

RULES REVIEW COMMISSION SPECIAL MEETING
MINUTES
May 13, 2024

The Rules Review Commission met for a special meeting on Monday, May 13, 2024, in the Commission Room at 1711 New Hope Church Road, Raleigh, North Carolina, and via Webex. The special meeting was called to review temporary rules from follow-up matters from the Coastal Resources Commission.

Commissioners Jeanette Doran and Jake Parker were present in the Commission Room. Commissioners Wayne R. Boyles III, Jay Hemphill, Jeff Hyde, Barbara Jackson, Brandon Leebrick, Bill Nelson, Randy Overton, and Paul Powell were present via Webex.

Staff member Alexander Burgos, Commission Counsel Seth Ascher, Brian Liebman, and Travis Wiggs were in the Commission room.

The meeting was called to order at 10:00 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.

Review of Log of Filings (Temporary Rules)

Upon the call of the Chair, the Commission voted to adopt staff's recommendation to return 15A NCAC 07H .0509; 07I .0702; 07J .0203, .0204, .0206, .0207, .0208; 07M .0401, .0402, .0403, .0701, .0703, .0704, and .1101 to the agency finding that the agency failed to submit a supplement to its statement of findings of need or submit a new statement of findings of need within thirty days of notification of the Commission's April 8, 2024 objection, as required by G.S. 150B-21.1(b1), by roll-call vote, ayes 9, noes 0 as follows: Voting in the affirmative: Wayne R. Boyles III, Jay Hemphill, Jeff Hyde, Barbara Jackson, Brandon Leebrick, Bill Nelson, Randy Overton, Jake Parker, and Paul Powell – 9. Voting in the negative: 0.

Upon the call of the Chair, a motion to approve 15A NCAC 07H .0507 and .0508 failed by roll-call vote, ayes 2, noes 8 as follows: Voting in the affirmative: Barbara Jackson and Paul Powell – 2. Voting in the negative: Wayne R. Boyles III, Jeanette Doran, Jay Hemphill, Jeff Hyde, Brandon Leebrick, Bill Nelson, Randy Overton, and Jake Parker - 8.

Upon the call of the Chair, the Commission voted to adopt staff's recommendation to find that the agency's supplemental statement of need met the criteria of G.S. 150B-21.1(a), but to return the rules to the agency upon finding that the text of rules 15A NCAC 07H .0507 and .0508 did not meet the standards of G.S. 150B-21.9 by roll-call vote, ayes 6, noes 3 as follows: Voting in the affirmative: Wayne R. Boyles III, Jay Hemphill, Jeff Hyde, Brandon Leebrick, Bill Nelson, and Randy Overton – 6. Voting in the negative: Barbara Jackson, Jake Parker, and Paul Powell - 3.

Mary Lucasse, with the Department of Justice and representing the agency, addressed the Commission.

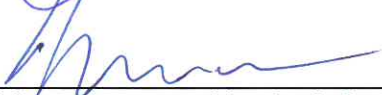
COMMISSION BUSINESS

The meeting adjourned at 10:18 a.m.

The next regularly scheduled meeting of the Commission is Wednesday, May 29, 2024, at 10:00 a.m.



Alexander Burgos, Paralegal



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

May 13, 2024

Rules Review Commission
Meeting
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Rules Review Commission Special Meeting May 13, 2024
Held Via WebEx

Name	Agency
Larry F Baldwin NCLSS / CPSS	
Ray Gronberg (NC Tribune)	businessnc.com
Dana McGhee	OAH
Tancred Miller	DEQ
Daniel Govoni	DEQ
Ashley Snyder	OAH
Arthur Harrell	OAH
Angela Willis	DEQ
Giovanni Tumicelli	OAH
Anna Hayworth	ncagr.gov
Catherine Blum	DEQ
Mary Lucasse	DOJ
C Saunders	virginiamedia.com
Dennis Seavers	nc.gov
Elizabeth Pope, NCSWCLB	ncswboard