

REQUEST FOR TECHNICAL CHANGE

AGENCY: North Carolina Capital Finances Agency

RULE CITATION: 20 NCAC 09 .0101

DEADLINE FOR RECEIPT: Thursday, October 12, 2017

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following technical changes be made:

In (a), line 11, please capitalize "State's" if you are referring to North Carolina.

In (b), line 13, do you need to keep "general"?

In (b)(1), line 14, why are you capitalizing "Secretary" in "secretary-treasurer"? I note it's not capitalized in statute. If you need to keep this capitalization to be consistent with the rest of the Chapter, that is fine. But I wanted to check.

Consider adding G.S. 159D-39 to the History Note, as this speaks to the Board's power to carry out the functions of Chapter 159D.

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Amanda J. Reeder
Commission Counsel
Date submitted to agency: September 27, 2017

1 20 NCAC 09 .0101 is amended pursuant to G.S. 150B-21.5(a)(2) and (a)(4) as follows:

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3 **CHAPTER 9 - ~~EDUCATIONAL~~ NORTH CAROLINA CAPITAL FACILITIES FINANCE AGENCY**

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6 **SECTION .0100 - GENERAL PROVISIONS**

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9 **20 NCAC 09 .0101 ORGANIZATION AND FUNCTIONS**

10 (a) The ~~Educational~~ North Carolina Capital Facilities Finance Agency operates within the Department of State
11 Treasurer and is the state's agency charged with the duty of advising and assisting institutions of higher education in
12 financing the construction and renovation of higher education facilities.

13 (b) The following is general information about the ~~Educational~~ North Carolina Capital Facilities Finance Agency:

14 (1) the Administrative Officer is the Secretary-treasurer of the Agency;

15 (2) the mailing address is ~~325 North Salisbury Street,~~ 3200 Atlantic Avenue, Raleigh, North Carolina
16 27611;27604; and

17 (3) the office is located in the ~~Albemarle Longleaf Building, 325 North Salisbury Street,~~ 3200 Atlantic
18 Avenue, Raleigh, North Carolina 27604.

19 (c) The staff of the ~~Educational~~ North Carolina Capital Facilities Finance Agency is provided by the State and Local
20 Government Finance Division.

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22 *History Note: Filed as a Temporary Adoption Eff. September 30, 1987,*
23 *for a Period of 153 Days to Expire on March 1, 1988;*
24 *Authority G.S. 159D-38(e);*
25 *Eff. March 1, ~~1988;~~1988;*
26 *Amended Eff. November 1, 2017.*
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REQUEST FOR TECHNICAL CHANGE

AGENCY: North Carolina Capital Finances Agency

RULE CITATION: 20 NCAC 09 .0102

DEADLINE FOR RECEIPT: Thursday, October 12, 2017

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following technical changes be made:

On line 5, please delete "clearly." I looked at the use of both terms in the other rules in the Chapter, and it does not appear that either is used inconsistently. I understand that given this is an amendment pursuant to G.S. 150B-21.5, you may not wish to make many changes to the existing text. In the future, you might want to simply state "... when used this Chapter:" Or you can make that change now, if you feel comfortable doing so.

In (a), line 6, please replace "and/or" with "or"

Consider adding G.S. 159D-39 to the History Note.

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Amanda J. Reeder
Commission Counsel
Date submitted to agency: September 27, 2017

1 20 NCAC 09 .0102 is amended pursuant to G.S. 150B-21.5(a)(2) as follows:

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3 **20 NCAC 09 .0102 DEFINITIONS**

4 The words and phrases defined in this Rule will have the meanings indicated when used in this Chapter, unless the
5 context clearly requires another meaning:

6 (a) "Agency" is the ~~Educational~~North Carolina Capital Facilities Finance Agency and/or the
7 Board of Directors thereof.

8 (b) "Secretary-treasurer" is the Secretary-treasurer of the ~~Educational~~North Carolina Capital
9 Facilities Finance Agency.

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11 *History Note:* Filed as a Temporary Adoption Eff. September 30, 1987,

12 for a Period of 153 Days to Expire on March 1, 1988;

13 Authority G.S. 159D-37;

14 Eff. March 1, ~~1988~~.1988;

15 Amended Eff. November 1, 2017.

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