



STATE OF NORTH CAROLINA
OFFICE OF ADMINISTRATIVE HEARINGS

Mailing address:
6714 Mail Service Center
Raleigh, NC 27699-6700

Street address:
1711 New Hope Church Rd
Raleigh, NC 27609-6285

October 17, 2019

Jennifer Everett
Rulemaking Coordinator, EMC
Sent via email only to: Jennifer.Everett@ncdenr.gov

Re: Extension of the Period of Review for 15A NCAC 02B .0229, .0232, .0234, .0235, .0236, .0237, .0238, .0239, .0240, .0255, .0256, .0257, .0258, .0701, and .0730

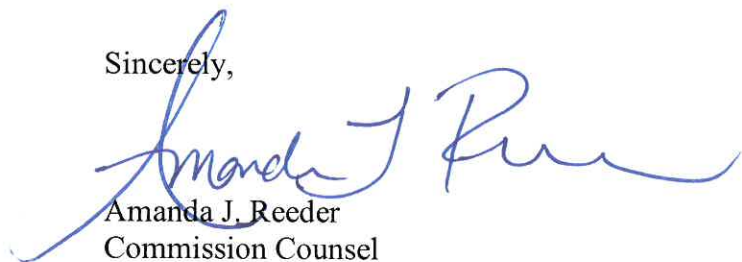
Dear Ms. Everett:

At its meeting this morning, the Rules Review Commission extended the period of review for the above-captioned rules in accordance with G.S. 150B-21.10. They did so in response to a request from the agency to extend the period in order to allow the agency to address technical changes and submit the rewritten rules at a later meeting.

Pursuant to G.S. 150B-21.13, when the Commission extends the period of review, it is required to approve or object to rules or call a public hearing on the same within 70 days.

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

Sincerely,



Amanda J. Reeder
Commission Counsel

cc: John Huisman, DEQ

Administration
919/431-3000
fax: 919/431-3100

Rules Division
919/431-3000
fax: 919/431-3104

Judges and
Assistants
919/431-3000
fax: 919/431-3100

Clerk's Office
919/431-3000
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Rules Review
Commission
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Civil Rights
Division
919/431-3036
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October 17, 2019

Stephen Davis, Rulemaking Coordinator
Board of Funeral Service

Sent via email only: sdavis@ncfbs.org

Re: Objection to Rule 21 NCAC 34A .0201

Extension of the Period of Review of 21 NCAC 34B .0310; 34C .0305; 34D .0105, .0203, and .0303

Dear Mr. Davis:

At its meeting today, the Rules Review Commission objected to Rule 21 NCAC 34A .0201 in accordance with G.S. 150B-21.10 for failure to comply with the Administrative Procedure Act and ambiguity. Specifically, the Commission found that the agency erroneously published in the NC Register an incorrect version of the Rule that would increase fees without giving adequate notice of the change. Further, as the agency filed two different versions of the Rule for review, it is unclear what changes were intended within this Rule.

Please respond to the objection in accordance with the provisions of G.S. 150B-21.12.

In addition, the Rules Review Commission extended the period of review for 21 NCAC 34B .0310; 34C .0305; and 34D .0105, .0203, and .0303 in accordance with G.S. 150B-21.10. They did so in response to a request from the agency to extend the period in order to allow the agency to address the Requests for Technical Changes and submit the rewritten rules at a later meeting.

Pursuant to G.S. 150B-21.13, when the Commission extends the period of review, it is required to approve or object to rules or call a public hearing on the same within 70 days.

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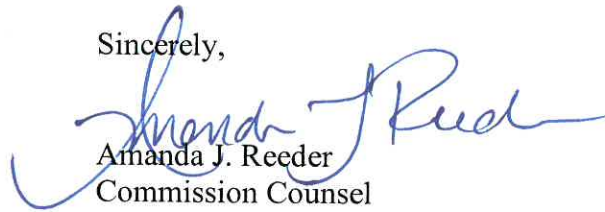
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If you have any questions regarding the Commission's actions, please let me know.

Sincerely,

A handwritten signature in blue ink, appearing to read "Amanda J. Reeder", is written over the typed name and title.

Amanda J. Reeder
Commission Counsel

cc: Amy Maudlin, Board of Funeral Service