

Legislative Rule-Making Review Committee

Senate Judiciary Committee Room

Minutes for Wednesday, January 28, 2026

9:00 a.m. to 9:00 p.m.

Senate

Rucker, Chair	Present
Helton	Present
Matin	
Maynard	Present
Thorne	
Woelfel	
Smith, Nonvoting	

House

Smith, Chair	
Fehrenbacher	Present
Chiarelli	Present
Hornby	Present
Kyle	Present
Young	Present
Hanshaw, Nonvoting	

The Legislative Rule-Making Review Committee met in the Senate Judiciary Committee Room at 9:00 a.m. on Wednesday, January 28, 2026. The meeting was called to order by the Chair, Senator Rucker. A silent roll call was taken by the Clerk to establish a quorum, as reflected above. Staff present included: Robert Akers, House Counsel; Phillip Childs, Joint Committee Counsel; Adair Burgess, Director of Legislative Rule-Making Review Committee; and Felisha Sutherland, Committee Clerk.

Chairman Rucker recognized Delegate Fehrenbacher for the purpose of a motion to approve the committee minutes from December 10, 2025. The motion was adopted.

1. Robert Akers, House Counsel, explained his abstract on the proposed rule by **Department of Economic Development, Certified Microgrid Development Programs, [145 CSR 20](#)**, and responded to questions from the Committee.

With leave of the Committee, Nicholas Preservati, Deputy Secretary for the Department of Commerce, responded to questions from the Committee and agreed to the modifications.

With leave of the Committee, Garner Marks, General Counsel for the Department of Commerce, responded to questions from the Committee and agreed to the modifications.

On motion, Delegate Young moved to amend the rule relating to confidentiality.

The motion failed.

On motion, Senator Maynard moved to amend the rule's definition of Nearly Contiguous Property.

The agency agreed to make the amendment an agreed to modification.

On motion of Delegate Fehrenbacher, the agency agreed to modifications were adopted.

On motion of Delegate Fehrenbacher, the rule was approved as modified.

With no further business to come before the Committee, Delegate Fehrenbacher moved to adjourn. The motion was adopted.