

Burgos, Alexander N

From: Strong, Donya M
Sent: Friday, July 26, 2024 4:28 PM
To: Wiggs, Travis C
Cc: Burgos, Alexander N; Ascher, Seth M
Subject: Re: Periodic Review and Expiration of Existing Rules

Good afternoon Mr. Wiggs,

Yes, your information is correct. The Department of Administration does wish for the existing rules in 25 NCAC 02 to expire.

Thank you,
Donya Strong



Donya M. Strong, Esq.

(she/her)

General Counsel

Office 984-236-0003

Cell 984-789-0342

Donya.strong@doa.nc.gov

116 West Jones St., Raleigh, NC 27603

1301 Mail Service Center

ncadmin.nc.gov

From: Wiggs, Travis C <travis.wiggs@oah.nc.gov>
Sent: Friday, July 26, 2024 3:49 PM
To: Strong, Donya M <donya.strong@doa.nc.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>; Ascher, Seth M <seth.ascher@oah.nc.gov>
Subject: Periodic Review and Expiration of Existing Rules

Good afternoon,

Pursuant to G.S. 150B-21.3A, all agencies subject to rulemaking under Article 2A of the North Carolina Administrative Procedure Act are required to review all existing rules in the North Carolina Administrative Code. Your agency's report for **25 NCAC 02** for the periodic review of existing rules is scheduled for review by the RRC at the August 2024 meeting. The filing deadline was **July 20, 2024**. As of this date, OAH records show that the report for 25 NCAC 02 has not been submitted by your agency.

OAH staff and the Codifier of Rules have emailed you several times, beginning December 11, 2023, requesting your agency's report for the periodic review of existing rules. I've been told it has been verbally communicated to RRC Staff that your agency wishes for the above cited rules to expire from the Code. Is this correct?

Please reply at your earliest convenience. Thank you.

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

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Burgos, Alexander N

From: Burgos, Alexander N
Sent: Tuesday, April 2, 2024 10:41 AM
To: Strong, Donya M
Cc: Snyder, Ashley B; McGhee, Dana
Subject: 25 NCAC 02 - REMINDER: Important dates for your agency's rules

Importance: High

Good morning Donya:

This email is to serve as a reminder that your report for the Periodic Review and Expiration of Existing Rules is scheduled to be reviewed by the Rules Review Commission at its **August 2024 meeting**. The filing deadline is **July 20, 2024**. As of this date, OAH records show that the report for 25 NCAC 02 has not been submitted for posting to begin the 60-day comment period. Please see the prior email below.

If you have questions or concerns, please contact OAH Rules Division staff immediately.

Thank you,
Alex

Alexander Burgos

Paralegal
Office of Administrative Hearings
1711 New Hope Church Road
Raleigh NC, 27609
(984) 236-1940
Alexander.burgos@oah.nc.gov

From: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Sent: Thursday, January 4, 2024 2:56 PM
To: Strong, Donya M <donya.strong@doa.nc.gov>
Cc: Snyder, Ashley B <ashley.snyder@oah.nc.gov>; McGhee, Dana <dana.McGhee@oah.nc.gov>
Subject: FW: Your report(s) for the Periodic Review and Expiration of Existing Rules schedule-25 NCAC 02

Good afternoon, Donya, as indicated in Ashley's email below, I am sending you the report for 25 NCAC 02 as the rulemaking coordinator for DOA and omitting OSHR in this email.

Please acknowledge receipt of this email!

Attached is your agency's report for **25 NCAC 02** for the periodic review of existing rules. This report is scheduled for review by the RRC at the August 2024 meeting. The filing deadline is **July 22, 2024**.

Please email oah.rules@oah.nc.gov within 10 business days of any errors in the report(s) after reviewing the following:

1. Verify that we have the correct Rulemaking Agency listed on row 2 of the report(s)
2. Ensure that no rules are missing from the report and that the history note is correct

Let me know if you have any questions,
Alex

Alexander Burgos

Paralegal

Office of Administrative Hearings

1711 New Hope Church Road

Raleigh NC, 27609

(984) 236-1940

Alexander.burgos@oah.nc.gov

From: Snyder, Ashley B <ashley.snyder@oah.nc.gov>

Sent: Thursday, January 4, 2024 2:39 PM

To: Strong, Donya M <donya.strong@doa.nc.gov>

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

Subject: RE: Your report(s) for the Periodic Review and Expiration of Existing Rules schedule

Good afternoon, Donya,

I hope your new year is off to a good start. It seems OSHR's position is that the rules in 25 NCAC 02 do not belong to OSHR and may fall under the umbrella of DOA. Based on what I can find and as OSHR indicated, the rulemaking agency is North Carolina Office on the Americans with Disabilities Act. We will update the agency name and resubmit the report only to you as DOA's rulemaking coordinator to complete the process. If DOA also has no ownership of these rules, please let us know.

Thanks,

Ashley Snyder

Codifier of Rules

Office of Administrative Hearings

(984) 236-1941

From: McGhee, Dana <dana.McGhee@oah.nc.gov>

Sent: Thursday, January 4, 2024 2:27 PM

To: Snyder, Ashley B <ashley.snyder@oah.nc.gov>

Subject: FW: Your report(s) for the Periodic Review and Expiration of Existing Rules schedule

From: Thomas, Blake <Blake.Thomas@nc.gov>

Sent: Thursday, December 28, 2023 6:24 PM

To: Burgos, Alexander N <alexander.burgos@oah.nc.gov>; Strong, Donya M <donya.strong@doa.nc.gov>; Mazza, Denise H <denise.mazza@nc.gov>

Cc: Snyder, Ashley B <ashley.snyder@oah.nc.gov>; McGhee, Dana <dana.McGhee@oah.nc.gov>

Subject: RE: Your report(s) for the Periodic Review and Expiration of Existing Rules schedule

Alex,

Here is our response to your message on the periodic review of 25 NCAC 02.

1. Verify that we have the correct Rulemaking Agency listed on row 2 of the report(s)

This should read “North Carolina Office on the Americans with Disabilities Act.” It appears to be a program within the authority of the Department of Administration.

2. Ensure that no rules are missing from the report and that the history note is correct.

Correct.

Best regards,
--Blake

Blake Thomas

General Counsel

Desk: (984) 236-0822 Cell: (984) 303-8438

Blake.Thomas@nc.gov

he/him/his



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

Sent: Monday, December 11, 2023 8:55 AM

To: Strong, Donya M <donya.strong@doa.nc.gov>; Thomas, Blake <Blake.Thomas@nc.gov>; Mazza, Denise H <denise.mazza@nc.gov>

Cc: Snyder, Ashley B <ashley.snyder@oah.nc.gov>; McGhee, Dana <dana.McGhee@oah.nc.gov>

Subject: Your report(s) for the Periodic Review and Expiration of Existing Rules schedule

Importance: High

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Alex

Alexander Burgos

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