REQUEST FOR TECHNICAL CHANGE

AGENCY: NC ALCOHOLIC BEVERAGE CONTROL COMMISSION

RULE CITATION: 04 NCAC 02R .0902

DEADLINE FOR RECEIPT: TUESDAY, OCTOBER 18, 2011

***NOTE WELL: This request when viewed on computer extends several pages. Please be sure you have reached the end of the document.***

The Rules Review Commission staff has completed its opinion review of this rule or set of rules your agency filed with the RRC for review by the RRC at its next meeting. The Commission has not yet met and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.10.

*It seems to me that the rule in (b) would be much easier to read if the figures in (b)(2) were reversed to read: “with gross sales equal to or greater than $1,500,000 and less than $50,000,000; and.”*

*In the history note it seems that 18B-702(e) should be 18B-702(u) based on S.L. 2010-122; please verify.*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and deliver it to our office at 1711 New Hope Church Rd, Raleigh, North Carolina 27609.

If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca, Jr.

Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC ALCOHOLIC BEVERAGE CONTROL COMMISSION

RULE CITATION: 04 NCAC 02R .1703

DEADLINE FOR RECEIPT: TUESDAY, OCTOBER 18, 2011

The Rules Review Commission staff has completed its opinion review of this rule or set of rules your agency filed with the RRC for review by the RRC at its next meeting. The Commission has not yet met and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.10.

*In (a)(1) line 5 and (b)(1) line 16 please delete or define “well lit.”*

*I have less problem with “clean” and “faded or worn” in (a)(2) – (4) and (b)(2), but these could become an issue as well.*

*In (a)(7) line 14 delete or define “up-to-date.”*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and deliver it to our office at 1711 New Hope Church Rd, Raleigh, North Carolina 27609.

If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca, Jr.

Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC ALCOHOLIC BEVERAGE CONTROL COMMISSION

RULE CITATION: 04 NCAC 02R .1706

DEADLINE FOR RECEIPT: TUESDAY, OCTOBER 18, 2011

The Rules Review Commission staff has completed its opinion review of this rule or set of rules your agency filed with the RRC for review by the RRC at its next meeting. The Commission has not yet met and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.10.

*In (a) lines 4 and 5 delete or define “promptly [and] quietly.”*

*In (a) line 5 change “should” to “shall,” “must” or “may” or delete the requirement.*

*Please define the meaning of “loitering.”*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and deliver it to our office at 1711 New Hope Church Rd, Raleigh, North Carolina 27609.

If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca, Jr.

Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC ALCOHOLIC BEVERAGE CONTROL COMMISSION

RULE CITATION: 04 NCAC 02S .0201

DEADLINE FOR RECEIPT: TUESDAY, OCTOBER 18, 2011

The Rules Review Commission staff has completed its opinion review of this rule or set of rules your agency filed with the RRC for review by the RRC at its next meeting. The Commission has not yet met and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.10.

*It seems to me that 18B-104 is not relevant authority for this rule and could be deleted.*

*You repeated the use of 18B-1003(b) in the authority portion of the history note.*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and deliver it to our office at 1711 New Hope Church Rd, Raleigh, North Carolina 27609.

If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca, Jr.

Commission Counsel