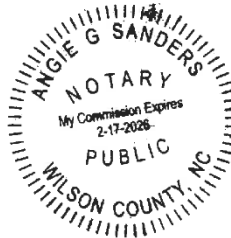
Christopher Loutit

William W. Peaslee
Administrative Law Judge

Sworn and subscribed before me this the
30th day of July, 2025.

Angie Sanders
Notary Public

My Commission Expires: February 17, 2026






STATE OF NORTH CAROLINA
OFFICE OF ADMINISTRATIVE HEARINGS

OATH

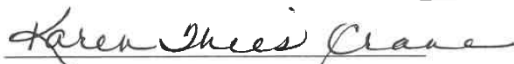
I, Wyatt T. Dixon, III, do solemnly swear (affirm) that I will support the Constitution of the United States.

I, Wyatt T. Dixon, III, do solemnly swear (affirm) that I will be faithful and bear true allegiance to the State of North Carolina, and to the constitutional powers and authorities which are or may be established for the government thereof; and that I will endeavor to support, maintain and defend the Constitution of said state, not inconsistent with the Constitution of the United States.

I, Wyatt T. Dixon, III, do solemnly swear (affirm) that I will well and truly execute the duties of my office as a member of the Rules Review Commission according to the best of my skill and ability, according to law, so help me God.


Signature
WYATT T. DIXON, III

Mecklenburg County, North Carolina
Sworn and subscribed before me this the 17th day of _____ day of July 2025.


Karen Thies Crane, Notary Public

My Commission Expires: 23 Jun 30

KAREN THIES CRANE NOTARY PUBLIC Mecklenburg County North Carolina My Commission Expires June 23 2030
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