

RULES REVIEW COMMISSION MEETING
MINUTES
June 16, 2022

The Rules Review Commission met on Thursday, June 16, 2022, in the Commission Room at 1711 New Hope Church Road, Raleigh, North Carolina, and via WebEx.

Commissioners Andrew Atkins, Wayne R. Boyles III, Bobby Bryan, Margaret Currin, Jeanette Doran, Jeff Hyde, Barbara Jackson, Randy Overton, and Bob Rucho were present in the Commission Room.

Staff members Alexander Burgos; Commission Counsel Lawrence Duke, Brian Liebman, and Bill Peaslee were present in the room.

The meeting was called to order at 9:00 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.

The Chair advised the Commission that all RRC members were present in the room, therefore, roll call votes are not required. The RRC members were instructed to respond with ayes or noes during the votes in this meeting.

APPROVAL OF MINUTES

The Chair asked for any discussion, comments, or corrections concerning the minutes of the May 19, 2022, meeting. There were none and the minutes were approved as distributed.

FOLLOW UP MATTERS

Department of Natural and Cultural Resources

07 NCAC 02H .0306 - The rewritten rule was unanimously approved.

Environmental Management Commission

15A NCAC 02B .0208, .0212, .0214, .0215, .0216, and .0218 - The agency is addressing the objection from the May meeting. No action was required by the Commission.

Environmental Management Commission

15A NCAC 02H .1301, .1401, .1402, .1403, .1404, and .1405 - The agency is addressing the objection from the May meeting. No action was required by the Commission.

Marine Fisheries Commission

15A NCAC 03O .0114 and .0209 - The rewritten rules were unanimously approved.

Coastal Resources Commission

15A NCAC 07H .1701, .1702, .1703, .1704, .1705, .1901, .1902, .1903, .1904, .1905, .2501, .2502, .2503, .2504, and .2505 - The rewritten rules were unanimously approved.

Wildlife Resources Commission

15A NCAC 10D .0103, .0209, .0226, .0229, .0230, .0239, .0240, .0243, .0260, and .0276 – The Commission extended the period of review at the May meeting through the end of the 2022 Legislative Session of the General Assembly, as one or more of these rules await legislative review. No action was required by the Commission

State Board of Education

16 NCAC 06E .0204 - The rewritten temporary rule was unanimously approved.

LOG OF FILINGS (PERMANENT RULES)**Pesticide Board**

All rules were unanimously approved.

Board of Agriculture

The Commission extended the period of review for 02 NCAC 52J .0101, .0102, .0103, .0104, .0105, .0201, .0202, .0203, .0204, .0205, .0206, .0207, .0208, .0209, .0210, .0301, .0302, .0303, .0304, .0401, .0402, .0403, .0404, .0405, .0406, .0407, .0408, .0409, .0410, .0411, .0412, .0413, .0414, .0415, .0416, .0417, .0418, .0419, .0501, .0701, .0702, .0703, .0704, .0705, .0801, .0802, .0803, .0901, and .0902 in accordance with G.S. 150B-21.10. They did so in response to a request from the agency to extend the period of review to give the agency additional time in which to respond to requests for changes.

Medical Care Commission

The Commission extended the period of review for 10A NCAC 13B .3801, .3903, .4103, .4104, .4106, .4305, .4603, .4801, .4805, .5102, .5105, .5406, .5408, and .5411 in accordance with G.S. 150B-21.10. They did so in response to a request from the agency to extend the period of review to give the agency additional time in which to respond to requests for changes.

Criminal Justice Education and Training Standards Commission

The Commission extended the period of review for 12 NCAC 09G .0205 in accordance with G.S. 150B-21.10. They did so in response to a request from the agency to extend the period of review in order to wait for the conclusion of the legislative review process.

Private Protective Services Board

All rules were unanimously approved.

Environmental Management Commission

The Commission extended the period of review for 15A NCAC 02Q .0103, .0503, .0504, .0505, .0507, .0508, .0509, .0514, .0516, .0518, .0521, .0522, .0525, and .0526 in accordance with G.S. 150B-21.10. They did so in response to a request from the agency to extend the period of review to give the agency additional time in which to respond to requests for changes.

Coastal Resources Commission

The Commission extended the period of review for 15A NCAC 07H .0104, .0208, .0304, .0305, .0306, .0308, .0309, .0310, .1205, .1801; 07J .0403, .0404, .1201, .1202, .1203, .1204, .1205, .1206, .1301, .1302, .1303; 07K .0208; 07M .0301, .0302, .0303, .0306, .0307, .0308, and .0310 in accordance with G.S. 150B-21.10. They did so in response to a request from the agency to extend the period of review to give the agency additional time in which to respond to requests for changes.

Commission for Public Health

All rules were unanimously approved.

State Board of Education

16 NCAC 06D .0403 was unanimously approved.

Board of Chiropractic Examiners

All rules were unanimously approved.

Board of Dental Examiners

All rules were unanimously approved.

Medical Board

Prior to the review of the rules from the Medical Board, Commissioner Atkins recused himself and did not participate in any discussion or vote concerning the rules because of a conflict.

All rules were unanimously approved.

Board of Pharmacy

All rules were unanimously approved.

Board of Licensed Clinical Mental Health Counselors

All rules were unanimously approved.

Appraisal Board

All rules were unanimously approved.

Commissioner Currin was not present in the Commission room during the discussion or vote on the rules from the Appraisal Board.

Vanessa Hall with of the North Carolina Chapter of the Appraisal Institute addressed the Commission.

Scott DiBiasio, with the National Appraisal Institute, addressed the Commission.

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 of 21 NCAC 57A .0201, .0405, .0407, .0601, .0604, and .0605.

Addictions Specialist Professional Practice Board

All rules were unanimously approved.

Commissioner Currin was not present in the Commission room during the discussion or vote on the rules from the Addictions Specialist Professional Practice Board.

LOG OF FILINGS (TEMPORARY RULES)**Wildlife Resources Commission**

15A NCAC 10B .0501, .0502, .0503, .0504, and .0505 were unanimously approved.

Commissioner Currin was not present in the Commission room during the discussion or vote on the rules from the Wildlife Resources Commission.

Board of Examiners for Engineers and Surveyors

21 NCAC 56 .0601 and .0608 were unanimously approved.

Commissioner Currin was not present in the Commission room during the discussion or vote on the rules from the Board of Examiners for Engineers and Surveyors.

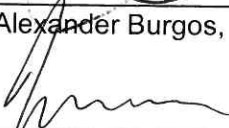
COMMISSION BUSINESS

The Chair advised the Commission that at the July meeting, the Commission will have a discussion on whether staff will discontinue pre-reviews. Additionally, there will be a discussion on the precedence of significant deadline extensions allowed in the past for the filing of rules post-adoption.

The meeting adjourned at 9:31 a.m.

The next regularly scheduled meeting of the Commission is Thursday, July 21, 2022, at 9:00 a.m.



Alexander Burgos, Paralegal

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

June 16, 2022

Rules Review Commission
Meeting
Please Print Legibly

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Rules Review Commission Meeting June 17, 2022
Via WebEx

Name	Agency
Angela Willis	CRC
Shelby Taylor	DSHR
Jessica Montie	DEQ
Brad Howard	WRC
Ashley Carroll	mountcastleinsurance.com
Lou Martin	DPI
Misty Piekaar	DHHS
Ashley	acarroll@mountcastleinsurance.com
Rachel Love-Adrick	DENR
Ashley Carroll	mountcastleinsurance.com
Barbara Geiger	Landscape Architects
Dennis Seavers	Barbers
Shelby Taylor	DHHS
Laura Rowe	Treasurer
Leslie Dismukes	ldismukes@ncdoj.gov
Pam Melton	ncrealtors.org
Brandon Walker	DPI
Greta Hill	DHHS
Makeda Harris	Healthcare Association
Vanessa Hall	colliers.com
Scott Dibiasio	Appraisalinstitute.org
Ross Smith	NC Manufacturers Alliance
Helen Landi	DOT
Bridget Shelton	DENR
Ashley Pekarul	WRC
Dauna Bartley	Dental Board
Anna Baird Choi	General Contractors
Catherine Blum	DEQ
Ross Smith	NC Manufacturers Alliance
Kim Randolph	DOJ
Jonathan Avery	NCDCR
Jim Burnette	Agriculture
Nadine Pfeiffer	MCC
Virginia Niehaus	CPH
Don Rodgers	Appraisal Board
Alesia Balshakova	DOJ
Clint Pinyan	Pharmacy
Melonie Davis	NCBLCMHC

Alice Isley	DHHS
Anne Coan	ncfb.org
Carrie Ruhlman	WRC
Sondra Panico	Appraisal Board
Mary Lucasse	CRC
John Barkley	DOJ
Robin Colburn	cce-global.org
Larry Michael	DHHS
Shane Smith	DHHS
David Tuttle	ncbels.org
Kirsten Leloudis	DHHS