

**RULES REVIEW COMMISSION MEETING  
MINUTES  
October 20, 2022**

The Rules Review Commission met on Thursday, October 20, 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, Jeanette Doran, Jeff Hyde, Randy Overton, and Bob Rucho were present in the Commission Room. Commissioners Jay Hemphill and Barbara Jackson were present via WebEx.

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.

**APPROVAL OF MINUTES**

The Chair asked for any discussion, comments, or corrections concerning the minutes of the September 15, 2022 meeting. There were none and the minutes were approved as distributed.

Upon the call of the Chair, the minutes were approved by roll-call vote, ayes 8, noes 0 as follows: Voting in the affirmative: Andrew Atkins, Wayne R. Boyles III, Bobby Bryan, Jay Hemphill, Jeff Hyde, Barbara Jackson, Randy Overton, and Bob Rucho – 8. Voting in the negative: None.

**FOLLOW UP MATTERS**

**Board of Agriculture**

02 NCAC 52B .0212, .0214; 61 .0101, .0102, .0104, .0106, .0109, and .0111 - The agency is addressing the request for changes from the September meeting. No action was required by the Commission.

**Board of Agriculture**

02 NCAC 52J .0208, and .0704 - The agency is addressing the objection from the September meeting. No action was required by the Commission.

**State Board of Elections**

08 NCAC 04 .0308, and .0309 - The agency is addressing the request for changes from the September meeting. No action was required by the Commission.

**Medical Care Commission**

10A NCAC 13B .3801, .3903, .4103, .4104, .4106, .4305, .4603, .4801, .4805, .5102, .5105, .5406, .5408, and .5411 - The agency is addressing the objection from the August meeting. No action was required by the Commission.

**Sheriffs' Education and Training Standards Commission**

12 NCAC 10B .0704 - The rule was returned at the request of the agency. No action was required by the Commission.

**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.

**Coastal Resources Commission**

15A NCAC 07H .0501, .0502, .0503, .0504, .0505, .0506, .0507, .0508, .0509, .0510, .0601, .0603, .0604; 07I .0406, .0504, .0506, .0508, .0510, .0511, .0602, .0702; 07J .0203, .0204, .0206, .0207, .0208, .0210, and .0312 – The agency is addressing the objection from the September meeting. No action was required by the Commission.

**Coastal Resources Commission**

15A NCAC 07H .2305 – The agency is addressing the objection from the September meeting. No action was required by the Commission.

**Coastal Resources Commission**

15A NCAC 07M .0201, .0202, .0401, .0402, .0403, .0503, .0601, .0603, .0701, .0703, .0704, .0801, .0802, .1001, .1002, .1101, .1102, .1201, and .1202 - The agency is addressing the objection from the September meeting. No action was required by the Commission.

**Commission for Public Health**

15A NCAC 18A .1301, .1302, .1304, .1305, .1306, .1307, .1308, .1309, .1310, .1311, .1312, .1313, .1314, .1315, .1316, .1317, .1318, .1319, .1320, .1321, .1323, .1324, and .1327 - The agency is addressing the request for changes from the September meeting. No action was required by the Commission.

**LOG OF FILINGS (PERMANENT RULES)****Commission for Mental Health/DD/SAS**

Upon the call of the Chair, the rules were approved by roll-call vote, ayes 8, noes 0 as follows: Voting in the affirmative: Andrew Atkins, Wayne R. Boyles III, Bobby Bryan, Jay Hemphill, Jeff Hyde, Barbara Jackson, Randy Overton, and Bob Rucho – 8. Voting in the negative: None.

**Sheriffs' Education and Training Standards Commission**

Upon the call of the Chair, the Commission extended the period of review for 12 NCAC 10B .0205, .0301, .0302, .0303, .0304, .0305, .0306, .0307, .0408, and .0410 by roll-call vote, ayes 8, noes 0 as follows: Voting in the affirmative: Andrew Atkins, Wayne R. Boyles III, Bobby Bryan, Jay Hemphill, Jeff Hyde, Barbara Jackson, Randy Overton, and Bob Rucho – 8. Voting in the negative: None.

**Alarm Systems Licensing Board**

Upon the call of the Chair, 14B NCAC 17 .0204 was approved by roll-call vote, ayes 8, noes 0 as follows: Voting in the affirmative: Andrew Atkins, Wayne R. Boyles III, Bobby Bryan, Jay Hemphill, Jeff Hyde, Barbara Jackson, Randy Overton, and Bob Rucho – 8. Voting in the negative: None.

**Board of Dietetics/Nutrition**

Upon the call of the Chair, 21 NCAC 17 .0113 was approved by roll-call vote, ayes 8, noes 0 as follows: Voting in the affirmative: Andrew Atkins, Wayne R. Boyles III, Bobby Bryan, Jay Hemphill, Jeff Hyde, Barbara Jackson, Randy Overton, and Bob Rucho – 8. Voting in the negative: None.

### **Board of Electrolysis Examiners**

Upon the call of the Chair, the rules were approved by roll-call vote, ayes 8, noes 0 as follows: Voting in the affirmative: Andrew Atkins, Wayne R. Boyles III, Bobby Bryan, Jay Hemphill, Jeff Hyde, Barbara Jackson, Randy Overton, and Bob Rucho – 8. Voting in the negative: None.

### **COMMISSION BUSINESS**

The Chair announced that the NCBA Administrative Law Section will be presenting to the RRC an updated pre-review draft checklist for discussion at the November meeting.

The meeting adjourned at 9:13 a.m.

The next regularly scheduled meeting of the Commission is Thursday, November 17, 2022, at 9:00 a.m.

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Alexander Burgos, Paralegal

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

October 20, 2022

Rules Review Commission  
Meeting  
Please Print Legibly

Name	Agency
Dennis Seavers	Board of Electrolysis Examiners
Philip Bly	Bumc
Denise Baker	Commission for MH Professions
Ann White	Sec of State
Cameron EMI	Cranfill Sumner
Robert E. Hounley	Cranfill Sumner

**Rules Review Commission Meeting October 20, 2022**  
**Via WebEx**

<b>Name</b>	<b>Agency</b>
Chris Ventaloro	EMC
Brooks Pearson	SELNC
Peter Daniel	ncchamber.com
Julie Ventaloro	OSBM
Jessica Montie	EMV
Anne Coan	NCFB
Christine Ryan	DOJ
Charla Burill	NCBDN
Laura Lansford	NCDOR
Robin Sulfridge	DHHS
Nadine Pfeiffer	DHHS
Jessica Macari	DHHS-DMH
Hannah Jernigan	DOT
Robert Pickett	DOJ
Helen Landi	DOT
Chris Millis	NCHBA
Margaret Wingate	beautyskindeep.net



STATE OF NORTH CAROLINA  
OFFICE OF THE ADMINISTRATIVE HEARINGS

**OATH OF OFFICE**

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

I, John Hemphill 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, John Hemphill, 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.

[Handwritten Signature]  
SIGNATURE

John R. Hemphill

Wake County, North Carolina

Sworn and subscribed before me this the 19 day of Oct 2022.

[Handwritten Signature]  
Janet B. Witchger, Notary Public

My Commission Expires: 11-7-26

Janet B Witchger  
NOTARY PUBLIC  
Durham County  
North Carolina  
My Commission Expires November 7, 2026