

**RULES REVIEW COMMISSION MEETING
MINUTES
October 16, 2014**

The Rules Review Commission met on Thursday, October 16, 2014, 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, and Ralph Walker.

Staff members present were: Commission counsels Abigail Hammond and Amanda Reeder; and Julie Brincefield, Alex Burgos, and Dana Vojtko.

The meeting was called to order at 10:02 a.m. with Chairman Currin presiding.

Chief Administrative Law Judge for the OAH, the Honorable Julian Mann III, addressed the Commission.

Judge Mann presented Senior Administrative Law Judge Fred Morrison with his 45 year service award.

Judge Morrison addressed the Commission.

Chairman Currin introduced Campbell Law School student Mary Jane Richardson.

Chairman Currin 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 Currin asked for any discussion, comments, or corrections concerning the minutes of the September 18, 2014 meeting. There were none and the minutes were approved as distributed.

FOLLOW-UP MATTERS

Board of Dental Examiners – 21 NCAC 16D .0104, .0106; 16E .0103, .0104. All rules were unanimously approved with the following exception: Rule 21 NCAC 16D .0106 was withdrawn at the request of the agency.

Prior to the review of the rules from the Board of Dental Examiners, Commissioner Choi recused herself and did not participate in any discussion or vote concerning these rules because her law firm provides limited legal representation unrelated to rulemaking to the Board.

LOG OF FILINGS (PERMANENT RULES)

Board of Agriculture

The Commission extended the period of review on Rule 02 NCAC 20B .0413 rule in accordance with G.S. 150B-21.13. The Commission extended the period of review to allow the North Carolina Board of Agriculture additional time to review staff's Request for Technical Changes.

Industrial Commission

All rules were unanimously approved.

Medical Care Commission

All rules were unanimously approved.

Criminal Justice Education and Training Standards Commission

Trevor Allen with the agency introduced Merrily Cheek, the new rulemaking coordinator for the agency.

All rules were unanimously approved.

Irrigation Contractors Licensing Board

All rules were withdrawn at the request of the agency.

NC Medical Board/Perfusion Advisory Committee

21 NCAC 32V .0102 was unanimously approved.

TEMPORARY RULES

Social Services Commission

David Locklear with the agency addressed the Commission.

Sharon Moore with the agency addressed the Commission.

Sarah Preston with the ACLU addressed the Commission.

10A NCAC 71W .0905 was approved, with Commissioner Hemphill opposed.

Environmental Management Commission

15A NCAC 02B .0295 was unanimously approved.

EXISTING RULES REVIEW

Environmental Management Commission

15A NCAC 02B, 02H, 02T, 02U – The Commission unanimously approved the reports as submitted by the agency.

COMMISSION BUSINESS

The Commission discussed holding a special meeting in December for consideration of the proposed rules of the Mining and Energy Commission. The Commission voted to hold the special meeting on Wednesday, December 17, 2014, in addition to the regularly scheduled meeting on Thursday, December 18, 2014. On both days, the meeting will convene at 9:00 a.m.

The meeting adjourned at 12:18 p.m.

The next regularly scheduled meeting of the Commission is Thursday, November 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,

Julie Brincefield
Administrative Assistant

Minutes approved by the Rules Review Commission:

Margaret Currin, Chair

Rules Review Commission

Meeting

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* October 2014 *

Name	Agency
David Pearce	Social Serv. Commission
Sharon D Moore	DSS/DHHS
David Locklear	DSS/DHHS
Starline Scott Robbins	DMH/DB/SAS-DHHS
Joel Turner	Heidrick Gardner for NC Ind. Comm.
Meredith Henderson	NC Industrial Commission
Sue Homewood	NC DENR/DWR
Gary Kreiser	DENR DWR
Jennifer Everett	DENR
Tammy Nance	NC IC
Nadine Pfeiffer	DHSR
Diana Barbry	DHSR
Cheryl Conley	DHSR
Neal Conley	NCLBGC
Ryan Boyce	NC IC
Treva Allen	CJETS
Merrily Cheek	
Karen Smith	NC IC
Lisa Martin	NC HBA
Bridget Warren	Heidrick Gardner for NC IC
Mary Jane Richardson	Sturtevant-Campbell Law

* October 2014 *

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