

## **Burgos, Alexander N**

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**Subject:** FW: [External] RE: Periodic Review 20 NCAC 03

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**From:** Wiggs, Travis C <travis.wiggs@oah.nc.gov>  
**Sent:** Monday, December 22, 2025 10:47 AM  
**To:** Hawley, Elizabeth <Elizabeth.Hawley@nctreasurer.com>  
**Cc:** Burgos, Alexander N <alexander.burgos@oah.nc.gov>  
**Subject:** RE: [External] RE: Periodic Review 20 NCAC 03

Good morning, Ms. Hawley,

I will recommend that the RRC approve our agreed upon readoption deadline of **April 1, 2031** at the RRC meeting on January 29, 2026.

Please let me know if you have any questions.

Thanks,

Travis C. Wiggs  
Rules Review Commission Counsel  
Office of Administrative Hearings  
Telephone: 984-236-1929  
Email: [travis.wiggs@oah.nc.gov](mailto:travis.wiggs@oah.nc.gov)

## Burgos, Alexander N

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**Subject:** FW: [External] RE: Periodic Review 20 NCAC 03  
**Attachments:** 20 NCAC 03 Readoption Timeline Memo.pdf

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**From:** Elizabeth Hawley <Elizabeth.Hawley@nctreasurer.com>  
**Sent:** Monday, December 22, 2025 9:53 AM  
**To:** Wiggs, Travis C <travis.wiggs@oah.nc.gov>  
**Cc:** Burgos, Alexander N <alexander.burgos@oah.nc.gov>  
**Subject:** RE: [External] RE: Periodic Review 20 NCAC 03

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Good morning Mr. Wiggs, I apologize for the delay.

Please see the attached proposed timeline for 20 NCAC 03 utilizing the proposed readoption deadline of April 1, 2031.

Please let me know if you have any additional questions, thank you and have a wonderful holiday!



**BRADFORD B. BRINER**  
STATE TREASURER OF NORTH CAROLINA

**Elizabeth Hawley**

*Policy & Compliance Officer*  
Office of the State Treasurer  
Office: (919) 814-3812  
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# NORTH CAROLINA

## DEPARTMENT OF STATE TREASURER

BRADFORD B. BRINER  
STATE TREASURER OF NORTH CAROLINA

OFFICE OF THE STATE TREASURER

December 22, 2025

### MEMORANDUM

**TO:** Mr. Travis Wiggs, Rules Review Commission Counsel

**FROM:** Elizabeth Hawley, NCDST & LGC's Rulemaking Coordinator

**SUBJECT:** Readoption schedule: 20 NCAC 03

The following proposed timeline is submitted pursuant to 26 NCAC 05 .02012 for the readoption of the Local Government Commission's (LGC) rules at 20 NCAC 03, using a proposed April 1, 2031 readoption date. The LGC's periodic review report was approved by the Rules Review Commission at the July 2025 meeting.

#### Local Government Commission: 20 NCAC 03

#### Completed on or before:

All edits, revisions, new rules and any fiscal notes drafted:

March 1, 2030

Presentation of rules and any fiscal notes at Local Government Commission meeting:

April 2030 (May 2030 meeting penciled-in as possibly needed for further consideration and review)

File Notice of Text Form:

June 1, 2030

Public Comment Period:

July 1, 2030 – September 1, 2030

Review public comments and make minor edits to rules, as needed:

September & October 2030

Local Government Commission meeting for final adoption:

January 2031 (February and March 2031 built into timeline for potential additional revisions, review or other delays)

Submission of rules to OAH for RRC consideration:

April 1, 2031

## Burgos, Alexander N

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**Subject:**

FW: [External] RE: Periodic Review 20 NCAC 03

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**From:** Elizabeth Hawley <Elizabeth.Hawley@nctreasurer.com>

**Sent:** Monday, December 15, 2025 2:12 PM

**To:** Wiggs, Travis C <travis.wiggs@oah.nc.gov>

**Cc:** Burgos, Alexander N <alexander.burgos@oah.nc.gov>

**Subject:** RE: [External] RE: Periodic Review 20 NCAC 03

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Received, providing draft timeline to staff for their approval. Thank you!



**BRADFORD B. BRINER**  
STATE TREASURER OF NORTH CAROLINA

***Elizabeth Hawley***

*Policy & Compliance Officer*

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## Burgos, Alexander N

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**Subject:** FW: [External] RE: Periodic Review 20 NCAC 03  
**Attachments:** 02 ncac 48c, 48d readoption schedule\_Sept 2025.pdf

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**From:** Wiggs, Travis C <travis.wiggs@oah.nc.gov>  
**Sent:** Monday, December 15, 2025 1:15 PM  
**To:** Hawley, Elizabeth <Elizabeth.Hawley@nctreasurer.com>  
**Cc:** Burgos, Alexander N <alexander.burgos@oah.nc.gov>  
**Subject:** RE: [External] RE: Periodic Review 20 NCAC 03

Good afternoon,

Thank you for the email and included information. To clarify, is your agency requesting a readoption deadline of **April 1, 2029**? Pursuant to 26 NCAC 05 .0212, can you provide an estimated timeframe of when your agency expects to complete each step in the permanent rulemaking process during readoption? I've attached an example that was submitted by another agency. We understand that unforeseen obstacles may arise, but please provide your best estimate.

There are several factors your agency should consider setting the readoption deadline. Please be mindful of 26 NCAC 05.0212(c)(2) that requires agencies to file rules with the RRC within 30 days of adoption. Remember to consider whether your agency will need to prepare any fiscal notes as required by G.S. 150B-21.4. Also, please account for whether your agency will want to amend any rules after the public comment period and rulemaking hearing that may constitute a substantial change under 150B-21.2(g).

Please let me know if you have any questions or concerns.

Thanks,

Travis C. Wiggs  
Rules Review Commission Counsel  
Office of Administrative Hearings  
Telephone: 984-236-1929  
Email: [travis.wiggs@oah.nc.gov](mailto:travis.wiggs@oah.nc.gov)

## Burgos, Alexander N

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**Subject:** FW: [External] RE: Periodic Review 20 NCAC 03

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**From:** Elizabeth Hawley <Elizabeth.Hawley@nctreasurer.com>  
**Sent:** Thursday, December 11, 2025 11:23 AM  
**To:** Wiggs, Travis C <travis.wiggs@oah.nc.gov>  
**Cc:** Burgos, Alexander N <alexander.burgos@oah.nc.gov>  
**Subject:** [External] RE: Periodic Review 20 NCAC 03

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Good morning Mr. Wiggs,

Staff would like to ask for the consideration of a readoption date of April 1, 2031 in consideration of the reasons set out below:

- Our proposed readoption timeline (below) shows that it will take about a year to complete the steps for readoption, so we would have 4 years to completely review and update the rules (2026, 2027, 2028, 2029). This update will include drafting new rules. This 1-year time frame for readoption builds time around regularly scheduled LGC meetings, time for LGC member review, and desire to avoid the need for special meetings.
- In early 2026 we're going to start the process of updating the fee rules for both the LGC and for the NC Capital Facilities Finance Agency (NCCFFA), ahead of the larger LGC rules updates. We're looking to have the fees rules updated and in place sooner. This will require fiscal notes to be completed.
- In completing the actual rule updates, we are currently short staffed; there are 10 vacant positions out of 36 in the two main sections involved with the rule updates (i.e. Fiscal Management and Debt Management). Subject matter experts on staff will be assisting with rules updates in addition to completing their regular duties.
- In updating and drafting new rules, we'll be consulting with and engaging the League of Municipalities and the Association of County Commissioners as these rules will impact local governments. As part of the proposed 4-year drafting process, the time for consultation and feedback has been taken into account.
- Many of the LGC's rules have not been revised since the 1970s so we're anticipating that almost every rule will need revision so that the text is brought within conformance to current RRC standards and requirements.
- The readoption schedule of the NCCFFA rules will overlap with the period of readoption of the LGC rules. The NCCFFA rules final readoption report will be considered by the RRC at the January 2026 meeting, with discussions of setting a readoption date likely around April 2026. The same debt staff assisting with the LGC debt rules will be assisting with the revisions to the NCCFFA rules.

Please let me know if you have any questions or concerns, thank you!



**BRADFORD B. BRINER**  
STATE TREASURER OF NORTH CAROLINA

***Elizabeth Hawley***

*Policy & Compliance Officer*  
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Raleigh, N.C. 27604

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## Burgos, Alexander N

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**Subject:** FW: [External] RE: Periodic Review 20 NCAC 03

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**From:** Elizabeth Hawley <Elizabeth.Hawley@nctreasurer.com>  
**Sent:** Tuesday, November 18, 2025 12:33 PM  
**To:** Wiggs, Travis C <travis.wiggs@oah.nc.gov>  
**Cc:** Burgos, Alexander N <alexander.burgos@oah.nc.gov>  
**Subject:** RE: [External] RE: Periodic Review 20 NCAC 03

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Thank you for the quick guidance! Our next LGC meeting is the first Tuesday in December, well before the January 20<sup>th</sup> deadline.

Thank you again,



**BRADFORD B. BRINER**  
STATE TREASURER OF NORTH CAROLINA

**Elizabeth Hawley**  
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**From:** Wiggs, Travis C <[travis.wiggs@oah.nc.gov](mailto:travis.wiggs@oah.nc.gov)>  
**Sent:** Tuesday, November 18, 2025 12:30 PM  
**To:** Elizabeth Hawley <[Elizabeth.Hawley@nctreasurer.com](mailto:Elizabeth.Hawley@nctreasurer.com)>  
**Cc:** Burgos, Alexander N <[alexander.burgos@oah.nc.gov](mailto:alexander.burgos@oah.nc.gov)>  
**Subject:** RE: [External] RE: Periodic Review 20 NCAC 03

Good afternoon,

Thank you for the inquiry. To my knowledge, there is no legal requirement that your Commission formally approve the planned timeline for readoption. However, most agencies that are a board or commission seem to be getting formal approval prior to agreeing to the readoption deadline. Rule 26 NCAC 05 .0212(b) accounts for boards or



commissions taking such actions by allowing “10 days after the board or commission’s next regularly scheduled meeting” to provide the RRC with the readoption timeline.

Thanks,

Travis C. Wiggs  
Rules Review Commission Counsel  
Office of Administrative Hearings  
Telephone: 984-236-1929  
Email: [travis.wiggs@oah.nc.gov](mailto:travis.wiggs@oah.nc.gov)

## Burgos, Alexander N

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**Subject:** FW: [External] RE: Periodic Review 20 NCAC 03

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**From:** Elizabeth Hawley <Elizabeth.Hawley@nctreasurer.com>  
**Sent:** Thursday, November 13, 2025 2:42 PM  
**To:** Wiggs, Travis C <travis.wiggs@oah.nc.gov>  
**Cc:** Burgos, Alexander N <alexander.burgos@oah.nc.gov>  
**Subject:** [External] RE: Periodic Review 20 NCAC 03

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Thank you Mr. Wiggs, I will discuss with staff and get the chosen date back to you!



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**From:** Wiggs, Travis C <[travis.wiggs@oah.nc.gov](mailto:travis.wiggs@oah.nc.gov)>  
**Sent:** Thursday, November 13, 2025 2:40 PM  
**To:** Elizabeth Hawley <[Elizabeth.Hawley@nctreasurer.com](mailto:Elizabeth.Hawley@nctreasurer.com)>  
**Cc:** Burgos, Alexander N <[alexander.burgos@oah.nc.gov](mailto:alexander.burgos@oah.nc.gov)>  
**Subject:** FW: Periodic Review 20 NCAC 03

Ms. Hawley,

Good afternoon. Please see the attached and the email below. My original email was mistakenly sent to the wrong agency.

Please let me know if you have any questions.

Thanks,

Travis C. Wiggs  
Rules Review Commission Counsel  
Office of Administrative Hearings  
Telephone: 984-236-1929  
Email: [travis.wiggs@oah.nc.gov](mailto:travis.wiggs@oah.nc.gov)

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**From:** Wiggs, Travis C  
**Sent:** Wednesday, November 12, 2025 12:33 PM  
**To:** Pelfrey, Stephen W  
**Cc:** Burgos, Alexander N <[alexander.burgos@oah.nc.gov](mailto:alexander.burgos@oah.nc.gov)>  
**Subject:** RE: Periodic Review 20 NCAC 03

Good afternoon,

The attached periodic review report has been finalized. The next step is to set a deadline for the readoption of the “Necessary” rules. Pursuant to G.S. 150B-21.3A and 26 NCAC 05 .0212, the RRC sets this deadline after consultation with the agency, and this email serves as the RRC’s request for that consultation. Please review 26 NCAC 05 .0212 for the information required to be submitted to the RRC, and the deadlines for doing so.

The deadline for your agency to provide this information is **January 20, 2026**. As a starting point, I’m proposing two readoption deadlines options for your consideration: **January 1, 2027; November 1, 2028; or April 1, 2029**. I am open to considering a different readoption deadline based on the needs of your agency.

Please reply to confirm receipt of this email. Let me know if you have any questions.

Thank you.

Travis C. Wiggs  
Rules Review Commission Counsel  
Office of Administrative Hearings  
Telephone: 984-236-1929  
Email: [travis.wiggs@oah.nc.gov](mailto:travis.wiggs@oah.nc.gov)

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**From:** Julie B. Eddins <[julie.eddins@oah.nc.gov](mailto:julie.eddins@oah.nc.gov)>  
**Sent:** Friday, November 7, 2025 2:59 PM  
**To:** Pelfrey, Stephen W <[stephen.pelfrey@ncdor.gov](mailto:stephen.pelfrey@ncdor.gov)>  
**Cc:** Wiggs, Travis C <[travis.wiggs@oah.nc.gov](mailto:travis.wiggs@oah.nc.gov)>  
**Subject:** Periodic Review 20 NCAC 03

Good afternoon,

The determinations in the attached periodic review report for 20 NCAC 03 were effective September 30, 2025. Commission Counsel Travis Wiggs will reach out to you to discuss setting the readoption date.

Let me know if you have any questions.

Julie

***Julie B. Eddins***  
*Publications Coordinator*

*NC Office of Administrative Hearings*  
*Phone 984-236-1937 (direct)*  
[julie.eddins@oah.nc.gov](mailto:julie.eddins@oah.nc.gov)



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