I. Title 01, SubChapter 01A (Interviewing, Vacancy Lists)

Agency: Department of Administration
Contact: William E. H. Creech, Rule-Making Coordinator, 919-807-2425
Rule Title: Interviewing, Vacancy Lists
Rule citation: 01 NCAC 01A .0303 - .0304
Statutory Authority: G.S. 143B-10
State impact: No
Local impact: No
Federal government impact: No
Substantial economic impact: No

Description of rule change: Repeal. These rules do not reflect current or expected future practice and do not reflect Human Resources best practices. Except to provide an important incremental benefit – along with other similar repeals – of ridding the Administrative Code of unnecessary rules, this repeal will not impact any existing entity economically or otherwise. These rules are among those previously recommended by OSBM to the General Assembly for repeal.

Rule text:

01 NCAC 01A .0303 INTERVIEWING
The departmental personnel office shall be responsible for preliminary interviewing of all applicants for employment and shall refer qualified applicants to vacancies within the Department.

History Note: Authority G.S. 143B-10;
Eff. February 1, 1976;
Readopted Eff. February 27, 1979.

01 NCAC 01A .0304 VACANCY LISTS
The departmental personnel office prepares weekly job vacancy lists for circulation in accordance with affirmative action policies. All inquiries regarding this list shall be directed to the personnel officer.

History Note: Authority G.S. 143B-10;
Eff. February 1, 1976;
Readopted Eff. February 27, 1979;
II. Title 01, Chapter 09 (Balanced Growth Policy Committee)

Agency: Department of Administration
Contact: William E. H. Creech, Rule-Making Coordinator, 919-807-2425
Rule Title (Chapter): Balanced Growth Policy Committee
Rule citation: 01 NCAC 09 .0401-.0406
Statutory Authority: G.S. 143-506.7 & 143-506.10
State impact: No
Local impact: No
Federal government impact: No
Substantial economic impact: No

Description of rule change: Repeal. This rule change repeals all rules in Section .0400. There is no longer an “Interim Balanced Growth Board” and, therefore, the rules are obsolete. Except to provide an important incremental benefit – along with other similar repeals – of ridding the Administrative Code of unnecessary rules, this repeal will not impact any existing entity economically or otherwise. These rules are among those previously recommended by OSBM to the General Assembly for repeal.

Rule text:

01 NCAC 09 .0401 PURPOSE
To identify those procedures and criteria used by the Interim Balanced Growth Board in formulating its recommendations on designation of growth centers.

History Note: Authority G.S. 143-506.7; Eff. December 3, 1980; Transferred From T01:10 Eff. January 1, 1982.

01 NCAC 09 .0402 DEFINITIONS
As used in this Section:
(1) "Area center" means the class of growth center defined as an urban cluster having at least five percent of a multi-county planning region's population or retail sales or having at least twenty thousand people or fifty million dollars ($50,000,000) in retail sales annually.
(2) "Balanced Growth Committee" means a committee of the Interim Balanced Growth Board charged by the Board to develop draft recommendations on the implementation of the Balanced Growth Policy.
(3) "Community employment center" means the class of growth center defined as an urban cluster having at least five percent of the county's population or retail sales, or having at least twenty-five hundred people or ten million dollars ($10,000,000) in retail sales annually.
(4) "Dual designation" means the designation of those eligible clusters participating in a single application to recognize the instances in which the (clusters) together have a greater statewide role than they play individually.
(5) "Eligible applicants" means cities and counties which are part of an urban cluster.

(6) "Growth center boundary" means the perimeter of the growth center and may include the urban cluster and/or areas outside but adjacent to the cluster which are currently serviced by public water and sewer systems or extraterritorial planning areas outside of the cluster.

(7) "Growth center" means those areas with the capacity to accommodate additional growth, the potential to grow, and the willingness to pursue orderly development.

(8) "Government service center" means the class of growth center defined as an urban cluster which provides government services (usually the county seat) in a county that has no other eligible growth centers.

(9) "Interim Balanced Growth Board" means the advisory board composed of the Local Government Advocacy Council, the State Goals and Policy Board which is charged by the Governor to advise him on the implementation of Balanced Growth Policy.

(10) "Provisional growth center" means those population clusters that are on the threshold of qualifying for designation. Threshold means that an urban cluster is within 15 percent of population size or annual retail sales of a Community Employment Center or has been designated as a Community of Excellence by the Department of Commerce, and are actively working toward meeting the minimum criteria for designation as a growth center.

(11) "Regional center" means the class of growth center defined as the dominant urban cluster within a multi-county planning region.

(12) "Seasonal center" means the class of growth center defined as an urban cluster located in a tourist oriented area in a county with greater than six percent of its annual retail sales coming from travel expenditure, and with fifty percent or more of its commercial lodging being seasonal (not year-round).

(13) "Statewide center" means the class of growth center defined as an urban cluster with more than three percent of the state's population or annual retail sales.

(14) "Urban cluster" or cluster means an incorporated place, or places, that is an active municipality or an unincorporated area of at least 1,000 persons, and all adjacent census enumeration districts with a density of 200 or more persons per square mile. More than one municipality may be contained within a single urban cluster.


01 NCAC 09 .0403 ORGANIZATION

(a) The Interim Balanced Growth Board as charged by the Governor, shall recommend to the Governor, areas for designation of growth centers. Generally, the Interim Balanced Growth Board meets through its Balanced Growth Committee and its component boards, the State Goals and Policy Board and the Local Government Advocacy Council.

(b) The Division of Policy Development of the Department of Administration and the Office of Local Government Advocacy shall provide staff support to the Interim
Balanced Growth Board in the formulation of its recommendations for growth center
designations.
(c) The Balanced Growth Committee shall review and consider recommendations on the
designation of growth centers and make those recommendations to the Interim Balanced
Growth Board.
(d) Staff support is provided primarily by the North Carolina Department of
Administration. Applications and information may be obtained by writing the Interim
Balanced Growth Board, North Carolina Department of Administration, 116 West Jones
Street, Raleigh, North Carolina 27611.

History Note: Authority G.S. 143-506.10;
Eff. December 3, 1980;

01 NCAC 09 .0404 CRITERIA FOR DESIGNATION OF GROWTH CENTERS
(a) The Interim Balanced Growth Board as charged by the Governor shall develop
criteria for designation of growth centers and recommend those criteria to the Governor
for his adoption:
(1) The Interim Balanced Growth Board shall consider draft criteria.
(2) Copies of draft criteria shall be available to the public upon request.
(3) The Interim Balanced Growth Board shall hold meetings, open to the public, to
explain and accept comments on the draft criteria.
(b) The Interim Balanced Growth Board shall recommend to the Governor, for his
consideration and adoption, criteria for analyzing a growth center. Generally, the criteria
will address community attitude, availability of public services, administrative capability,
and economic development activities.
(c) Revisions to the criteria shall be proposed to the Governor by the Interim Balanced
Growth Board with the advice of citizens and city and county officials.
(d) Policy determinations related to the application of the criteria shall be recommended
by the Interim Balanced Growth Board as appropriate.
(e) The current criteria for designation of growth centers may be obtained by writing the
address shown in Rule .0403(d) of this Section.

History Note: Authority G.S. 143-506.10;
Eff. December 3, 1980;

01 NCAC 09 .0405 APPLICATION FOR GROWTH CENTER DESIGNATION
(a) The Interim Balanced Growth Board shall contact all eligible applicants informing
them of the opportunity to submit application for growth center designation.
(b) The Interim Balanced Growth Board shall provide eligible applicants with copies of
the criteria and application forms.
(c) The governing board of each jurisdiction participating in an application for growth
center designation shall adopt and submit a resolution indicating willingness to seek
designation.
(d) The Interim Balanced Growth Board shall establish a period to time during which it will accept applications on an annual basis and shall accept applications for review at other times on a case-by-case basis.

(e) Revisions to applications shall be accompanied by a letter from the chief elected official(s) of the participating jurisdiction(s).


01 NCAC 09 .0406 REVIEW OF APPLICATION

(a) The Interim Balanced Growth Board shall review each application to consider its completeness and the degree to which the applicant has identified its willingness, potential and service capabilities for designation as a growth center.

(b) Any single application consisting of separate clusters from within the same county should be accepted to promote improved cooperation and communication on decision making and to recognize a commonality of interest among adjoining local jurisdictions.

(c) Any single application in which the dominant jurisdiction crosses a county boundary and which meets the growth center criteria should be accepted to promote improved cooperation and communication on decision making and to recognize a commonality of interest among adjoining local jurisdictions.

(d) Any single application consisting of separate clusters seeking statewide center designation, and which meets the growth center criteria, should receive dual classification as a statewide center and as individual growth centers in appropriate categories to recognize the unique and individual role the centers play within each region as well as the greater statewide role that a combination of centers can play.

(e) When a single cluster is represented by more than one application, the Interim Balanced Growth Board should urge all applicants from the same cluster to submit a single application in the interest of encouraging local cooperation and communication on decision-making. However, should the applicants proceed separately, each will be received on the basis of population, retail sales and other factors within the supporting jurisdictions only.

(f) The Balanced Growth Committee shall develop recommendations for the designation of growth centers and transmit them to the Interim Balanced Growth Board.

(g) The components of the Interim Balanced Growth Board, the State Goals, and Policy Board and the Local Government Advocacy Council shall consider the (draft) recommendations of the Balanced Growth Committee and develop final recommendations to be transmitted to the Governor.

III. Title 01, Chapter 11 (Human Relations Council)

Agency: Department of Administration
Contact: William E. H. Creech, Rule-Making Coordinator, 919-807-2425
Rule Title (Chapter): Human Relations Council
Rule citation: 01 NCAC 11 .2102-.2105, .2111, .2116, .2201-.2204
Statutory Authority: G.S. 41A-1; 41A-2; G.S. 41A-7; 41A-8; 143-422.3
State impact: No
Local impact: No
Federal government impact: No
Substantial economic impact: No

Description of rule change: Repeal. This rule change repeals all rules in Chapter 11. These rules are duplicative of state statute (N.C.G.S. Chapter 41A) and federal statute and regulations (42 U.S.C. 3600-3620 and 24 C.F.R. Subchapter A, respectively) and, therefore, are unnecessary. Except to provide an important incremental benefit – along with other similar repeals – of ridding the Administrative Code of redundant or unnecessary rules, this repeal will not impact any existing entity economically or otherwise. These rules are among those previously recommended by OSBM to the General Assembly for repeal.

Rule text:

01 NCAC 11 .2102 DEFINITIONS
When used in this Section, the following terms shall have the following meanings unless the context clearly requires a different meaning:
(1) "Act" shall mean the State Fair Housing Act, North Carolina General Statutes 41A.
(2) "Complainant" shall mean any person who files a complaint with the Council alleging injury as a result of an illegal discriminatory housing practice.
(3) "Complaint" shall mean a sworn statement filed with the Council, on a form provided for this purpose by the Council, which alleges that an unlawful discriminatory housing practice has occurred or is going to occur.
(4) "Director" shall mean the executive director of the Council or, in his or her absence or inability to serve, the assistant director of the Council.
(5) "Records" shall mean any written, printed, taped, photographic, stenographic, microfilmed, computerized or other form or document used for the storage of information.
(6) "Respondent" shall mean any person against whom a complaint has been filed with the Council.

History Note: Authority G.S. 41A-1; 41A-2;
Eff. October 1, 1983;

01 NCAC 11 .2103 COMPLAINTS: FORM: CONTENTS: FILING
(a) Each complaint must be made in writing and must be on a form provided by the Council.
(b) Each complaint must contain the following:
   (1) _______ the name and address of the complainant;
   (2) _______ the name and address of the respondent, if known;
   (3) _______ a statement of the facts upon which the allegations of an unlawful discriminatory housing practice is based;
   (4) _______ the latest date on which the alleged unlawful discriminatory housing practice occurred, or a statement that the unlawful housing practice is presently continuing; and
   (5) _______ the notarized signature of the complainant.
(c) Each complaint must be filed with 180 days after the date on which the alleged discriminatory housing practice occurred. In the case of an alleged discriminatory practice which is continuous, the complaint must be filed within 180 days after the last day on which the alleged discriminatory practice took place.
(d) A complaint will be considered filed with the Council when it has been received and date-stamped at the Council's office at 121 West Jones Street, Raleigh, North Carolina 27603.

History Note: Authority G.S. 41A-7; Eff. October 1, 1983; Amended Eff. February 1, 1989.

01 NCAC 11.2104 AMENDMENT OF COMPLAINT
(a) With the approval of the director, a complaint may be amended by the complainant to correct typographical errors and errors of fact, to clarify and amplify allegations contained in the complaint, to add other allegations of unlawful discriminatory housing practices related to or growing out of the subject matter of the original complaint and to add the names of respondents discovered during the course of processing of the complaint.
(b) Amendments must be filed on forms provided by the Council.
(c) Amendments will be considered filed with the Council when they are received and date-stamped in the Council's office at 121 West Jones Street, Raleigh, North Carolina 27603.
(d) Within ten days after the filing of an amendment, the Council shall notify all the original respondents of the filing and provide each respondent with a copy of the amendment. Each respondent shall be given an appropriate amount of time to respond to the amendment.
(e) If the amendment includes new respondents, within ten days after the amendment is filed each new respondent shall be notified of the filing of the complaint and the amendment, and shall be given the same opportunity to answer the complaint as was provided to the original respondents after the filing of the original complaint.
(f) Amendments need not contain a restatement of the entire text of the original complaint. Amendments may adopt the original complaint by reference and include a statement of the additions or corrections being made by the amendment.
(g) All claims asserted in an amendment are deemed to have been made at the time the original complaint was filed. All new respondents named in an amendment are deemed to have been named at the time the original complaint was filed.

History Note: Authority G.S. 41A-7; Eff. October 1, 1983; Amended Eff. February 1, 1989.

01 NCAC 11 .2105 WITHDRAWAL OF COMPLAINT
A complaint may be withdrawn upon the written request of the complainant. The reasons for the withdrawal shall be stated within the request. When a case is withdrawn, it shall be without prejudice to the rights of the complainant.

History Note: Authority G.S. 41A-7; Eff. October 1, 1983; Amended Eff. February 1, 1989.

01 NCAC 11 .2111 INVESTIGATION: SUBPOENAS
(a) In conducting an investigation, Council employees may at any reasonable time request access to individuals for questioning, and may request access to premises, records, documents, and other evidence, or possible sources of evidence, relevant to the complaint, for inspection and copying.

(b) If a request pursuant to Paragraph (a) of this Rule is denied, the Council may issue a subpoena or subpoena duces tecum compelling an individual to appear before a Council employee for questioning, and the Council may issue a subpoena or subpoena duces tecum compelling a person or persons to provide access to premises or production of evidence.

History Note: Authority G.S. 41A-8; Eff. October 1, 1983; Amended Eff. March 1, 1989.

01 NCAC 11 .2116 CONCILIATION AGREEMENTS
(a) Any or all parties to a complaint, including the Council, may agree to resolve a complaint at any time. The Council shall consider a complaint resolved, and shall close its processing of the complaint if:

(1) the terms of the agreement are reduced to a written conciliation agreement;
(2) all parties to the agreement have signed the written agreement; and
(3) the Council is a party to the agreement and the director has signed the written agreement.

(b) If a complainant and a respondent agree to resolve a complaint without including the Council as a party to the agreement, the Council shall continue to process the complaint unless:

(1) the director determines that the terms of the agreement are consistent with the goals and purposes of the Act;
(2) the complainant withdraws the complaint.
(e) In a complaint involving multiple complainants or multiple respondents, any one or more complainants may agree to resolve the complaint with any one or more respondents. If such an agreement is reached between some, but not all, of the complainants and respondents, and if the Council is a party to the agreement, the Council shall consider the complaint resolved and shall close its processing of the complaint as it concerns the differences and allegations between the parties to the agreement. The Council shall continue to process the complaint as it concerns differences and allegations between parties who have not reached an agreement.

History Note: Authority G.S. 41A-7; Eff. October 1, 1983; Amended Eff. February 1, 1989.

01 NCAC 11 .2201 DEFINITIONS
As used in this Section, the following terms shall have the following meanings unless the context clearly requires a different meaning:

(1) "Complainant" shall mean any person who files a complaint with the Council;
(2) "Complaint" shall mean a sworn statement filed with the Council, on a form provided for this purpose by the Council, which alleges that a discriminatory employment practice has occurred;
(3) "Council" shall mean the North Carolina Human Relations Council;
(4) "Director" shall mean the director of the Council, or in his or her absence or inability to serve, the assistant director of the Council;
(5) "Investigator" shall mean a member of the Council staff designated by the director to investigate the allegations contained in the complaint and to seek voluntary conciliation of the complaint;
(6) "Respondent" shall mean any person, group, organization, or company who is alleged to have committed a discriminatory employment practice.

History Note: Authority G.S. 143-422.3; Eff. February 1, 1989.

01 NCAC 11 .2202 FILING OF COMPLAINT
(a) Within 90 days after the occurrence of a discriminatory employment practice, any person claiming to be injured by such practice may seek to file a complaint with the Council at the Council's office, 121 West Jones Street, Raleigh, North Carolina 27603. A member of the Council staff shall interview each prospective complainant and determine whether or not the facts stated by the prospective complainant alleges a discriminatory employment practice within the jurisdiction of the Council.
(b) Complaints shall be written on a form provided by the Council and signed by the complainant. A member of the Council staff shall assist complainants in reducing complaints to writing and shall assist in setting forth such information as may be required by the Council.

History Note: Authority G.S. 143-422.3; Eff. February 1, 1989.
NOTICE TO RESPONDENT

After a complaint has been filed with the Council, the director shall assign an investigator to the complaint. Within a reasonable time after the filing of a complaint, the investigator shall notify the respondent that a complaint has been filed against it by the complainant, and the investigator shall inform the respondent of the allegations made in the complaint.

History Note: Authority G.S. 143-422.3; Eff. February 1, 1989.

INVESTIGATION; OPINION; AND CONCILIATION

(a) After a complaint has been filed with the Council, the investigator assigned to the complaint shall investigate the matter to determine whether or not a discriminatory employment practice has occurred.

(b) After completing the investigation, the investigator shall report the findings to the director. Based upon the findings, the director shall issue an opinion as to whether or not a discriminatory employment practice occurred. The director shall inform the complainant and the respondent of this opinion.

(c) If the director finds that no discriminatory employment practice has occurred, he or she shall dismiss the complaint and inform the complainant and the respondent of the dismissal. If the director finds that a discriminatory employment practice occurred, he or she may direct the investigator or some other member of the Council staff to seek to resolve the dispute and remedy the discriminatory employment practice by conference, conciliation, and persuasion.

(d) Notwithstanding any other provisions in this Section, any party, including representatives of the Council, may initiate conciliation discussions, and the complaint may be resolved, at any time after the complainant first informs the Council of an allegation of a discriminatory employment practice. If the parties resolve the complaint before the investigation is completed but before the director issues an opinion, the director shall issue no opinion.

History Note: Authority G.S. 143-422.3; Eff. February 1, 1989.
IV. Title 01, Chapter 13 (Office of Citizen Participation)

Agency: Department of Administration
Contact: William E. H. Creech, Rule-Making Coordinator, 919-807-2425
Rule Title (Chapter): Office of Citizen Participation
Rule citation: 01 NCAC 13 .0101-.0103, .0201-.0203, .0301-.0305
Statutory Authority: G.S. 143B-12 to 143B-14
State impact: No
Local impact: No
Federal government impact: No
Substantial economic impact: No

Description of rule change: Repeal. This rule change repeals all rules in Chapter 13. There is no longer an “Office for Citizen Participation.” Therefore, the rules are obsolete. Except to provide an important incremental benefit – along with other similar repeals – of ridding the Administrative Code of unnecessary rules, this repeal will not impact any existing entity economically or otherwise. These rules are among those previously recommended by OSBM to the General Assembly for repeal.

Rule text:

01 NCAC 13 .0101 ORGANIZATION
The North Carolina Office for Citizen Participation is a program within the Department of Administration. It is headed by an executive director who answers to the Assistant Secretary of Administration for Programs. The office is under the direct supervision of the North Carolina Governors Commission on Citizen Participation.

History Note: Authority G.S. 143B-12 to 143B-14;
Eff. February 1, 1976.

01 NCAC 13 .0102 COMMISSION ON CITIZEN PARTICIPATION
The Governors Commission on Citizen Participation consists of the first lady who serves as chairman and nine citizen members who are appointed by the Governor and serve at his pleasure.

History Note: Authority G.S. 143B-12 to 143B-14;
Eff. February 1, 1976.

01 NCAC 13 .0103 PURPOSE
The North Carolina Office for Citizen Participation serves as the catalyst for bringing together both private and public efforts to provide a continuing process of interaction and cooperation among all individuals and groups involved in volunteerism.
01 NCAC 13 .0201 INSTRUCTIONAL MATERIAL
The North Carolina Office for Citizen Participation develops "how to" materials which can be used by local programs throughout the state. Posters, pamphlets and informational sheets on training programs are made available through the community college system.

History Note: Authority G.S. 143B-12 to 143B-14;
Eff. February 1, 1976.

01 NCAC 13 .0202 NEWSLETTER
The North Carolina Office for Citizen Participation publishes a newsletter to foster communications and exchange of ideas among all people working in the volunteer effort.

History Note: Authority G.S. 143B-12 to 143B-14;
Eff. February 1, 1976.

01 NCAC 13 .0203 RESOURCE LIBRARY
The North Carolina Office of Citizen Participation conducts statewide surveys on volunteerism and catalogues this information in a resource library which serves as a point of information and referral for every volunteer effort.

History Note: Authority G.S. 143B-12 to 143B-14;
Eff. February 1, 1976.

01 NCAC 13 .0301 RIGHTS OF VOLUNTEERS
The North Carolina Office for Citizen Participation serves as an advocate for all volunteers concerning their rights as volunteers, their validity and the value of their services to the needs of North Carolina.

History Note: Authority G.S. 143B-12 to 143B-14;
Eff. February 1, 1976.

01 NCAC 13 .0302 TRAINING
The North Carolina Office for Citizen Participation provides a training program for volunteer coordinators. This training is conducted in the form of statewide and regional seminars.

History Note: Authority G.S. 143B-12 to 143B-14; Eff. February 1, 1976.

01 NCAC 13 .0303 PROGRAM EVALUATION
The North Carolina Office for Citizen Participation provides internal and external evaluations of volunteer programs to determine their effectiveness and to assess the progress of the programs in achieving goals and objectives.

History Note: Authority G.S. 143B-12 to 143B-14; Eff. February 1, 1976.

01 NCAC 13 .0304 METHODS OF EVALUATION
Four methods are utilized to determine the effectiveness of volunteer programs. They are:
(1) questionnaires to volunteer groups and agencies,
(2) informal and formal assessment sessions with volunteer groups and agencies,
(3) periodic progress reports to ACTION,
(4) outside consultants.

History Note: Authority G.S. 143B-12 to 143B-14; Eff. February 1, 1976.

01 NCAC 13 .0305 FIELD WORK
The North Carolina Office for Citizen Participation provides visitations to various projects, state agencies, civic clubs and volunteer oriented groups who might decide to provide volunteer assistance in North Carolina.

History Note: Authority G.S. 143B-12 to 143B-14; Eff. February 1, 1976.
V. Title 01, Chapter 19A (Youth Advisory Council)

Agency: Department of Administration
Contact: William E. H. Creech, Rule-Making Coordinator, 919-807-2425
Rule Title: Election of Youth Members.
Rule citation: 01 NCAC 19A .0103
Statutory Authority: G.S. 143B-386 through 143B-388
State impact: No
Local impact: No
Federal government impact: No
Substantial economic impact: No

Description of rule change: Repeal. This rule is unnecessary or duplicative in light of existing statute because N.C.G.S. 143B-386 provides that youth members of the Youth Advisory Council be elected by the procedure adopted by the Youth Advisory Council. Except to provide an important incremental benefit – along with other similar repeals – of ridding the Administrative Code of unnecessary rules, this repeal will not impact any existing entity economically or otherwise. This rule is among those previously recommended by OSBM to the General Assembly for repeal.

Rule text:

01 NCAC 19A .0103 ELECTION OF YOUTH MEMBERS
Election of 10 youth members of the Youth Advisory Council shall be held in May at the State Youth Council's annual convention. Five seniors and five juniors shall be elected. Of the youth members elected under this Rule, the seniors shall serve for a term of one year; the juniors shall serve for two.

Two basic guidelines are suggested for the election of youth members:
(1) Youth members are to be representative of:
(a) organized youth groups in the state;
(b) geographic areas of the state;
(c) economic and ethnic groups of the state;
(2) Prospective youth members are to have demonstrated or have potential leadership qualities.

Youth members elected in May shall have the privilege of attending meetings of the council and assignment to committees with the right of discussion but without the right of vote until their terms of office begin in July.

History Note: Authority G.S. 143B-386 through 143B-388;
Eff. February 1, 1976;
Readopted Eff. February 27, 1979.
VI. Title 01, SubChapter 19B (State Youth Involvement Office)

Agency: Department of Administration
Contact: William E. H. Creech, Rule-Making Coordinator, 919-807-2425
Rule Title (SubChapter): State Youth Involvement Office
Rule citation: 01 NCAC 19B .0101-.0103, .0201-.0301-.0303
Statutory Authority: G.S. 143B-10; Exec. Order No. 27
State impact: No
Local impact: No
Federal government impact: No
Substantial economic impact: No

Description of rule change: Repeal. This rule change repeals all rules in SubChapter 19B. The North Carolina Fund for Children and Families Commission (established by Executive Order) is defunct and no longer receives appropriations. Therefore, the rules are obsolete. Except to provide an important incremental benefit – along with other similar repeals – of ridding the Administrative Code of unnecessary rules, this repeal will not impact any existing entity economically or otherwise. These rules are among those previously recommended by OSBM to the General Assembly for repeal.

Rule text:

01 NCAC 19B .0101  AUTHORITY AND PURPOSE
The North Carolina Fund for Children and Families Commission, hereinafter referred to as commission, is established by Exec. Order No. 27. The commission is responsible for administering the North Carolina Fund for Children and Families, hereinafter referred to as the fund, which provides financial assistance to organizations that manage community treatment programs for abused, neglected and exploited children and their families.

History Note: Filed as a Temporary Rule Eff. May 2, 1988 For a Period of 180 Days to Expire on October 29, 1988;
Statutory Authority G.S. 143B-10; Exec. Order No. 27;

01 NCAC 19B .0102  REQUESTS FOR INFORMATION BY THE PUBLIC
Any citizen, group, organization or any unit of government may request in writing information on any action taken by the commission by writing to:
North Carolina Fund for Children and Families Commission
Youth Advocacy and Involvement Office
121 West Jones Street
Raleigh, North Carolina 27603
01 NCAC 19B .0103  CONFIDENTIALITY OF CLIENT INFORMATION
Each applicant applying for a grant from the Fund is responsible for maintaining and discussing client information in such manner as to prevent disclosure of privileged communications.

01 NCAC 19B .0201  SELECTION CRITERIA
In selecting the recipients of grants from the fund, the commission shall take into consideration such factors as:
(1) General description of the clients to be served or beneficiaries of the program;
(2) Statement of clients' needs to be addressed by the proposed program within the geographic service area of the applicant (expressed in quantitative terms to the extent possible);
(3) Statement of specific program objectives designed to meet clients' needs and the method(s) to be used in accomplishing these objectives;
(4) Documentation that all necessary licenses and credentials are possessed by personnel providing professional services;
(5) Statement identifying the sources of funding or future funding and a plan detailing the method(s) to be used to obtain the funds;
(6) Statement of cooperation and commitment to the applicant's program from local community agencies providing adjunct services including, but not limited to, financial assistance or providing facilities and personnel;
(7) Letters from local community agencies stating intent to participate in the applicant's program;
(8) Statement of the monitoring method(s) to be used in evaluating the program and reporting its results;
(9) Statement of 501(c)(3) exemption status or unit of government;
(10) Statement that applicant's budget is sufficient to support the program's objectives;
(11) Existence of matching funds equal to 25 percent of the total grant requested;
(12) Policy of non-discrimination on the basis of race, color, religion, sex, age, national origin or physical or mental handicap for clients and employees of the program applicant; and
(13) Geographic location of the applicant for the purpose of achieving balanced distribution of available funds.
01 NCAC 19B .0301 SCHEDULE
Completed grant applications must be postmarked by March 11 of each calendar year. Incomplete grant applications will not be considered by the commission.

01 NCAC 19B .0302 RESPONSE
All applicants will be notified in writing of their acceptance or rejection within 30 days of receipt of the completed application. The commission will announce the recipient(s) of the awards to the public within a reasonable and timely manner.

01 NCAC 19B .0303 AUDIT
A certified audit will be required from each grant recipient.
VII. Title 01, SubChapter 21F (N.C. State Employee Suggestion System)

Agency: Department of Administration
Contact: William E. H. Creech, Rule-Making Coordinator, 919-807-2425
Rule Title (SubChapter): N.C. State Employee Suggestion System
Rule citation: 01 NCAC 21F .0101-.0102, .0201-.0205, .0301-.0304, .0401-.0405, .0501-.0504
Statutory Authority: G.S. 143-340(1)
State impact: No
Local impact: No
Federal government impact: No
Substantial economic impact: No

Description of rule change: Repeal. This rule change repeals all rules in SubChapter 21F. These rules are superfluous and duplicative of state statute (G.S. 143, Article 36A) and, therefore, are unnecessary. Except to provide an important incremental benefit – along with other similar repeals – of ridding the Administrative Code of redundant or unnecessary rules, this repeal will not impact any existing entity economically or otherwise. These rules are among those previously recommended by OSBM to the General Assembly for repeal.

Rule text:

SUBCHAPTER 21F - N.C. STATE EMPLOYEE SUGGESTION SYSTEM

SECTION .0100 - GENERAL PROVISIONS

01 NCAC 21F .0101 PURPOSE
The North Carolina State Employee Suggestion System, hereinafter referred to as ESS, is a meritorious service award program which provides for equitable compensation and/or recognition to state employees who develop and submit valid suggestions that are used by the state.

The program is designed to stimulate creative and innovative thinking by state government employees, to foster a climate in state government which will motivate employees to submit their ideas and suggestions for improvement, to provide an impartial review and evaluation of employee suggestions by persons qualified to judge their merits, and to ensure that meritorious suggestions are appropriately rewarded and that appropriate recognition is given to the employee.

As a productivity initiative in North Carolina State Government, the Suggestion System promotes efficiency and economy in state operations and services by increasing productivity, improving work conditions, improving services to the public, identifying safety hazards, conserving energy resources, eliminating all forms of waste and unnecessary expenditures and increasing employee morale.
01 NCAC 21F .0102  DEFINITIONS
For the purpose of this Subchapter, the following definitions shall apply:
(1) ______"Employee Suggestion System Office" means the office established in the Office of Administrative Analysis (OAA). OAA, charged with the responsibility for ESS's daily operations, provides staff support and maintains its central files and records.
(2) ______"Executive Secretary" means the individual appointed by the Secretary of Administration to administer ESS.
(3) ______"Administrative Officer" means the individual appointed by the Executive Secretary to supervise the daily operations of the ESS.
(4) ______"Department's Suggestion System Coordinator" means the individual serving as liaison between a principal state department or a state university and the ESS Office. Acting for the university or department head, he/she coordinates the department's or university's responsibilities for the operation of the program.
(5) ______"Advisory Committee" means the committee that is responsible for advising, recommending, and reacting to needed changes to ESS policies and procedures, assisting in the determination of the general direction in which the program should move, assisting in determining ways to better promote participation in the program by all areas of the government and providing a forum to allow adoptable suggestions to be exchanged across departmental lines.
(6) ______"Evaluation Form" is the form used to evaluate an adopted suggestion's impact on various factors when the adopted suggestion results in tangible benefits to the state. The form, developed and approved by the ESS Office, is the only document to be used for this purpose. The document may be reproduced by agencies as required.

History Note: Authority G.S. 143-340(1);

SECTION .0200 - ELIGIBILITY REQUIREMENTS: EMPLOYEE ELIGIBILITY: SUGGESTION ELIGIBILITY AND SUGGESTER ELIGIBILITY

01 NCAC 21F .0201  FULL TIME EMPLOYEES
Any state employee who is a contributing member of one of the following retirement programs is eligible to participate in the ESS:
(1) ______ Teachers' and State Employees' Retirement System.
(2) ______ Law Enforcement Officers Benefit and Retirement Fund.
(3) ______ Uniform Judicial Retirement System.
(4) ______ Uniform Clerks of Superior Court Retirement System.
(5) ______ Uniform Solicitorial Retirement System.
Optional Retirement Program.

History Note: Authority G.S. 143-340(1); Eff. December 1, 1988.

01 NCAC 21F .0202 PART-TIME AND TEMPORARY EMPLOYEES
Part-time and temporary state employees not eligible for one of the retirement programs are eligible to participate in the ESS.

History Note: Authority G.S. 143-340(1); Eff. December 1, 1988.

01 NCAC 21F .0203 SUGGESTION ELIGIBILITY
Any suggestion from any employee which is useful, practical, constructive and is of benefit to the state is eligible for review by the ESS except as detailed in this Rule:
(1) To be eligible for review, a suggestion must be legibly written on an official suggestion form, propose a specific method of implementation, and be signed and dated by the originator.
(2) If the same suggestion is submitted by two or more persons separately, the first suggestion received by the ESS Office is eligible for review.
(3) In the event that a suggestion is evaluated and approved for implementation and it is then discovered that the suggestion is substantially similar to another suggestion which was previously disapproved but still classified as being "active", special evaluation procedures will be followed. The executive secretary shall appoint a committee to be convened by the ESS Administrator consisting of at least three members of the ESS Departmental Coordinators [including representative(s) from the implementing department(s)]. The committee will consider the following criteria and make a recommendation to the ESS Executive Secretary concerning an appropriate award:
(a) The determination shall be made as to whether the second suggestion is in fact a duplicate.
(b) The determination shall be made as to which suggestion was most responsible for prompting activity on the part of management to implement the suggestion. The suggestion responsible for improvements may be recommended for an award.
(c) Where evidence does not clearly indicate which suggestion prompted improvements, the committee may recommend a shared award.
(4) A suggestion must stimulate activity on the part of management.
(5) Any suggestion which duplicates another suggestion eligible for consideration or for which an award has been previously granted is ineligible.
(6) Suggestions which concern matters which are actively being considered by supervision or management are ineligible.
(7) Suggestions which involve routine maintenance matters or requests for supplies and services that should be reported through established channels are ineligible.
(8) Suggestions which propose changes in taxes or fees which are legislatively established are ineligible.
(9) __________ Personal grievances and complaints are ineligible.
(10) __________ Suggestions concerning employee compensation and individual position classifications are ineligible.
(11) __________ Suggestions which propose unclear or non-specific methods are ineligible.
(12) __________ Suggestions which propose following established procedures are ineligible.
(13) __________ The active life of a valid suggestion shall be one year.
(14) __________ A suggestion can still be adopted even though the suggester is ineligible for an award.

History Note: Authority G.S. 143-340(1);

01 NCAC 21F .0204 SUGGESTER ELIGIBILITY
(a) Employees are not eligible who submit suggestions that:
(1) __________ Are a result of assigned or contracted audits, studies, surveys, projects, reviews or research, or
(2) __________ Would normally be expected in the performance of their job duties and responsibilities and assigned tasks. This would include tasks assigned in their written job descriptions from OSP as well as their work descriptions, and tasks for which they have the authority to change the manner in which they are carried out.
(b) Supervisory personnel are not eligible to receive an award for a suggestion pertaining to their work unit. The supervisory employee is eligible to receive an award for a suggestion that pertains to work units other than his/her own unit.
(c) Employees who have the authority to independently implement an idea, whether or not it is part of their assigned duties, are ineligible.
(d) Employees who submit suggestions that are a result of any formal departmental employee participation or incentive programs are ineligible for a monetary award except as the suggestion has application to units other than the employee's unit.
(e) Employees serving on any department suggestion system committee, sub-committee or ad hoc committee are not eligible to become involved with the decision to adopt their suggestions.

History Note: Authority G.S. 143-340(1);

01 NCAC 21F .0205 RESPONSIBILITY OF EXECUTIVE SECRETARY
The Executive Secretary is responsible for and ensures compliance with the rules regarding the final determination of employees' eligibility, suggestion eligibility and suggester eligibility.

History Note: Authority G.S. 143-340(1);
SECTION .0300 - TYPES OF AWARDS: MONETARY: NON-MONETARY AND SPECIAL AWARDS

01 NCAC 21F .0301   GENERAL PROVISIONS
(a) Once a suggestion has been approved for adoption by one or more agencies, an assessment will be made as to whether a monetary or a non-monetary award is to be granted.
(b) Once awarded, all suggestions (monetary or non-monetary) become the property of the state. The suggester remains eligible for an award (monetary or non-monetary) for one year from the date on the letter from ESS indicating it will be adopted. At the end of this one-year period, the state is no longer liable for any awards.

History Note: Authority G.S. 143-340(1); Eff. December 1, 1988.

01 NCAC 21F .0302   MONETARY AWARDS
(a) When an adopted suggestion results in monetary savings to the state, a monetary award will be granted the suggester provided that both the suggester and suggestion are eligible.
(b) The amount of money awarded for a suggestion shall be 25 percent of the net annual savings resulting from the first year of implementation. The amount awarded shall be at least one hundred dollars ($100.00) and not more than five thousand dollars ($5,000.00) (see table in this Rule). When the amount of net annual savings is less than five hundred dollars ($500.00) but more than one hundred dollars ($100.00), the employee may opt to receive one day of leave in lieu of a cash award. On suggestions where it is anticipated that net annual savings will be less than one hundred dollars ($100.00), no monetary award will be made.

Classification of Monetary Awards

<table>
<thead>
<tr>
<th>Amount of Net Annual Savings</th>
<th>Cash Award</th>
<th>Recognition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than $100</td>
<td>None</td>
<td>Certificate</td>
</tr>
<tr>
<td>$100 to $500</td>
<td>either 25% or 1 day of leave</td>
<td>Certificate</td>
</tr>
<tr>
<td>$501 to $19,999</td>
<td>25%</td>
<td>Certificate</td>
</tr>
</tbody>
</table>
$20,000 or more
$5,000 Certificate

(c) Each implementing agency will be responsible for the payment of cash awards when
the awards become due, and may elect to pay in one of the following ways:
(1) The cash award may be paid to the suggester in a single lump sum payment
after the suggestion has been in effect for 12 months.
(2) A lump sum may be paid at any time prior to 12 months provided that the full
impact of the suggestion has been realized and the total savings value of the suggestion
has reached twenty thousand dollars ($20,000.00) and can be documented.
(3) A partial payment may be granted the suggester at the discretion of the
implementing agency with approval of the Executive Secretary. The remainder of the
cash award will be paid in a lump sum payment when total savings are documented.

(d) When a suggestion is implemented by more than one agency within one year
following the date of the ESS letter indicating that the suggestion will be adopted, a pro
rata share is determined by the Executive Secretary. Where the suggestion is
implemented in a receipt supported agency the award shall be paid by the implementing
to reimbursement on a pro rata basis by the major users. If the user fees
are paid by other than state agencies, the award shall be paid by the implementing
agency.
(e) If one agency implements a suggestion that results in documented first-year savings,
the agency will pay the award. If any other agency or agencies subsequently adopt the
suggestion within one year of the letter from ESS notifying the suggester that the
suggestion is being adopted by the first agency, an additional award will be made to the
suggester based on additional first-year documented savings and the percentages
referenced in Rule .0302(b).
(f) The amount of award for a suggestion made by a group of employees will be divided
equally among the group.
(g) If cash is awarded to duplicate suggestions that are received by the ESS Office on the
same day, the amount will be divided equally between those duplicate suggestions.

History Note: Authority G.S. 143-340(1);

01 NCAC 21F .0303 NON-MONETARY AWARDS
(a) When an adopted suggestion results in intangible benefits to the state, a
non-monetary award will be granted the employee.
(b) Non-monetary awards shall be based on an accumulation of points awarded for the
degree of suggestion impact on various factors. The evaluation form is used for this
purpose. The table in this Rule outlines the level of non-monetary awards:
Classification of Monetary Awards

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</tr>
</tbody>
</table>
Less than $100
None
Certificate
$100 to $500
either 25% or 1 day of leave
Certificate
$501 to $19,999
25%
Certificate
$20,000 or more
$5,000
Certificate
(c) Any leave awarded for a suggestion made by a group of employees will be divided equally among the group.
(d) If leave is awarded to duplicate suggestions that are received by the ESS Office on the same day, the amount will be divided equally between those duplicate suggestions.
(e) All leave awarded shall be in addition to regular leave earnings, and a separate record should be maintained by the employee's department. If the leave is not taken within 12 months following the award, it shall be cancelled. No portion of this leave shall be included in any terminal leave payment that would result in the total being in excess of 240 hours.

History Note: Authority G.S. 143-340(1);

01 NCAC 21F .0304 SPECIAL AWARDS
(a) Upon recommendation by the affected departmental suggestion system coordinator and the Executive Secretary, the Secretary of Administration may grant an appropriate award to an employee who would otherwise be considered ineligible when a submitted suggestion is so superior or meritorious as to have broad impact or large savings and warrants special recognition. The type of award will depend upon circumstances related to the suggestion.
(b) If an employee makes a suggestion informally or outside the Suggestion System and the suggestion is subsequently implemented through the employee's efforts or by others, the employee must submit the suggestion in writing on the proper form within one year from the date implementation begins to be considered for an award. No other person in the employee's immediate work area or functional organization may knowingly misrepresent himself or herself through Suggestion System channels as the originator of the suggestion. The type of award will be granted according to the policy for monetary and non-monetary awards.

History Note: Authority G.S. 143-340(1);
SECTION .0400 - PROTECTION CRITERIA: EMPLOYEE PROTECTION

01 NCAC 21F .0401 EMPLOYMENT STATUS
(a) An employee's rights to an award will be established based on employment status at the time the suggestion is submitted and will be protected for one year from the date of submission or until date of final disposition if longer than one year.
(b) Former state employees will remain eligible for an award if the state uses the suggestion within one year from date of submission or until date of final disposition if longer than one year.
(c) If a suggestion is not adopted for reasons other than ineligibility, it will be active for one year from the date of submission or until date of final disposition if longer than one year; to retain eligibility the employee must resubmit the suggestion prior to the expiration of the one-year eligibility period.

History Note: Authority G.S. 143-340(1);

01 NCAC 21F .0402 ADMINISTRATIVE REVIEW
If a suggester disagrees with the disposition of his/her suggestion for any reason or disagrees as to his/her eligibility for an award, if the suggestion has been adopted, the suggester is encouraged to pursue a resolution of the disagreement through DOA's informal settlement process. Except for decisions pending formal review pursuant to G.S. 150B, the decisions issued by ESS shall be final and conclusive as to persons entitled to an award and the nature and cash amount of such award, if any.

History Note: Authority G.S. 143-340(1);

01 NCAC 21F .0403 DISCRIMINATION
The Employee Suggestion System will refrain from any practice which discriminates against the suggester on the basis of age, race, religion, color, national origin, sex, or handicapped condition, etc.

History Note: Authority G.S. 143-340(1);

01 NCAC 21F .0404 TAXES
State and Federal tax laws require the withholding of state and federal taxes from awards.

History Note: Authority G.S. 143-340(1);
FILE REVIEW AND COPY
A suggester may review in full the documentation related to his/her evaluation. Further, a copy may be obtained from the Suggestion System by request in writing and by payment for the cost per page of copying.

History Note: Authority G.S. 143-340(1); Eff. December 1, 1988.

SECTION .0500 - PROTECTION CRITERIA: STATE PROTECTION

POLICY CHANGES
Notice will be given to each state department and university by mail to the appropriate director (Secretary or Council of State, etc.) when the state changes any policies, structures or systems that affect the management of ESS.

History Note: Authority G.S. 143-340(1); Eff. December 1, 1988.

CLAIMS AGAINST THE STATE
The use of employee suggestions by the state shall not be the basis of further claims of any kind by the suggester, the suggester's heirs or assigns.

History Note: Authority G.S. 143-340(1); Eff. December 1, 1988.

TERMINATION RIGHTS
The state retains the right to terminate ESS at any time without notice.

History Note: Authority G.S. 143-340(1); Eff. December 1, 1988.

USE OF IDEAS
The state will have the right to use all suggestions for which an award is made. The state will also have the right to use suggestions which are ruled ineligible under the Suggestion System policies, as well as those suggestions where the suggester is ineligible.

History Note: Authority G.S. 143-340(1); Eff. December 1, 1988.
VIII. Title 01, SubChapter 30C (Energy Development Authority)

Agency: Department of Administration
Contact: William E. H. Creech, Rule-Making Coordinator, 919-807-2425
Rule Title (SubChapter): Energy Development Authority
Rule citation: 01 NCAC 30C .0104-.0105, .0201
Statutory Authority: G.S. 159F-4(c); 159F-5(a)(1) through (a)(16); 159F-6; 159F-7(c); 159F-8; 150B-11; 150B-14; 159F
State impact: No
Local impact: No
Federal government impact: No
Substantial economic impact: No

Description of rule change: Repeal. This rule change repeals all rules in SubChapter 30C. This is a conforming change because the statute allowing for the rules (SubChapter 159F) has been repealed. Except to provide an important incremental benefit – along with other similar repeals – of ridding the Administrative Code of redundant or unnecessary rules, this repeal will not impact any existing entity economically or otherwise. These rules are among those previously recommended by OSBM to the General Assembly for repeal.

Rule text:

01 NCAC 30C .0104 REQUESTS FOR INFORMATION BY THE PUBLIC
Any citizen, group, organization or any unit of government may request in writing further information on any rule or procedure carried out by the Authority by writing to:

North Carolina Energy Development Authority
State Legislative Office Building, Room 403
300 North Salisbury Street
Raleigh, North Carolina 27603-1360

History Note: Authority G.S. 159F-4(c);

01 NCAC 30C .0105 FUNCTION
The functions of the North Carolina Energy Development Authority are:
(1) To require all North Carolina Energy Development Authority projects to comply with the North Carolina Environmental Policy Act.
(2) To require all North Carolina Energy Development Authority projects to comply with the solid waste management program established under G.S. 130-166.18.
(3) To issue revenue bonds with the approval of the Local Government Commission or provide other sources of financing for North Carolina Energy Development Authority projects.

History Note: Authority G.S. 159F-5(a)(1) through (a)(16); 159F-6; 159F-7(c); 159F-8;

01 NCAC 30C .0201 RULE-MAKING AND ADMINISTRATIVE HEARING PROCEDURES
(a) The Model Administrative Procedures for Rule-Making and Hearings, codified as Title 22, Subchapters 2B and 2C of the North Carolina Administrative Code, effective September 29, 1980, are hereby adopted by reference to apply to actions of the North Carolina Energy Development Authority.
(b) The definitions contained in 22 NCAC 2A .0005 are adopted by reference and shall apply to the North Carolina Energy Development Authority with the following modifications:
(1) "Agency" means the North Carolina Energy Development Authority.
(2) "Agency Head" means:

Energy Development Authority
Chairman
State Legislative Office Building
Room 403, 300 North Salisbury Street
Raleigh, NC 27603-1369

(c) Copies of 22 NCAC, Subchapters 2B and 2C, and 22 NCAC 2A .0105 may be inspected in the Administrative Procedures Section of the Attorney General's Office, 10 E. Jones Street, Raleigh, North Carolina. Copies may be obtained from the Administrative Procedures Section for a charge of four ($4.00) dollars.

History Note: Authority G.S. 150B-11; 150B-14; 159F;
IX. Title 01, Chapter 36 (Agency for Public Telecommunications)

Agency: Department of Administration
Contact: William E. H. Creech, Rule-Making Coordinator, 919-807-2425
Rule Title: Public Radio; General Support Standards
Rule citation: 01 NCAC 36 .0101
Statutory Authority: 143B-426.12
State impact: No
Local impact: No
Federal government impact: No
Substantial economic impact: No

Description of rule change: Repeal. This rule change repeals a rule that is not relevant because, after the rule became effective in 1987, funding was never provided for and action was never taken related to public radio general support standards. Further, this authorizing statute (G.S. 143B-426.12) was repealed as part of Session Law 2011-266, s. 1.13(a). Except to provide an important incremental benefit – along with other similar repeals – of ridding the Administrative Code of redundant or unnecessary rules, this repeal will not impact any existing entity economically or otherwise. This rule is among those previously recommended by OSBM to the General Assembly for repeal.

Rule text:

01 NCAC 36 .0101 PUBLIC RADIO: GENERAL SUPPORT STANDARDS
All public radio entities seeking financial support through the agency must meet the following criteria:
(1) document broad citizen and community support;
(2) hold open meetings of governing and advisory bodies;
(3) secure tax exempt status from the U.S. Internal Revenue Service and North Carolina Department of Revenue;
(4) maintain accounting records of expenditure of state funds for a minimum of three years in a manner suitable for audit;
(5) maintain public copies of annual financial and audit reports;
(6) submit to the agency an outline plan for expenditures of state funds and, at the end of each funding period, submit a detailed report of expenditures;
(7) comply with Equal Employment Opportunity regulations; and
(8) in accordance with constitutional separation of church and state, public radio entities whose program schedule is designed to further the principles of a particular religious philosophy are not eligible.
Permittees and licensees must establish a community advisory board reflecting the diverse needs and interests of served communities.

History Note: Authority G.S. 143B-426.12;