

## Burgos, Alexander N

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**Subject:** FW: Public Comment / Proposed Amendment to Rule 26 NCAC 05 .0115, Extension of the Period for Review.

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**From:** Baker, Denise <[Denise.Baker@dhhs.nc.gov](mailto:Denise.Baker@dhhs.nc.gov)>

**Sent:** Tuesday, July 23, 2024 4:20 PM

**To:** Liebman, Brian R <[brian.liebman@oah.nc.gov](mailto:brian.liebman@oah.nc.gov)>

**Subject:** Public Comment / Proposed Amendment to Rule 26 NCAC 05 .0115, Extension of the Period for Review.

Hi Brian –

Per [150B-21.12](#), an agency that is a board or commission must respond to the RRC's objection to a rule within 30 days after receiving the RRC's statement of objection or within 10 days after the board or commission's next regularly scheduled meeting, *whichever comes later*. While Rule 05 .0115, does not address the RRC's objection to a rule, I suggest that you consider adding similar language in the proposed amendment to Rule 26 NCAC 05 .0115 as provided below.

(b) In exercising its discretion to grant the extension and the length of the extension, the RRC shall consider the complexity of Request for Technical Changes or staff recommendations for objection, the complexity of the rules, the RRC's current and projected agenda, the circumstances proffered by the agency as to the necessity for an extension, RRC staff availability and counsel, ~~and public comment~~comment, and whether the agency is a board or commission in its determination whether to grant the request.

Take care,  
Denise

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