

15A NCAC 02I .0503 PRESENTATION TO THE COMMISSION

(a) Petitions for rulemaking shall be presented to the Commission for its consideration and determination at a meeting of the Commission within 120 days following the date of submittal of the petition to the appropriate Division pursuant to Rule .0501 of this Section. If the petition for rulemaking was reviewed by a Committee pursuant to Rule .0502 of this Section, the petition and the Committee's recommended action shall be presented through the Chair of the Committee or other designated member of the Committee during the business session of the Commission. Unless the Chair of the Commission rules otherwise, discussion on the petition shall be limited to the members of the Commission, counsel to the Commission, the Director, or the Division's legal counsel and the petitioner or its legal counsel.

(b) For petitions not referred to a Committee, the Chair of the Commission shall allow one interested person to present the viewpoint of those who oppose initiating rulemaking. The Chair of the Commission may determine whether additional interested persons shall make oral presentations before the Commission. At least 10 days before the Commission meeting, interested persons shall request the opportunity to make a presentation to the Commission through the Director. The request shall:

- (1) state the interest of the person;
- (2) state the person's position on the petition for rulemaking; and
- (3) be accompanied by supporting materials.

(c) Within 120 days following submittal of the petition to the appropriate Division the Commission shall:

- (1) grant the petition in writing, notify the petitioner and initiate rulemaking proceedings in accordance with G.S. 150B-20; or
- (2) deny the petition in writing, stating the reason or reasons for the denial, and send the written denial to the person(s) who submitted the petition.

*History Note: Authority G.S. 143B-282; 150B-20;
Eff. April 1, 2003;
Readopted Eff. February 1, 2021.*