

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005**

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**HOUSE BILL 1723
Committee Substitute Favorable 7/28/05
Third Edition Engrossed 8/11/05
Senate Rules and Operations of the Senate Committee Substitute Adopted 8/24/05
Senate Rules and Operations of the Senate Committee Substitute #2 Adopted
7/27/06**

Short Title: The Studies Act of 2006.

(Public)

Sponsors:

Referred to:

May 12, 2005

A BILL TO BE ENTITLED

AN ACT TO PROVIDE FOR STUDIES BY THE LEGISLATIVE RESEARCH
COMMISSION, STATUTORY OVERSIGHT COMMITTEES AND
COMMISSIONS, AND OTHER AGENCIES, COMMITTEES, AND
COMMISSIONS.

The General Assembly of North Carolina enacts:

PART I. TITLE

SECTION 1. This act shall be known as "The Studies Act of 2006."

PART II. LEGISLATIVE RESEARCH COMMISSION

SECTION 2.1. The Legislative Research Commission may study the topics listed below. When applicable, the bill or resolution that originally proposed the issue or study and the name of the sponsor are listed. Unless otherwise specified, the listed bill or resolution refers to the measure introduced in the 2005 Regular Session or 2006 Regular Session of the 2005 General Assembly. The Commission may consider the original bill or resolution in determining the nature, scope, and aspects of the study. The following groupings are for reference only:

- (1) Government Regulatory Issues:
 - a. Banking laws (S.B. 786 – Hoyle)
- (2) Transportation Issues:
 - a. Ban cell phone use while driving (H.B. 1104 – McAllister)

- 1 b. Exemptions from safety and emissions inspections (S.B. 530 –
2 Dalton)
- 3 c. Environmental review, permitting, and mitigation process in the
4 construction or expansion of State highways (H.B. 1761 –
5 Dollar)
- 6 (3) Consumer Issues:
- 7 a. Credit report identity theft (H.B. 546 – Adams)
- 8 b. Personal information privacy (S.B. 996 – Cowell)
- 9 c. Mortgage payoffs (Hunt)
- 10 d. Motor vehicle repair (S.B. 952 – Lucas, Bingham, Kinnaird)
- 11 (4) Insurance Issues:
- 12 a. Assist small business health insurance (S.B. 478 – Dalton)
- 13 b. High-risk insurance (H.B. 180 – Setzer)
- 14 c. Additional sureties for public construction contracts (H.B. 2793
15 – Parmon, Womble, Michaux)
- 16 (5) Criminal Law Issues:
- 17 a. Exclusionary rule/good faith exception (H.B. 1439 – Stam)
- 18 b. Habitual felon statutes (H.B. 1308 – Michaux)
- 19 c. Minority incarceration (H.B. 49)
- 20 d. The provisions and penalties of G.S. 20-138.3, driving by a
21 person less than 21 years old after consuming alcohol or drugs
22 (Dickson)
- 23 e. Racial bias and the death penalty (H.B. 2833 – Earle)
- 24 (6) State/Local Government Employee Issues:
- 25 a. Beneficiary designation and dependent survivors of members of
26 the Teachers' and State Employees' Retirement System
27 (Dorsett)
- 28 b. State employee mediation and length of backlog of appeals
29 process (Rand)
- 30 c. Mediation of State employee grievances (H.B. 716 – Coleman)
- 31 d. Severance pay changes (H.B. 703 – Crawford)
- 32 e. State employee demonstration projects (H.B. 730 – Crawford,
33 Sherrill)
- 34 f. Prospective elimination of SPA longevity pay (H.B. 731 –
35 Crawford)
- 36 g. Flexible benefits program centralized under OSP (H.B. 751 –
37 Crawford, Holliman)
- 38 h. Sick leave bank and family leave (H.B. 2746 – Insko)
- 39 (7) Labor, Employment, and Economic Development Issues:
- 40 a. North Carolina National Guard Pension Fund (S.B. 573 –
41 Atwater)
- 42 b. Validity of statistics provided by the Industrial Commission
43 (Berger of Franklin)

- 1 c. Industrial Commission's monitoring of filing of forms (Berger
- 2 of Franklin)
- 3 d. Streamline forms required by Industrial Commission (Berger of
- 4 Franklin)
- 5 e. UI claims/shorten employer response time (Shaw)
- 6 f. Loss of workers' compensation for fraud (S.B. 863 – Berger of
- 7 Franklin)
- 8 g. Workers' compensation and injuries to extremities (S.B. 864 –
- 9 Berger of Franklin)
- 10 h. Employee work incentives under the Workers' Compensation
- 11 Act (S.B. 865 – Berger of Franklin)
- 12 i. Increase cap on award for loss of organ under the Workers'
- 13 Compensation Act (S.B. 866 – Berger of Franklin)
- 14 j. Small business improvement (S.B. 664 – Dalton)
- 15 k. Amendments to Workers' Compensation Act (Holliman)
- 16 l. Salaries of nonprofit directors and executives (Owens)
- 17 (8) Health and Human Services Issues:
- 18 a. Men's health
- 19 b. Peanut allergies/restaurant postings (H.B. 920 – Alexander)
- 20 c. Naturopathic registration (Kinnaird)
- 21 d. Cost control of medical services for persons in local
- 22 confinement facilities (Wilkins, Wright)
- 23 e. Treatment services funding/drug treatment courts (Insko)
- 24 (9) Other:
- 25 a. Trafficking of persons (H.J.R. 1461 – Alexander; Kinnaird)
- 26 b. Nanotechnology (H.B. 641 – Faison)
- 27 c. Public building contract laws (H.B. 1547 – Parmon)
- 28 d. Unfit dwellings (S.B. 982 – Cowell)
- 29 e. Exempt builders' inventories from property tax increases (S.B.
- 30 508 – Dalton)
- 31 f. Liabilities of general contractors to subcontractors (Rand)
- 32 g. Construction indemnity agreement issues (Rand)
- 33 h. System of care common identifiers (Kinnaird)
- 34 i. Manufactured homes/good faith evictions (H.B. 1243 – Fisher)
- 35 j. Refusal rights-forced public partition sales (H.B. 1309 –
- 36 Michaux)
- 37 k. Victim restitution (Holliman)
- 38 l. Agency internal auditors (Tucker)
- 39 m. Tax policy changes
- 40 n. Video conferencing (Haire)
- 41 o. Recovery of costs in civil cases (H.B. 2070 – Glazier)
- 42 p. Erroneous paternity judgments (H.B. 2143 – Moore)
- 43 q. Membership of the Wildlife Resources Commission (Williams)
- 44 r. Annexation (Glazier)

- 1 s. Construction cost threshold requirement for a general
2 contractor's license (H.B. 2612 – Earle, Weiss, Glazier)
3 t. Credit enhancement services (H.B. 2836 – Earle, Barnhart,
4 Grady, Saunders)
5 u. West regional facility maintenance (Church)
6 v. Hepatitis C (H.B. 2832 – Earle)
7 w. Impact of ethics legislation on local elected officials (Coleman)
8 x. Real estate resale dealers (H.B. 725 – Ross, Howard, Goforth,
9 Clodfelter)
10 y. Tax reevaluation (Nesbitt)
11 z. Homestead exemption (Nesbitt)
12 aa. Equine industry (H.B. 1826 – Cole; S.B. 901 – Weinstein)

13 **SECTION 2.1.(a)** Superior Court Discovery (H.B. 1211 – Sutton, Rand) –

14 The Commission may study State disclosure requirements in superior court discovery.
15 If it undertakes the study, the Commission shall consider:

- 16 (1) The issue of identities of informants who furnished information
17 leading to a search warrant against the defendant.
18 (2) The issue of personal information of the victim.
19 (3) The "work product" provision of G.S. 15A-904.
20 (4) Open discovery in noncapital postconviction cases.
21 (5) Any other related issues.

22 The Commission may make its final report to the 2007 General Assembly
23 upon its convening.

24 **SECTION 2.1.(b)** Impact of Regulation on the Cost of Housing (Hoyle) –

25 The Commission may study the impact of State and local government regulation on the
26 cost of housing and recommend ways to reduce or eliminate conflicting, duplicative,
27 outdated, or unnecessary regulations, including the consolidation or elimination of
28 governmental agencies and programs.

29 **SECTION 2.1.(c)** Transferring the Deferred Compensation Program (Rand)

30 – The Commission may study the feasibility of transferring the Public Employee
31 Deferred Compensation Program established under G.S. 143B-426.24 from the
32 Department of Administration to the Department of the State Treasurer.

33 **SECTION 2.1.(d)** Consumer Credit Counseling (Dorsett) – The

34 Commission may study State and federal laws, rules, and policies pertaining to
35 consumer credit counseling and debt management and may make recommendations for
36 reforming relevant North Carolina civil, criminal, and administrative law, regulations,
37 and policies. The Commission may examine the appropriateness of consumer protection
38 provisions and standards for providers of services, and the adequacy of enforcement
39 tools and practices.

40 **SECTION 2.1.(e)** Impact of Undocumented Immigrants (Justice) – The

41 Commission may study the effects of undocumented immigrants on the State. The
42 Commission may consider the following issues:

- 43 (1) Impacts on the State's health care, education, and social services
44 systems.

- 1 (2) Impacts on the criminal justice system and corrections.
2 (3) Impacts on the State's economy, including the fiscal ramifications of
3 compliance with federal laws requiring the provision of specific
4 services to undocumented immigrants.
5 (4) Impacts on the economic and workforce development, including the
6 provision of and the need for low-cost labor for agriculture,
7 construction, tourism, and other industries.
8 (5) Any other relevant issues.

9 **SECTION 2.1.(f)** Pharmacy Benefits Manager Regulation (H.B. 1374) –
10 The Commission may study issues regarding the regulation of pharmacy benefit
11 management.

12 **SECTION 2.1.(g)** Local Governmental Employees Retirement System –
13 The Commission may study issues related to establishing a higher option within the
14 Local Governmental Employees Retirement System. The Commission may consider
15 the following issues:

- 16 (1) Whether the higher option should include all local governmental
17 employees.
18 (2) Whether the higher option would be voluntary and require each
19 individual governing body to approve it for employee participation.
20 (3) Whether there should be a deadline or sunset provision for a local
21 government to adopt the higher option.
22 (4) Whether "buy back credit" provisions for the time period an employee
23 is in the lower option are feasible.
24 (5) Any other relevant issues the Commission deems necessary to the
25 study.

26 **SECTION 2.1.(h)** Chapter 24 Exemptions (Brubaker) – The Commission
27 may study issues related to authorizing the Commissioner of Banks to permit affiliates
28 of licensees under G.S. 53-176 to be exempt from certain provisions of Chapter 24 of
29 the General Statutes.

30 **SECTION 2.1.(i)** Effectiveness of the State Purchasing and Contract System
31 – The Commission may study the effectiveness of the State purchasing and contract
32 system including its accessibility and impact on the State's small businesses and the
33 participation of minority contractors.

34 **SECTION 2.1.(j)** Red Light Camera Clear Proceeds (Goodwin) – The
35 Commission may study the impact of the various decisions of the North Carolina courts
36 on the definition of clear proceeds as it relates to the funding and operation of traffic
37 control photographic systems by cities and towns in the State. The Commission may
38 recommend to the General Assembly statutory changes that define clear proceeds in a
39 manner that allows their use for the continued operation of these traffic control systems.

40 **SECTION 2.1.(k)** Adequate Public Facilities Ordinances (Rand) – The
41 Commission may study issues related to the adoption of adequate public facilities
42 ordinances by local governments. For the purposes of the study, an adequate public
43 facilities ordinance is any ordinance, policy, guideline, or procedure adopted by a local
44 government that ties or conditions development approval to the availability and

1 adequacy of public facilities and services. In particular, the Commission shall study the
2 extent to which such ordinances increase the cost of housing and affect State and local
3 tax revenues, employment, and economic development.

4 **SECTION 2.1.(l)** For-Profit Recycling Businesses (Rand) – The
5 Commission may study issues related to developing strategies to protect the State's
6 citizens from being misled into unknowingly donating goods to for-profit recycling
7 businesses when they are attempting to aid charitable nonprofit organizations.

8 **SECTION 2.1.(m)** Post-Adoption Contact (S.B. 209 – Kinnaird) – The
9 Commission may study the topic of post-adoption contacts and communication between
10 an adopted child and a birth relative. In conducting the study, the Commission may
11 consider the following:

- 12 (1) The need to establish laws for post-adoption contacts or
13 communication between an adopted child and a birth relative.
- 14 (2) What constitutes post-adoption contacts and communication.
- 15 (3) Any effect post-adoption contacts and communication would have on
16 existing adoption laws.
- 17 (4) The criteria for establishing post-adoption contacts and communication
18 and the contents of any such agreement.
- 19 (5) Any other information the Commission deems relevant.

20 **SECTION 2.1.(n)** Sick Leave Bank and Family Leave (S.B. 2007 –
21 Atwater) – The Commission may study the feasibility of the State providing family
22 leave for employees and State policies relating to the voluntary sick leave bank for
23 public school employees. In conducting the study, the Commission may consider the
24 following:

- 25 (1) Evaluate the status of the State's voluntary sick leave bank for public
26 school employees.
- 27 (2) Consider the efficacy of changes in policy designed to make the
28 current sick leave bank more "employee friendly."
- 29 (3) Study sick leave banks and other shared leave programs in other states.
- 30 (4) Evaluate the need for a sick leave bank for teachers and State
31 employees beyond the current voluntary program.
- 32 (5) Study the feasibility of the State providing family leave for employees
33 including paid leave to care for a newborn, newly adopted, or foster
34 child and paid leave due to a serious personal or family member's
35 health problem. In the course of the study, the Commission shall
36 consider laws from other states regarding (i) family leave, (ii)
37 temporary disability insurance programs that provide family leave, (iii)
38 family leave insurance programs, and (iv) consider additional sources
39 of sick days for the sick leave bank.
- 40 (6) Review any other matter that the Commission finds relevant to its
41 charge.

42 **SECTION 2.1.(o)** Effectiveness of the State Purchasing and Contract System
43 (Rand) – The Commission may study the effectiveness of the State purchasing and

1 contract system including its accessibility and impact on the State's small businesses
2 and the participation of minority contractors.

3 **SECTION 2.1.(p)** Requirements for Issuance of Building Permits for
4 On-Site Business Installation or Repair of Electrical Equipment – The Commission may
5 study the requirements of current law, G.S. 153A-357 and G.S. 160A-417, concerning
6 issuance of building permits for on-site business installation or repair of electrical
7 equipment. The Commission shall examine whether permits should be waived for
8 installation and repair of electrical equipment by businesses on their own property, if the
9 property is not intended for lease or sale, and if the business employs electricians or
10 mechanics for the purpose of installing or repairing its own electrical equipment.

11 **SECTION 2.1.(q)** Legislative Efficiency and Operations (Graham) – The
12 Commission may study the issues surrounding legislative efficiency and operations.
13 The study shall include the feasibility of organizational sessions, session limits, term
14 limits, and legislative pay.

15 **SECTION 2.2.** For each Legislative Research Commission committee
16 created during the 2005-2007 biennium, the cochairs of the Legislative Research
17 Commission shall appoint the committee membership.

18 **SECTION 2.3.** For each of the topics the Legislative Research Commission
19 decides to study under this Part or pursuant to G.S. 120-30.17(1), the Commission may
20 report its findings, together with any recommended legislation, to the 2007 General
21 Assembly upon its convening.

22 **SECTION 2.4.** From the funds available to the General Assembly, the
23 Legislative Services Commission may allocate additional monies to fund the work of
24 the Legislative Research Commission.

25 26 **PART III. JOINT LEGISLATIVE HEALTH CARE OVERSIGHT** 27 **COMMITTEE STUDIES**

28
29 **SECTION 3.1.** The Joint Legislative Health Care Oversight Committee may
30 study the topics listed in this Part and report its findings, together with any
31 recommended legislation, to the 2007 General Assembly upon its convening.

32 **SECTION 3.2.** Geriatric Care Providers (H.B. 183 – Nye, Clary) – The
33 Committee may study methods to increase the number of geriatric care providers in the
34 State.

35 **SECTION 3.3.** Medical Cost Savings (S.B. 581 – Forrester) – The
36 Committee may study a variety of approaches to find medical cost savings and to ensure
37 quality of medical care provided to the citizens of the State.

38 **SECTION 3.4.** Regulation of Nurse Practitioner Practice (Nesbitt) – The
39 Committee may study the following:

- 40 (1) Issues surrounding the practice parameters of advanced practice
41 registered nurses (APRNs).
- 42 (2) Relationship between APRNs and physicians.
- 43 (3) Whether APRNs should be regulated through the North Carolina
44 Board of Nursing or the North Carolina Medical Board.

1 (4) Any other issue the Commission considers relevant.

2 **SECTION 3.5.** Community Health Centers (Kerr) – The Committee may
3 study the need for community health centers, including federally qualified health
4 centers, health centers that meet the criteria for federally qualified health centers, and
5 State-designated rural health centers and public health departments. The Committee
6 shall also study the need for and funding of free clinics, such as W.A.T.C.H. in North
7 Carolina. In conducting the study, the Committee shall examine a range of approaches
8 in depth, including, but not limited to, the following:

9 (1) Increasing access to preventative and primary care services by
10 uninsured or medically indigent patients in existing or new health
11 center locations.

12 (2) Establishing community health center services in counties where no
13 such services exist.

14 (3) Creating new services or augmenting existing services provided to
15 uninsured or medically indigent patients, including primary care and
16 preventative medical services, dental services, pharmacy, and
17 behavioral health.

18 (4) Increasing capacity necessary to serve the uninsured by enhancing or
19 replacing facilities, equipment, or technologies.

20 **SECTION 3.6.** Hospital Systems (Rand) – The Committee may study issues
21 related to the conversion of county-owned hospitals to private not-for-profit hospitals
22 and the merger and acquisition of health care systems. The Committee shall consider the
23 following issues:

24 (1) Long-term financial implications.

25 (2) Quality of care.

26 (3) An analysis of the effects of preferred provider organizations.

27 (4) The implications of government regulations.

28 (5) The implications of government paid medical services.

29 **SECTION 3.7.** Prescription Drug Cost Management Office (S.B. 424 –
30 Boseman, Atwater) – The Committee may study the feasibility of establishing an Office
31 for Prescription Drug Cost Management ("Office") in the Department of Administration
32 or other appropriate State agency to manage the cost of prescription drugs incurred by
33 State agencies and programs that cover or provide prescription drugs. The
34 responsibilities of the Office shall include negotiating prescription drug price discounts
35 with participating pharmaceutical manufacturers and pharmacists for prescription drugs
36 paid for, in whole or in part, with State funds. As used in this section, "State agency"
37 includes the Teachers' and State Employees' Comprehensive Major Medical Plan. In
38 conducting the study, the Committee shall consider the following:

39 (1) The estimated amount that each State agency pays annually for
40 prescription drugs, including any discounts or rebates currently in
41 effect.

42 (2) Current contractual obligations of State agencies to pay for
43 prescription drug coverage or purchase.

- 1 (3) Incentives for prescription drug manufacturers and pharmacists to
- 2 participate in the State prescription drug cost management program.
- 3 (4) Formularies or other methods of containing prescription drug costs
- 4 currently in effect for State agencies and programs.
- 5 (5) Necessity for and feasibility of interfacing the implementation of the
- 6 prescription drug cost management program with information
- 7 management systems currently used by State agencies.
- 8 (6) Experiences of other states in attempting to control prescription drug
- 9 costs through multistate compacts, bulk purchasing, or negotiated
- 10 discounts.
- 11 (7) Timeline and funds needed for the establishment of the Office for
- 12 Prescription Drug Cost Management and implementation of a
- 13 prescription drug management program.
- 14 (8) Other matters the Committee deems necessary for its study.

15 **SECTION 3.8.** Occupational Therapy Licensure Revisions (H.B. 287 – Nye,
 16 England, Barnhart, Womble) – The Committee may study the amendment of certain
 17 laws relating to the North Carolina Occupational Therapy Act.

18 **SECTION 3.9.** Alternatives to State Health Plan for The University of North
 19 Carolina (H.B. 775 – Earle, Insko; Kinnaird) – The Committee may study the
 20 alternatives to the State Health Plan for The University of North Carolina.

21 **SECTION 3.10.** Smoking in Public Places (Holliman) – The Committee
 22 may study the issue of smoking in public places. As a part of its study, the Committee
 23 may:

- 24 (1) Consider a proposal to ban smoking in all State controlled buildings,
- 25 and granting local governments the authority to do the same in their
- 26 buildings.
- 27 (2) Consider a proposal to ban smoking in the workplace.
- 28 (3) Consider repeal of State law that does not allow counties and cities to
- 29 enact smoking ordinances more restrictive than State law.
- 30 (4) Examine the health factors associated with secondhand smoke and its
- 31 effect on persons exposed to it.
- 32 (5) Examine whether the practice of separate areas for smoking and
- 33 nonsmoking is adequate to protect nonsmokers from secondhand
- 34 smoke.
- 35 (6) Consider whether that should be any exceptions to new smoking
- 36 restrictions.
- 37 (7) Examine the effects on health and to the economy similar legislation
- 38 has had in other states.
- 39 (8) Consult with interested parties, such as doctors, the American Lung
- 40 Association, the Cancer Society, and similar organizations, and invite
- 41 their participation in the Committee's work as experts.

42 **SECTION 3.11.** Rural Health Care Access and Needs (H.B. 797 –Pierce) –
 43 The Committee may study, in consultation with the Department of Health and Human
 44 Services, Office of Research, Demonstrations, and Rural Health Development, the

1 health care needs in rural areas of the State and other health professional shortage areas
2 of the State without inpatient services and with a high percentage of uninsured residents.

3
4 **PART IV. JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT**
5 **COMMITTEE STUDIES**

6
7 **SECTION 4.1.** The Joint Legislative Transportation Oversight Committee
8 may study the topics listed in this Part and report its findings, together with any
9 recommended legislation, to the 2007 General Assembly upon its convening.

10 **SECTION 4.2.** Utility Relocation (H.B. 667 – Cole) – The Committee may
11 study the use of incentives, disincentives, and other contractual measures by the
12 Department of Transportation to expedite relocation of public utilities for highway
13 construction projects.

14 **SECTION 4.3.** Nonbetterments (Almond, McComas) – The Committee may
15 study issues related to nonbetterments.

16 **SECTION 4.4.** Dedicated Funding Sources for Public Transit (Coates) –
17 The Committee may study the feasibility of a dedicated funding source for public transit
18 and alternative forms of transportation.

19
20 **PART V. JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE**
21 **STUDIES**

22
23 **SECTION 5.1.** The Joint Legislative Education Oversight Committee may
24 study the topics listed in this Part and report its findings, together with any
25 recommended legislation, to the 2007 General Assembly upon its convening.

26 **SECTION 5.2.** Changes in Education Districts (H.B. 1505 – Yongue,
27 Preston, Johnson, Carney) – The Committee may study issues related to population
28 changes in education districts.

29 **SECTION 5.3.** Raising the Compulsory School Attendance Age (H.B. 1079
30 – Parmon, Glazer, Womble, McLawhorn; S.B. 878 – Garrou) – The Committee may
31 study issues related to raising the compulsory school attendance age.

32 **SECTION 5.4.** Child Nutrition Services (H.B. 696 – Inkso) – The
33 Committee may study the impact of indirect costs associated with the child nutrition
34 services program.

35 **SECTION 5.5.** Class Size Funding Formula for Children With Special
36 Needs (H.B. 693 – Glazier, Parmon) – The Committee may study the need to weight the
37 class-size funding formula to accommodate the learning needs of special populations of
38 children.

39 **SECTION 5.6.** Track Students Throughout Education (H.B. 640) – The
40 Committee may study the feasibility of tracking students throughout their education.

41 **SECTION 5.7.** Impact of Student Mobility on Academic Performance (H.B.
42 388 – Folwell; S.B. 171 – Dalton) – The Committee may study the impact of student
43 mobility on academic performance.

1 **SECTION 5.8.** Appropriate Education for Suspended Students (H.B. 1747 –
2 Preston, Bell, Parmon, Stam) – The Committee may study the issues concerning
3 appropriate education for suspended students.

4 **SECTION 5.9.** Corporal Punishment Policies (H.B. 1462 – Alexander) –
5 The Committee may study policies related to corporal punishment.

6 **SECTION 5.10.** Strategies for Targeting Educational Programs and
7 Resources (Swindell, Lucas, Garrou) – The Committee shall study strategies for
8 targeting educational programs and resources to improve K-12 education for all
9 students. In the course of the study, the Committee shall do all of the following:

- 10 (1) Review existing funding formulas to ensure that resources are targeted
11 where they are most needed and, if necessary, propose modifications
12 to these formulas. This review shall include an analysis of local ability
13 to pay based on measures of local wealth and local willingness to pay
14 for K-12 education.
- 15 (2) Review existing initiatives and curricula, for early childhood through
16 high school, and recommend ways to reduce duplicative efforts and
17 make better use of finite resources.
- 18 (3) Explore local actions and efforts to supplement State educational
19 resources.
- 20 (4) Examine how other states work with local governments to ensure
21 adequate resources are available for the operational and capital needs
22 of the public schools.

23 **SECTION 5.11.** Workforce Preparation in the Public Schools (S.B. 898 –
24 Brown) – The Committee may study workforce preparation in the public schools.

25 **SECTION 5.12.** Community College Tuition Reciprocity (S.B. 779 – Snow)
26 – The Committee may study issues relating to community college tuition reciprocity
27 with other states.

28 **SECTION 5.13.** Information Requirements for School
29 Admission/Assignment (H.B. 1480 – Folwell) – The Committee may study information
30 requirements for school admission and assignment.

31 **SECTION 5.14.** Joint Education Leadership Team for Disadvantaged
32 Students (Carney, Yongue; Clodfelter) – The Committee may study establishing a Joint
33 Education Leadership Team for Disadvantaged Students.

34 **SECTION 5.15.** Education Facility Financing (H.B. 1272 – Yongue) – The
35 Committee may study issues related to education facility financing.

36 **SECTION 5.16.** School Psychologists (Swindell) – The Committee may
37 study issues related to the compensation of school psychologists, including annual
38 salary supplements for licensed school psychologists who are employed by local school
39 administrative units and certified by the National School Psychology Certification
40 Board or other equivalent national certifying organization.

41 **SECTION 5.17.** Civics Education (H.B. 2469 – Glazier) The Committee
42 may study issues related to civics education.

43 **SECTION 5.18.** Local School Construction Financing (H.B. 2189 –Yongue)
44 The Committee may study issues related to local school construction financing.

1 **SECTION 5.19.** Teacher Assistant Salary Schedule (H.B. 2842 –
2 McLawhorn) The Committee may study issues related to the teacher assistant salary
3 schedule.

4 **SECTION 5.20.** Tax on Lottery Winnings/Community College Equipment
5 (H. B. 1991 – Yongue, Tolson, Jeffus) – The Committee may study issues related to
6 earmarking the tax collected on lottery winnings for community college equipment.

7 **SECTION 5.21.** Sales Tax Exemption for Local School Units (H.B. 2460 –
8 Yongue, Carney, England, and Gibson) – The Committee may study issues related to
9 providing for an exemption from the sales and use tax for local school administrative
10 units.

11 **SECTION 5.22.** High School Graduation/Drop out Rate (Parmon, Weiss) –
12 The Committee may study issues related to high school graduation and drop out rates.

13 **SECTION 5.23.** Sound Basic Education (Lucas) – The Committee may
14 study strategies and resources that contribute to the opportunity for North Carolina
15 students to obtain a sound basic education.

16 17 **PART VI. JOINT LEGISLATIVE UTILITY REVIEW COMMITTEE STUDIES**

18
19 **SECTION 6.1.** The Joint Legislative Utility Review Committee may study
20 the topics listed in this Part and report its findings, together with any recommended
21 legislation, to the 2007 General Assembly upon its convening.

22 **SECTION 6.2.** Article 1 of Chapter 62A (H.B. 1638 – Saunders, Brubaker)
23 – The Committee may study the following issues related to Article 1 of Chapter 62A of
24 the General Statutes:

- 25 (1) Mechanisms for increased accountability for the collection and
26 spending of 911 charges by local governments.
- 27 (2) Modification of what constitutes an authorized expenditure from a
28 local Emergency Telephone System Fund.
- 29 (3) Whether to adopt a Statewide uniform 911 charge.
- 30 (4) Whether to create a State Emergency Telephone Fund and a formula
31 for distributing those moneys to local governments.
- 32 (5) Whether to designate the Community College System as the preferred
33 provider of training for public safety answering point staff.
- 34 (6) Any other issues related to the Article the Committee determines are
35 relevant.

36 37 **PART VII. REVENUE LAWS STUDY COMMITTEE STUDIES**

38
39 **SECTION 7.1.** The Revenue Laws Study Committee may study the topics
40 listed in this Part and report its findings, together with any recommended legislation, to
41 the 2007 General Assembly upon its convening.

42 **SECTION 7.2.** Property Taxes (S.B. 623 – Jacumin) – The Committee may
43 study the valuation of partially improved, undeveloped lots in subdivisions.

1 **SECTION 7.3.** Administrative and Judicial Review of Tax Cases (S.B. 840
2 – Kerr) – The Committee may study the administrative and judicial review of tax cases.

3 **SECTION 7.4.** State Business Taxation (S.B. 916 – Clodfelter) – The
4 Committee may study reforming and simplifying State taxation of business enterprises.

5 **SECTION 7.5.** Sound Management Program for Forestland (S.B. 790 –
6 Berger of Rockingham) – The Committee may study the need for providing owners of
7 forestland more flexibility in demonstrating that their forestland is operated under a
8 sound management program in order to qualify for present-use value property tax status.

9 **SECTION 7.6.** Tax Refund Donation for Prostate Cancer (S.B. 643 – Hoyle)
10 – The Committee may study allowing taxpayers to contribute income tax refunds for
11 prostate cancer research.

12 **SECTION 7.7.** Housing Authority Tax Exemptions (Ross, Malone, Cowell)
13 – The Committee may study housing authority tax exemption issues.

14 **SECTION 7.8.** Tax Refund Contributions to Charitable Causes (Atwater) –
15 The Committee may study the issue of providing space on individual income tax forms
16 for taxpayers to make a contribution of all or part of their refunds to support various
17 charitable causes. The study shall specifically include the following issues:

- 18 (1) A method for determining which causes shall be eligible to receive
19 contributions of refunds and an efficient mechanism for distributing
20 funds collected from contributions of refunds.
- 21 (2) A consideration of whether taxpayers should be able to contribute their
22 refunds to specific charitable causes or to a fund from which
23 contributions are distributed equally among all eligible causes.
- 24 (3) The administrative or fiscal burdens placed on the State for serving as
25 a collection agent for contributions of refunds.
- 26 (4) The effect on rates of compliance with tax laws of expanding the tax
27 forms to accommodate contributions of refunds.

28 **SECTION 7.9.** Income Tax Refund Contribution Election (Coleman) – The
29 Committee may study the feasibility of creating additional income tax refund
30 contribution elections, also known as tax "check-offs". The study shall specifically
31 address:

- 32 (1) The amount of funds raised by any proposed refund contribution
33 election.
- 34 (2) Experience of other states in creating similar refund contribution
35 elections.
- 36 (3) Practical issues in creating new refund contribution elections.
- 37 (4) Pros and cons of any proposed refund contribution election.
- 38 (5) Any related issue.

39 **SECTION 7.10** Intermodal Rail Facility (Clodfelter, Gibson) – The
40 Committee may study the issue of creation of an intermodal rail facility in the State. As
41 a part of its study, the Committee shall examine all of the following:

- 42 (1) The multiple logistical benefits of the project, as a way to utilize and
43 enhance the current intermodal port, highways, and rail transportation
44 system of the State and region.

- 1 (2) Improvements to traffic flow, transportation, safety, and air quality
2 that the project will provide.
- 3 (3) Economic benefits of the project, including increased State tax revenue
4 and job creation resulting from the facility.
- 5 (4) The funding contributions of private and public entities for the facility,
6 and the current gap in needed funding for the project.
- 7 (5) Solutions to the funding gap in order to expedite construction of the
8 facility and insure the many benefits of the project to the citizens of the
9 State are realized.

10 The Committee shall complete its study, propose a funding solution for this project,
11 and report its findings to the General Assembly by January 1, 2007.

12 **SECTION 7.11** Sales and Income Taxes. (H.B. 1649 –LaRoque) – The
13 Committee may study issues related to comprehensive reform and simplification of the
14 existing State tax structure.

15

16 **PART VIII. ENVIRONMENTAL REVIEW COMMISSION STUDIES**

17

18 **SECTION 8.1.** The Environmental Review Commission may study the
19 topics listed in this Part and report its findings, together with any recommended
20 legislation, to the 2007 General Assembly upon its convening.

21 **SECTION 8.2.** Mercury Reduction and Education (H.B. 1531 – Harrison,
22 Bordsen, Martin, Fisher) – The Commission may study measures to reduce the quantity
23 of mercury that is released into the environment, that impacts natural resources, and that
24 harms the public health of the citizens of the State, including prohibitions on the sale of
25 certain mercury-containing products, prohibitions on the use of mercury in primary and
26 secondary education, labeling of certain mercury-containing products, State purchase of
27 products that contain no mercury, and public education on the hazards of mercury
28 release and proper methods of mercury disposal. If the Environmental Review
29 Commission undertakes this study, it may refer to the mercury reduction and education
30 measures set out in the First Edition of House Bill 1531, as introduced to the 2005
31 General Assembly, and mercury reduction and education measures adopted by other
32 states.

33 **SECTION 8.3.(a)** Abandoned Mobile Home (Haire) The Commission may
34 study issues related to abandoned manufactured homes. The Commission may
35 specifically study: the impacts that abandoned manufactured homes have with regard to
36 public health and safety, the environment, and the State's scenic resources; removal and
37 transportation issues related to abandoned manufactured homes; solid waste disposal
38 issues related to abandoned manufactured homes, including costs of disposal, removal
39 of hazardous substances, and opportunities for reuse and recyclability of components of
40 deconstructed homes; design of local government programs and regional approaches for
41 the proper disposal of abandoned manufactured homes; and the feasibility and
42 advisability of imposing an advance disposal tax on the sale of new and used
43 manufactured homes to fund deconstruction of abandoned manufactured homes.

1 **SECTION 8.3.(b)** Subcommittee. – In order to facilitate the conduct of this
2 study, the Cochairs of the Environmental Review Commission may establish a
3 subcommittee of the Commission. The subcommittee of the Commission may include
4 nonlegislative members who have special knowledge, interest, or expertise in various
5 aspects of manufactured homes, solid waste management, local government, affordable
6 housing issues, and tax collection matters, appointed in consultation with the President
7 Pro Tempore of the Senate and the Speaker of the House of Representatives. At a
8 minimum, the Cochairs shall appoint four members at large, who may be members of
9 the Commission, in addition to the following members:

- 10 (1) The Executive Director of the North Carolina Association of County
11 Commissioners, or the Director's designee.
- 12 (2) The Executive Director of the North Carolina League of
13 Municipalities, or the Director's designee.
- 14 (3) The President of the North Carolina Tax Collector's Association, or the
15 President's designee.
- 16 (4) The Director of the Division of Waste Management of the Department
17 of Environment and Natural Resources, or the Director's designee.
- 18 (5) The Director of the Division of Pollution Prevention and
19 Environmental Assistance of the Department of Environment and
20 Natural Resources, or the Director's designee.
- 21 (6) The Executive Director of the North Carolina Manufactured Housing
22 Institute, or the Director's designee.
- 23 (7) The Executive Director of the Community Reinvestment Association
24 of North Carolina, or the Director's designee.
- 25 (8) Secretary of the Department of Revenue, or the Secretary's designee.
- 26 (9) A manufacturer designated by the North Carolina Manufactured
27 Housing Institute.
- 28 (10) A retail representative designated by the North Carolina Manufactured
29 Housing Institute.

30 31 **PART IX. JOINT LEGISLATIVE GROWTH STRATEGIES OVERSIGHT** 32 **COMMITTEE STUDIES**

33
34 **SECTION 9.1.** The Joint Legislative Growth Strategies Oversight
35 Committee may study the issues of extraterritorial operations of municipal public
36 enterprises (S.B. 858 – Clodfelter).

37 **SECTION 9.2.** Section 3.3 of S.L. 2001-491 reads as rewritten:

38 **"SECTION 3.3.** This Part becomes effective January 15, 2002, and expires January
39 16, ~~2005-2007~~. Prior to its expiration on January 16, ~~2005-2007~~, the Committee shall
40 report to the General Assembly on its activities conducted pursuant to this Part."
41

42 **PART X. HOUSE SELECT STUDY COMMISSION ON A MANDATORY** 43 **COST-OF-LIVING INCREASE FOR RETIREES OF THE TEACHERS' AND**

1 **STATE EMPLOYEES' RETIREMENT SYSTEM (H.B. 1653 – B. Allen, Coleman,**
2 **Farmer-Butterfield, Faison)**

3
4 **SECTION 10.1.** There is established the House Select Study Commission
5 on a Mandatory Cost-of-Living Increase for Retirees of the Teachers' and State
6 Employees' Retirement System.

7 **SECTION 10.2.** The Speaker of the House of Representatives shall appoint
8 10 members of the House of Representatives to serve as members of the House Select
9 Study Commission on a Mandatory Cost-of-Living Increase for Retirees of the
10 Teachers' and State Employees' Retirement System. All 10 members of the Commission
11 shall be members of the House of Representatives at the time of appointment. One
12 member shall have served within the last two years as a chair, cochair, or vice-chair of
13 the House of Representatives Committee on Pensions and Retirement. The Speaker of
14 the House of Representatives shall designate a chair of the Commission.

15 **SECTION 10.3.** The Commission shall study the cost and feasibility of an
16 automatic annual retirement allowance increase that equals the prior year ratio of the
17 unadjusted 12-month (December to December) Consumer Price Index for All Urban
18 Consumers. The Commission shall consider the benefit to retirees, the cost and actuarial
19 soundness of a mandatory increase, and shall determine whether a mandatory increase
20 adheres to sound retirement and pension policy. In conducting the study, the
21 Commission shall obtain an actuarial analysis and appropriate input from the
22 Retirement Systems Division of the Department of State Treasurer.

23 **SECTION 10.4.** The Commission may contract for consultant services as
24 provided by G.S. 120-32.02. Upon approval of the Legislative Services Commission,
25 the Legislative Services Officer shall assign professional and clerical staff to assist in
26 the work of the Commission. Clerical staff shall be furnished to the Commission
27 through the offices of the House of Representatives. The Commission may meet in the
28 Legislative Building or the Legislative Office Building upon the approval of the
29 Legislative Services Commission. Members of the Commission shall receive per diem,
30 subsistence, and travel allowances in accordance with G.S. 120-3.1. The appointing
31 authority shall fill vacancies.

32 The Commission, while in the discharge of its official duties, may exercise all
33 the powers provided under the provisions of G.S. 120-19, and G.S. 120-19.1 through
34 G.S. 120-19.4, including the power to request all officers, agents, agencies, and
35 departments of the State to provide any information, data, or documents within their
36 possession, ascertainable from their records, or otherwise available to them and the
37 power to subpoena witnesses.

38 **SECTION 10.5.** The Commission shall submit a final written report of its
39 findings and recommendations on or before the convening of the 2007 General
40 Assembly. All reports shall be filed with the Speaker of the House of Representatives
41 and the Legislative Librarian. Upon filing its final report, the Commission shall
42 terminate.

1 **SECTION 10.6.** Of the funds appropriated to the General Assembly, the
2 Legislative Services Commission shall allocate funds for the expenses of the
3 Commission established by this Part.
4

5 **PART XI. DEPARTMENT OF TRANSPORTATION STUDY OF VOLUNTARY**
6 **DISABILITY DESIGNATION ON DRIVERS LICENSES.**
7

8 **SECTION 11.** The Division of Motor Vehicles of the Department of
9 Transportation shall study a method to implement a voluntary disability designation on
10 drivers licenses, State-issued identification cards, and vehicle registration. The method
11 should allow persons with developmental disabilities or their families, or both, to
12 request the placement of a designation indicating the disability or the possible presence
13 in their vehicle of a person with a disability. The Division shall report to the General
14 Assembly, no later than June 1, 2007, on the method developed and the schedule for
15 implementation of the designation.
16

17 **PART XII. HOUSE TASK FORCE TO REVIEW AND RESOLVE CONFLICT**
18 **IN NORTH CAROLINA LAW OVER THE RECOVERY OF COSTS IN CIVIL**
19 **CASES. (H.B. 2070 – Glazier)**
20

21 **SECTION 12.1.** A House of Representatives Task Force on the Recovery of
22 Costs in Civil Cases is established to review and recommend a resolution to the conflict
23 in North Carolina law regarding the recovery of costs in a civil case. Specifically, the
24 Task Force on the Recovery of Costs in Civil Cases shall study the conflict that exists
25 between G.S. 6-20 and G.S. 7A-305, and the appellate cases interpreting those statutes,
26 and recommend revisions to one or both statutes to resolve that conflict.
27

28 **SECTION 12.2.** The Speaker of the House of Representatives shall appoint
29 to serve on the Task Force six members of the House of Representatives and three
30 public members: one member of the North Carolina Academy of Trial Lawyers, one
31 member of the North Carolina Association of Defense Attorneys, and one member of
32 the North Carolina Bar Association. The Speaker shall appoint a chair from the Task
33 Force membership. The Task Force shall meet upon the call of its chair. A quorum of
34 the Committee shall be a majority of its members.

35 **SECTION 12.3.** Members of the Task Force shall receive per diem,
36 subsistence, and travel allowances in accordance with G.S. 120-3.1, 138-5, or 138-6, as
37 appropriate. Upon the prior approval of the Legislative Services Commission, the
38 Legislative Services Officer shall assign professional and clerical staff to the Task Force
39 to aid in its work. The Task Force may contract for professional, clerical, or consultant
40 services as provided by G.S. 120-32.02. The Task Force may meet at various locations
41 around the State to promote greater public participation in its deliberations. Subject to
42 the approval of the Legislative Services Commission, the Task Force may meet in the
43 Legislative Building or the Legislative Office Building. The Task Force, while in the
44 discharge of its official duties, may exercise all the powers provided under the
provisions of G.S. 120-19 and G.S. 120-19.1 through G.S. 120-19.4, including the

1 power to request all officers, agents, agencies, and departments of the State to provide
2 any information, data, or documents within their possession, ascertainable from their
3 records, or otherwise available to them and the power to subpoena witnesses.

4 **SECTION 12.4.** The Task Force shall report the results of its review and its
5 recommended resolution to the conflict to the Speaker of the House of Representatives
6 by December 31, 2006.

7 **SECTION 12.5.** From funds appropriated to the General Assembly, the
8 Legislative Services Commission shall allocate funds for the purpose of conducting the
9 study provided for in this Part.

10
11 **PART XIII. WILDLIFE RESOURCES COMMISSION (H.B. 505 – Sherrill,
12 McComas, Gibson, Preston)**

13
14 **SECTION 13.1.** The Wildlife Resources Commission shall study the issue
15 of allowing hunting on Sundays at a limited number of State game lands. In conducting
16 its study, the Commission shall consider, but is not limited to, the following issues:

- 17 (1) Individual game land suitability for Sunday hunting, including the
18 status of resident wildlife species, proximity to population centers, and
19 range of recreational opportunities available.
20 (2) Allowable hunting activities, including methods of taking and the use
21 of dogs.
22 (3) Limiting hunting privileges to avoid conflict with religious services.
23 (4) The needs of persons pursuing nonhunting outdoor recreational
24 activities, including private landowners, family picnics, hiking,
25 canoeing, birding, horseback riding, climbing, and biking.

26 **SECTION 13.2.** In conducting the study, the Commission shall obtain input
27 from representatives of interested parties, including landowners, the North Carolina
28 Wildlife Federation, the Sierra Club and other conservation organizations, the North
29 Carolina Farm Bureau and other agricultural organizations, the North Carolina Horse
30 Council, hunting clubs and organizations, controlled hunting preserve operators,
31 religious organizations, and other outdoor recreational clubs and organizations.

32 **SECTION 13.3.** As a part of the study, the Commission shall conduct at
33 least one public hearing in each of its nine regions on the issue of allowing Sunday
34 hunting on selected game lands.

35 **SECTION 13.4.** The Wildlife Resources Commission shall report its
36 findings and recommendations, including a recommendation whether to amend, repeal,
37 or leave intact the existing ban on Sunday hunting, to the Joint Legislative Commission
38 on Governmental Operations no later than March 15, 2007.

39
40 **PART XIV. JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON MENTAL
41 HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE
42 SERVICES STUDIES**
43

1 **SECTION 14.1.** The Joint Legislative Oversight Committee on Mental
2 Health, Developmental Disabilities, and Substance Abuse Services may study the topics
3 listed in this Part and report its findings, together with any recommended legislation, to
4 the 2007 General Assembly upon its convening.

5 **SECTION 14.2.** Mental Health Parity (H.B. 893 – Alexander) – The
6 Committee may study issues related to mental health parity.

7 **SECTION 14.3.** Funding for Area and County Program Administration
8 (Holloman) – The Committee may, in consultation with the Department of Health and
9 Human Services, conduct an analysis of funding for administration for area and county
10 mental health, developmental disabilities, and substance abuse services programs.

11
12 **PART XV. STUDY COMMISSION ON STATE CONSTRUCTION**
13 **INSPECTIONS (Owens; S.B. 192 – Hagan)**
14

15 **SECTION 15.1.** There is created the Legislative Study Commission on State
16 Construction Inspections. The Commission shall consist of 14 members appointed as
17 follows:

- 18 (1) Five voting members appointed by the Speaker of the House of
19 Representatives, one of whom is also a member of the Higher
20 Education Bond Oversight Committee.
- 21 (2) Five voting members appointed by the President Pro Tempore of the
22 Senate, one of whom is also a member of the Higher Education Bond
23 Oversight Committee.
- 24 (3) Four nonvoting ex officio members as follows or their designees: the
25 Commissioner of Labor, the Commissioner of Insurance, the Secretary
26 of Administration, and the Secretary of Health and Human Services.

27 The Speaker of the House of Representatives and the President Pro Tempore
28 of the Senate shall each appoint a cochair for the Commission. The appointing authority
29 shall fill vacancies. The Commission shall meet upon the call of the cochairs.

30 **SECTION 15.2.** The Commission shall study the following:

- 31 (1) The scope and nature of each type of inspection of private and public
32 construction projects performed or required by State agencies.
- 33 (2) The extent to which State inspections overlap with inspections
34 performed by local governments.
- 35 (3) The total cost of the State's inspection of public and private
36 construction projects.
- 37 (4) The comparative efficiencies and efficacies of each type of inspection
38 of private and public construction projects performed or required by
39 State agencies to determine whether:
 - 40 a. The inspections can be combined to save the costs of
41 administration and to limit any hardships on public and private
42 entities engaged in construction projects.
 - 43 b. Any inspections should be otherwise modified in scope or
44 eliminated.

- 1 (5) The level of training of the various inspectors in the State agencies and
2 whether the training is satisfactory for the types of inspections
3 performed.
- 4 (6) Whether changes in the process to review plans submitted to and
5 approved by the Commissioner of Insurance and the Department of
6 Administration could enhance cost savings and promotion of one-time
7 completion of projects.
- 8 (7) Any other matter related to increasing the efficiency and efficacy of
9 the State's inspection of public and private construction projects.

10 **SECTION 15.3.** The Commission may contract for consultant services as
11 provided by G.S. 120-32.02. Upon approval of the Legislative Services Commission,
12 the Legislative Services Officer shall assign professional and clerical staff to assist in
13 the work of the Commission. Clerical staff shall be furnished to the Commission
14 through the offices of the House of Representatives' and the Senate's Directors of
15 Legislative Assistants. The Commission may meet in the Legislative Building or the
16 Legislative Office Building upon the approval of the Legislative Services Commission.
17 Members of the Commission shall receive per diem, subsistence, and travel allowances
18 at the rate established in accordance with G.S. 120-3.1, 138-5, and 138-6, as
19 appropriate. The Commission, while in the discharge of its official duties, may exercise
20 all the powers provided under the provisions of G.S. 120-19 and G.S. 120-19.1 through
21 G.S. 120-19.4, including the power to request all officers, agents, agencies, and
22 departments of the State to provide any information, data, or documents within their
23 possession, ascertainable from their records, or otherwise available to them, and the
24 power to subpoena witnesses.

25 **SECTION 15.4.** The Commission may report its findings, conclusions, and
26 recommendations, including any legislative proposals by the convening of the 2007
27 General Assembly. The Commission shall expire on that date, or upon filing its final
28 report, whichever occurs earlier.

29 **SECTION 15.5.** Of the funds appropriated to the General Assembly, the
30 Legislative Services Commission shall allocate funds for the expenses of the
31 Commission established by this Part.

32
33 **PART XVI. MERGER OF ECOLOGICAL ENHANCEMENT PROGRAM AND**
34 **THE CLEAN WATER MANAGEMENT TRUST FUND (Jenkins)**

35
36 **SECTION 16.** The Environmental Review Commission and the Joint
37 Legislative Transportation Oversight Committee shall jointly study the merger of the
38 organization and functions of the Ecological Enhancement Program with the Clean
39 Water Management Trust Fund. The Commission and the Committee may hire
40 consultants to assist with the study. The final report shall be made to the 2007 General
41 Assembly.

42
43 **PART XVII. STUDY COMMISSION ON STATE DISABILITY INCOME PLAN**
44 **AND OTHER RELATED PLANS**

1
2 **SECTION 17.1.** There is established a Study Commission on the State
3 Disability Income Plan and Other Related Plans.

4 **SECTION 17.2.** The Commission shall be comprised of 13 members as
5 follows:

- 6 (1) Four persons appointed by the President Pro Tempore of the Senate,
7 one of whom shall be familiar with disability issues relating to State
8 employees, one of whom shall be familiar with disability issues
9 relating to school employees, one of whom shall be familiar with
10 workers' compensation issues relating to State employees or school
11 employees, and one at-large.
- 12 (2) Four persons appointed by the Speaker of the House of
13 Representatives, one of whom shall be familiar with disability issues
14 relating to State employees, one of whom shall be familiar with
15 disability issues relating to school employees, one of whom shall be
16 familiar with workers' compensation issues relating to State employees
17 or school employees, and one at-large.
- 18 (3) The State Treasurer or the Treasurer's designee.
- 19 (4) The Executive Administrator of the Teachers' and State Employees'
20 Comprehensive Major Medical Plan.
- 21 (5) The Chair of the North Carolina Industrial Commission or the Chair's
22 designee.
- 23 (6) One person appointed by the President of The University of North
24 Carolina who is familiar with disability issues relating to university
25 employees.
- 26 (7) One person appointed by the President of the North Carolina
27 Community Colleges System who is familiar with disability issues
28 relating to community college employees.

29 Any vacancy shall be filled by the officer who made the original
30 appointment. The President Pro Tempore of the Senate and the Speaker of the House
31 shall each appoint a co-chair. The Commission shall meet at the call of the co-chairs.

32 **SECTION 17.3.** The Commission shall study the plan design, funding, and
33 administration of the Disability Income Plan of North Carolina established pursuant to
34 Article 6 of Chapter 135 of the General Statutes, the Death Benefit Plan established
35 pursuant to G.S. 135-5(1), and the Separate Insurance Benefits Plan for State and Local
36 Governmental Law Enforcement Officers established pursuant to G.S. 143-166.60 to
37 determine what changes, if any, should be made to those Plans. The Commission shall
38 consider what changes could be made to the Plans that would enhance the efficiency of
39 and reduce the cost of the Plans to the State and its employees.

40 **SECTION 17.4.** The President Pro Tempore of the Senate and the Speaker
41 of the House of Representatives shall designate cochairs of the Commission from
42 among their respective appointees. The Commission shall meet upon the call of the
43 cochairs. Members of the Commission shall receive per diem, subsistence, and travel
44 allowance in accordance with G.S. 120-3.1, 138-5, or 138-6, as appropriate. The

1 Commission, while in the discharge of official duties, may exercise all powers provided
2 for under the provisions of G.S. 120-19 and G.S. 120-19.1 through G.S. 120-19.4.

3 **SECTION 17.5.** The Legislative Services Commission, through the
4 Legislative Services Officer, shall assign professional staff to assist the Commission in
5 its work. The House of Representatives' and the Senate's Directors of Legislative
6 Assistants shall assign clerical staff to the Commission, and the expenses relating to the
7 clerical employees shall be borne by the Commission. Subject to the approval of the
8 Legislative Services Commission, the Commission may meet in the Legislative
9 Building or the Legislative Office Building.

10 **SECTION 17.6.** The Commission shall employ an actuary with expertise in
11 the areas of disability income insurance and group life insurance to assist the
12 Commission in its work pursuant to the procedure set forth in G.S. 120-32.02. This
13 actuary shall not be a State employee or a person currently under contract with the State
14 to provide services. If necessary, the Commission may hire other employees as provided
15 in G.S. 120-32.02.

16 **SECTION 17.7.** The Commission may meet during a regular or extra
17 session of the General Assembly, subject to approval of the President Pro Tempore of
18 the Senate and the Speaker of the House of Representatives.

19 **SECTION 17.8.** The Commission shall submit a report of the results of its
20 study, including any legislative recommendations, to the General Assembly not later
21 than January 1, 2007.

22 **SECTION 17.9.** Of the funds appropriated to the General Assembly, the
23 Legislative Services Commission shall allocate funds to implement the provisions of
24 this Part.
25

26 **PART XVIII. STUDY NO-FAULT COMPENSATION FOR INJURIES TO** 27 **ELDERLY AND DISABLED PERSONS (S.B. 1041 – Clodfelter)**

28
29 **SECTION 18.** The Commissioner of Insurance, the North Carolina
30 Industrial Commission, and the Department of Health and Human Services may jointly
31 study the utility, efficacy, and advisability of creating a system of no-fault
32 compensation, with such compensation based on scheduled amounts and subject to
33 limits on total compensation paid, for injuries resulting from regular and ordinary
34 course of care provided at nursing homes, homes for the elderly, other long-term care
35 facilities, and assisted living facilities. If the study is conducted, the results of this study,
36 including findings and recommendations for suggested legislation, shall be reported to
37 the 2007 General Assembly upon its convening.
38

39 **PART XIX. UNC BOARD OF GOVERNORS STUDY COMMISSION**

40
41 **SECTION 19.1.** There is created the UNC Board of Governors Study
42 Commission. The Commission shall consist of 10 members appointed as follows: five
43 by the President Pro Tempore of the Senate and five by the Speaker of the House of
44 Representatives. The Speaker of the House of Representatives shall appoint a cochair,

1 and the President Pro Tempore of the Senate shall appoint a cochair for the
2 Commission. Vacancies on the Commission shall be filled by the appointing authority.
3 The Commission shall meet upon the call of the cochairs. A majority of the members of
4 the Commission shall constitute a quorum.

5 **SECTION 19.2.** The Commission shall continue the work of prior UNC
6 Board of Governors Study Commissions and study the method of election or
7 appointment of members of the Board of Governors, the length of members' terms, the
8 number of terms a member may serve, and the size of the Board of Governors. As part
9 of the study, the Commission may examine the governing boards of other states'
10 institutions of higher education. The Commission shall report its findings and any
11 recommendations to the 2007 General Assembly. The Commission shall terminate
12 upon the filing of its final report.

13 **SECTION 19.3.** Members of the Commission shall receive per diem,
14 subsistence, and travel allowances in accordance with G.S. 120-3.1, 138-5, or 138-6, as
15 appropriate.

16 **SECTION 19.4.** Subject to the approval of the Legislative Services
17 Commission, the Commission may meet in the State Legislative Building or the
18 Legislative Office Building. The Legislative Services Commission, through the
19 Legislative Services Officer, shall assign professional staff to assist in the work of the
20 Commission. The House of Representatives' and the Senate's Directors of Legislative
21 Assistants shall assign clerical staff to the Commission, and the expenses relating to the
22 clerical employees shall be borne by the Commission. The Commission, while in the
23 discharge of its official duties, may exercise all the powers provided under the
24 provisions of G.S. 120-19 and G.S. 120-19.1 through G.S. 120-19.4, including the
25 power to request all officers, agents, agencies, and departments of the State to provide
26 any information, data, or documents within their possession, ascertainable from their
27 records, or otherwise available to them and the power to subpoena witnesses.

28 **SECTION 19.5.** Of the funds appropriated to the General Assembly, the
29 Legislative Services Commission shall allocate funds to implement the provisions of
30 this Part.

31
32 **PART XX. JOINT LEGISLATIVE COMMISSION ON HEALTH INSURANCE**
33 **ACCESSIBILITY (Kerr)**

34
35 **SECTION 20.1.** There is established in the General Assembly a Joint
36 Legislative Commission on Health Insurance Accessibility.

37 **SECTION 20.2.** Membership. – The Commission shall be composed of 16
38 members as follows:

- 39 (1) Eight members of the House of Representatives appointed by the
40 Speaker of the House of Representatives.
41 (2) Eight members of the Senate appointed by the President Pro Tempore
42 of the Senate.

43 Vacancies on the Commission shall be filled by the appointing authority.
44 Cochairs of the Commission shall be designated by the Speaker of the House of

1 Representatives and the President Pro Tempore of the Senate from among their
2 respective appointees. The Commission shall meet upon the call of the cochairs.

3 **SECTION 20.3.** The Commission shall study the legal, fiscal, and policy
4 implications of various means of increasing accessibility to health insurance. The
5 Commission may study the creation of a North Carolina Health Insurance Risk Pool
6 (H.B. 1535 – Insko, Holliman) and a North Carolina Fair Share Health Insurance
7 Access Program (H.B. 2860 – Holliman).

8 The study shall specifically address strategies for increasing accessibility to
9 health insurance by small employer groups, self-employed individuals, and individuals
10 who are employed but uninsured. The study of small employer access shall include the
11 following:

- 12 (1) A review of the number of small employers (50 or fewer employees)
13 in this State, grouped by industry and volume of business; the number
14 of small employers that offer comprehensive health insurance
15 coverage to their employees; and the average premium charged for
16 comprehensive health insurance coverage available to small employer
17 groups in this State, as compared to premiums for comparable
18 coverage in the Southeast region and other areas of the United States.
- 19 (2) A review of the participation rates, premiums and cost-sharing, and
20 coverage options offered under the North Carolina Small Employer
21 Group Health Coverage Reform Act, Part 5, Article 50 of Chapter 58
22 of the General Statutes.
- 23 (3) An analysis of the Healthy New York Program administered by the
24 State of New York, or similar program, that combines the provision of
25 a standardized, streamlined benefit package with state-funded
26 reinsurance in the form of a stop-loss fund that would reimburse
27 insurers for the costs of claims within a defined claims corridor. In
28 conducting the analysis the Commission shall review and consider the
29 proposed committee substitute for Senate Bill 255, 2005 Regular
30 Session of the General Assembly. The analysis shall also review the
31 amount in state funds appropriated for the Healthy New York Program
32 since its inception, and corresponding participation rates by employers
33 and eligible individuals.
- 34 (4) An analysis of providing additional tax benefits for small businesses
35 that provide health insurance coverage for their employees.

36 **SECTION 20.4.** Members of the Commission shall receive per diem,
37 subsistence, and travel allowances in accordance with G.S. 120-3.1, 138-5, or 138-6, as
38 appropriate. The Legislative Services Office shall provide adequate staff for the
39 Commission. The Commission may hire consultants to assist with the study as provided
40 in G.S. 120-32.02(b). The Commission, while in the discharge of its official duties, may
41 exercise all the powers provided under the provisions of G.S. 120-19 and G.S. 120-19.1
42 through G.S. 120-19.4, including the power to request all officers, agents, agencies, and
43 departments of the State to provide any information, data, or documents within their
44 possession, ascertainable from their records, or otherwise available to them and the

1 power to subpoena witnesses. The Commission may meet during a regular or extra
2 session of the General Assembly, subject to approval of the Speaker of the House of
3 Representatives and the President Pro Tempore of the Senate.

4 **SECTION 20.5.** The Commission shall make a final report of its findings
5 and recommendations to the 2007 General Assembly. The interim report may and the
6 final report shall include findings and recommendations on:

- 7 (1) Whether the State should provide for the implementation of a small
8 employer health insurance program that is supported with State funds
9 to ensure comprehensive coverage and affordability for small
10 employer groups, self-employed individuals, and employed but
11 uninsured individuals. If the Commission recommends
12 implementation, the recommendation should specifically address
13 strategies for avoiding adverse selection and crowd-out, eligibility
14 factors such as family income, limitations on claims thresholds and
15 corridors for stop-loss coverage, benefit levels and limitations, and the
16 feasibility and advisability of establishing a State high-risk pool.
- 17 (2) An estimate of the cost to the State to support stop-loss coverage,
18 high-risk coverage, or other approaches to ensuring small employer
19 health insurance access and affordability.
- 20 (3) Other findings and recommendations relevant to the purposes of the
21 study.

22 The Commission shall terminate upon the filing of its final report or the adjournment of
23 the 2007 General Assembly.

24 **SECTION 20.6.** Of the funds appropriated to the General Assembly, the
25 Legislative Services Commission shall allocate funds for the expenses of the
26 Commission established by this part.

27 28 **PART XXI. STATE FACILITIES MASTER PLAN/DIX COMPLEMENTARY** 29 **USES**

30
31 **SECTION 21.** The Dorothea Dix Hospital Property Study Commission shall
32 study and make recommendations regarding the following:

- 33 (1) Balancing complementary public uses of open space, the adaptive
34 re-use of existing facilities, and continued support for mental health
35 services.
- 36 (2) The financial feasibility of the various uses.
- 37 (3) An assessment of financial mechanisms for the implementation and
38 maintenance of the various uses.
- 39 (4) Administrative or governance structures to implement the uses.

40 The Commission shall report its findings and recommendations to the 2007 General
41 Assembly by January 31, 2007.

42 43 **PART XXII. COMPENSATION OF STATE ELECTED AND APPOINTED** 44 **OFFICIALS STUDY COMMISSION (Rand)**

1
2 **SECTION 22.1.** There is established the Compensation of State Elected and
3 Appointed Officials Study Commission.

4 **SECTION 22.2.** The Commission shall consist of 15 members appointed as
5 follows:

- 6 (1) Two members of the Senate appointed by the President Pro Tempore
7 of the Senate.
- 8 (2) Two members of the House of Representatives appointed by the
9 Speaker of the House of Representatives.
- 10 (3) Three members appointed by the President Pro Tempore of the Senate
11 who are representatives of private business with experience in
12 evaluating and establishing compensation for management and
13 executives.
- 14 (4) Three members appointed by the Speaker of the House of
15 Representatives who are representatives of private business with
16 experience in evaluating and establishing compensation for
17 management and executives.
- 18 (5) Five members appointed by the Governor. In making the
19 appointments, the Governor shall consider representatives of private
20 business with experience in evaluating and establishing compensation
21 for management and executives.

22 The Commission shall have two cochairs, one designated by the President Pro Tempore
23 of the Senate and one designated by the Speaker of the House of Representatives from
24 among their respective appointees. The Commission shall meet upon the call of the
25 cochairs. Any vacancy on the Commission shall be filled by the original appointing
26 authority.

27 **SECTION 22.3.** The following State elected and appointed officials shall be
28 included in the study by the Commission: the Governor and Lieutenant Governor; the
29 Council of State; the Governors Cabinet; Members of the General Assembly; Justices of
30 the Supreme Court, Judges of the Court of Appeals, Judges of the Superior Court, and
31 Judges of the District Court.

32 **SECTION 22.4.** The Commission shall study the matters that impact
33 compensation and benefits for State elected and appointed officials and may include the
34 following:

- 35 (1) Whether the annual compensation for State elected and appointed
36 officials is equivalent to the compensation paid to comparable
37 members of private businesses in the State.
- 38 (2) Whether the annual compensation for State elected and appointed
39 officials is at a sufficient level to continue to attract highly qualified
40 individuals to commit to public service to the State without requiring
41 those individuals to experience direct financial hardships.
- 42 (3) The impact of inflationary forces on that compensation.

- 1 (4) The effect, where appropriate, of comparable positions in the United
2 States Government and the inclusion of established adjustments and
3 increases in the compensation of comparable federal positions.
- 4 (5) Whether the compensation and benefits, including family leave
5 policies, are competitive for State elected and appointed officials as
6 compared to comparable positions in the private sector.
- 7 (6) Actions that would attract and retain State elected and appointed
8 officials with special experience, management and leadership positions
9 in the private sector for comparable State elected and appointed
10 positions.
- 11 (7) Any other matters relating to the compensation of State elected and
12 appointed officials.

13 **SECTION 22.5.** Members of the Commission shall receive per diem,
14 subsistence, and travel allowances in accordance with G.S. 120-3.1, 138-5, or 138-6, as
15 appropriate. Upon the prior approval of the Legislative Services Commission, the
16 Legislative Services Officer shall assign professional and clerical staff to the
17 Commission to aid in its work. The Commission may contract for professional, clerical,
18 or consultant services as provided by G.S. 120-32.02. The Commission may meet
19 during a regular or extra session of the General Assembly, subject to approval of the
20 President Pro Tempore of the Senate and the Speaker of the House of Representatives.
21 Subject to the approval of the Legislative Services Commission, the Commission may
22 meet in the Legislative Building or the Legislative Office Building. The Commission,
23 while in the discharge of its official duties, may exercise all the powers provided under
24 the provisions of G.S. 120-19 and G.S. 120-19.1 through G.S. 120-19.4, including the
25 power to request all officers, agents, agencies, and departments of the State to provide
26 any information, data, or documents within their possession, ascertainable from their
27 records, or otherwise available to them and the power to subpoena witnesses.

28 **SECTION 22.6.** The Commission shall make its findings and
29 recommendations in a final report to the 2007 General Assembly upon its convening.
30 The Commission shall terminate upon the filing of its final report.

31 **SECTION 22.7.** From funds appropriated to the General Assembly, the
32 Legislative Services Commission shall allocate funds for the purpose of conducting the
33 study provided for in this part.

34
35 **PART XXIII. DEPARTMENT OF CULTURAL RESOURCES STUDY**
36 **GRAVEYARD OF THE ATLANTIC MUSEUM**

37
38 **SECTION 23.** The Department of Cultural Resources shall study the
39 feasibility of designating the Graveyard of the Atlantic Museum as a State Historic Site
40 or a Grassroots Science Museum. The Department shall submit the results of its study to
41 the 2007 General Assembly upon its convening.

42
43 **PART XXIV. JOINT LEGISLATIVE OVERSIGHT COMMISSION ON**
44 **INFORMATION TECHNOLOGY STUDIES (Tolson, Malone)**

1
2 **SECTION 24.1.** There is established the Legislative Study Commission on
3 Information Technology. The Commission shall consist of 14 members, appointed as
4 follows:

- 5 (1) Five members of the Senate appointed by the President Pro Tempore
6 of the Senate.
7 (2) Five members of the House of Representatives appointed by the
8 Speaker of the House of Representatives.
9 (3) Two members of the general public with experience in information
10 technology appointed by the President Pro Tempore of the Senate.
11 (4) Two members of the general public with experience in information
12 technology appointed by the Speaker of the House of Representatives.

13 Vacancies in membership shall be filled by the original appointing authority.
14 The President Pro Tempore of the Senate and the Speaker of the House of
15 Representatives shall each designate a cochair of the Commission from their appointees.

16 **SECTION 24.2.** The Commission shall review the newly revised North
17 Carolina Education Technology Plan developed by the North Carolina State Board of
18 Education. The Commission's review shall also include best practices for using
19 technology to enhance teaching and learning in North Carolina schools. The
20 Commission shall review existing research-based best practices such as the IMPACT
21 model, NC Wise Owl, and successful 1:1 (computer to student) initiatives across the
22 State and nation. The Commission shall receive recommendations from the Business
23 and Education Technology Alliance, the E-Learning Commission, the business
24 community, and the North Carolina Center for 21st Century Skills.

25 **SECTION 24.3.** The Commission, while in discharge of its official duties,
26 may exercise all powers provided for under G.S. 120-19 and G.S. 120-19.1 through
27 G.S. 120-19.4. The Commission may contract for professional, clerical, or consultant
28 services as provided by G.S. 120-32.02. Subject to the approval of the Legislative
29 Services Commission, the Commission may meet in the Legislative Building or the
30 Legislative Office Building. The Legislative Services Commission, through the
31 Legislative Services Officer, shall assign professional staff to assist the Commission in
32 its work. The House of Representatives' and the Senate's Directors of Legislative
33 Assistants shall assign clerical support staff to the Commission, and the expenses
34 relating to clerical employees shall be borne by the Commission. Members of the
35 Commission shall receive subsistence and travel expenses at the rates set forth in
36 G.S. 120-3.1, 138-5, or 138-6, as appropriate.

37 **SECTION 24.4.** The Commission shall submit a final written report of its
38 findings and recommendations by February 1, 2007. All reports shall be filed with the
39 President Pro Tempore of the Senate, the Speaker of the House of Representatives, and
40 the Legislative Librarian. Upon filing its final report, the Commission shall terminate.

41 **SECTION 24.5.** Of the funds appropriated to the General Assembly, the
42 Legislative Services Commission shall allocate funds for the expenses of the
43 Commission established by this part.
44

1 **PART XXV. HISTORICALLY UNDERUTILIZED BUSINESS**
2 **CERTIFICATION TASK FORCE (Dorsett)**
3

4 **SECTION 25.1.** Task Force Established; Membership. – The Department of
5 Administration shall establish a Historically Underutilized Business Task Force. The
6 Task Force shall consist of 15 members as follows:

- 7 (1) One member appointed by the North Carolina League of
8 Municipalities.
- 9 (2) One member appointed by the North Carolina Association of County
10 Commissioners.
- 11 (3) One member appointed by the North Carolina School Boards
12 Association.
- 13 (4) One member appointed by the North Carolina Institute for Minority
14 Economic Development.
- 15 (5) Three members appointed by the North Carolina Minority and
16 Women's Business Enterprise Coordinator's Network.
- 17 (6) Eight members appointed by the Office of Historically Underutilized
18 Business, two of whom shall be representatives of the Office, one of
19 whom shall be a minority business owner, one of whom shall be a
20 female business owner, one of whom shall be a disabled business
21 owner, and three of whom shall be public members.

22 Vacancies in membership shall be filled as provided in this section.

23 **SECTION 25.2.** Cochairs; Meetings. – The Task Force shall have two
24 cochairs appointed by the Secretary of Administration from among the members of the
25 Task Force. The Task Force shall meet at least quarterly upon the call of the cochairs.

26 **SECTION 25.3.** Quorum; Voting. – A quorum of the Task Force shall
27 consist of five members. All action shall be taken by a majority vote.

28 **SECTION 25.4.** Duties. – The Task Force shall propose criteria and
29 procedures for: (i) the certification of businesses under G.S. 143-48 and G.S. 143-128.2
30 as Historically Underutilized Businesses; (ii) the creation and maintenance of a database
31 of the businesses certified; and (iii) any other matters related to the certification of
32 businesses as authorized in this section. In determining ownership of a business for
33 purposes of certification, the Task Force shall use the definitions provided in
34 G.S. 143-48 and G.S. 143-128.2.

35 **SECTION 25.5.** Support. – The Department of Administration shall provide
36 meeting facilities and staff support for the Task Force. The Task Force may also seek
37 other assistance, including technical, business, and managerial assistance.

38 **SECTION 25.6.** Report. – The Task Force shall report its proposed criteria
39 and procedures to the Secretary of Administration on or before November 1, 2007, at
40 which time the Task Force shall terminate.

41
42 **PART XXVI. SMART START AND CHILD CARE FUNDING STUDY (Hagan)**
43

1 **SECTION 26.1.** There is established a Smart Start and Child Care Funding
2 Study Commission.

3 **SECTION 26.2.** The Commission shall be composed of 15 members as
4 follows:

- 5 (1) Four members of the Senate appointed by the President Pro Tempore
6 of the Senate.
- 7 (2) Four members of the House of Representatives appointed by the
8 Speaker of the House of Representatives.
- 9 (3) A representative of the North Carolina Partnership for Children
10 appointed by the President Pro Tempore of the Senate.
- 11 (4) The Secretary of the Department of Health and Human Services or the
12 Secretary's designee.
- 13 (5) A Department of Social Services County Director appointed by the
14 Speaker of the House of Representatives.
- 15 (6) A Department of Public Health County Director appointed by the
16 President Pro Tempore of the Senate.
- 17 (7) A representative of a Local Partnership for Children appointed by the
18 Speaker of the House of Representatives.
- 19 (8) One representative from a private for-profit day care appointed by the
20 President Pro Tempore of the Senate and one representative from a
21 private not-for-profit day care appointed by the Speaker of the House
22 of Representatives.

23 Any vacancy on the Commission shall be filled by the appointing authority.
24 Cochairs of the Commission shall be designated by the President Pro Tempore of the
25 Senate and the Speaker of the House of Representatives from among their respective
26 appointees. The Commission shall meet upon the call of the cochairs.

27 **SECTION 26.3.** The Commission shall invite the Secretary of Health and
28 Human Services to attend each meeting of the Commission and encourage the
29 Secretary's participation in the Commission's deliberations.

30 **SECTION 26.4.** The Commission shall study the funding of the North
31 Carolina Partnership for Children. In conducting the study, the Commission shall
32 consider the following:

- 33 (1) The current funding system of the North Carolina Partnership for
34 Children.
- 35 (2) Any strategies for achieving full funding and full service for North
36 Carolina's young children and families.
- 37 (3) Funding equity among all counties and local partnerships.
- 38 (4) Any other information the Commission deems relevant in providing
39 services to young children and families including child care services.

40 **SECTION 26.5.** Members of the Commission shall receive per diem,
41 subsistence, and travel allowances in accordance with G.S. 120-3.1, 138-5, or 138-6, as
42 appropriate. Upon the prior approval of the Legislative Services Commission, the
43 Legislative Services Officer shall assign professional staff to the Commission to aid in
44 its work. The Commission may contract for professional, clerical, or consultant services

1 as provided by G.S. 120-32.02. The Commission may meet during a regular or extra
2 session of the General Assembly, subject to approval of the President Pro Tempore of
3 the Senate and the Speaker of the House of Representatives. The Commission shall
4 meet at various locations around the State in order to promote greater public
5 participation in its deliberations. Subject to the approval of the Legislative Services
6 Commission, the Commission may meet in the Legislative Building or the Legislative
7 Office Building. The Commission, while in the discharge of its official duties, may
8 exercise all the powers provided under the provisions of G.S. 120-19 and G.S. 120-19.1
9 through G.S. 120-19.4, including the power to request all officers, agents, agencies, and
10 departments of the State to provide any information, data, or documents within their
11 possession, ascertainable from their records, or otherwise available to them and the
12 power to subpoena witnesses.

13 **SECTION 26.6.** The Commission shall make its findings and
14 recommendations in a final report to the 2007 General Assembly. Upon the earlier of
15 the filing of its final report or the convening of the 2007 General Assembly, the
16 Commission shall terminate.

17 **SECTION 26.7.** From funds appropriated to the General Assembly, the
18 Legislative Services Commission shall allocate funds for the purpose of conducting the
19 study provided for in this part.
20

21 **PART XXVII. STUDY COMMISSION ON ECONOMIC DEVELOPMENT** 22 **INFRASTRUCTURE**

23
24 **SECTION 27.1.** There is created the Study Commission on Economic
25 Development Infrastructure. The Commission shall consist of 32 members as follows:

- 26 (1) Sixteen members appointed by the President Pro Tempore of the
27 Senate.
- 28 (2) Sixteen members appointed by the Speaker of the House of
29 Representatives.

30 **SECTION 27.2.** At least half of the members appointed to the Commission
31 by the President Pro Tempore of the Senate, and at least half of the members appointed
32 to the Commission by the Speaker of the House of Representatives shall be persons who
33 are not members of the General Assembly and who are either actively engaged in
34 economic development or C-Level Executives of private corporations.

35 **SECTION 27.3.** The President Pro Tempore of the Senate shall appoint two
36 cochairs of the Commission, and the Speaker of the House of Representatives shall
37 appoint two cochairs of the Commission. The Commission may meet at any time upon
38 the joint call of the cochairs. Vacancies on the Commission shall be filled by the same
39 appointing authority as made the initial appointment.

40 **SECTION 27.4.** The Commission shall examine the existing infrastructure
41 for the delivery of economic development, including the many entities involved in
42 economic development. The Commission shall develop a plan to restructure and
43 consolidate the infrastructure for the delivery of economic development to improve its

1 organization and effectiveness. The Commission shall specifically examine the role of
2 the following in the delivery of economic development:

- 3 (1) The Department of Commerce.
- 4 (2) The regional councils of government created pursuant to
5 G.S. 160A-470.
- 6 (3) The Economic Development Board created pursuant to
7 G.S. 143B-434. The Commission shall consider whether the Economic
8 Development Board, which is currently advisory in nature, should be
9 reconstituted and given responsibility for policy development or
10 regulatory authority.
- 11 (4) The regional planning and economic development commissions
12 created pursuant to Article 2 of Chapter 158 of the General Statutes.
13 The Commission shall consider whether regional planning and
14 economic development commissions should be given greater
15 responsibility for marketing and business recruitment.

16 **SECTION 27.5.** The Commission may also examine the feasibility of
17 establishing a North Carolina Economic Disaster Task Force.

18 **SECTION 27.6.** The Commission, while in the discharge of its official
19 duties, may exercise all powers provided for under G.S. 120-19 and G.S. 120-19.1
20 through G.S. 120-19.4. The Commission may contract for professional, clerical, or
21 consultant services as provided by G.S. 120-32.02.

22 **SECTION 27.7.** Subject to the approval of the Legislative Services
23 Commission, the Commission may meet in the Legislative Building or the Legislative
24 Office Building. The Legislative Services Commission, through the Legislative Services
25 Officer, shall assign professional staff to assist the Commission in its work. The House
26 of Representatives' and the Senate's Directors of Legislative Assistants shall assign
27 clerical support staff to the Commission, and the expenses relating to the clerical
28 employees shall be borne by the Commission. Members of the Commission shall
29 receive subsistence and travel expenses at the rates set forth in G.S. 120-3.1, 138-5, or
30 138-6, as appropriate.

31 **SECTION 27.8.** The Commission shall submit a final report of its findings
32 and recommendations, including any legislative recommendations, to the 2007 General
33 Assembly upon its convening. The Commission shall terminate upon the convening of
34 the 2007 General Assembly.

35 **SECTION 27.9.** Of the funds appropriated to the General Assembly, the
36 Legislative Services Commission shall allocate funds for the expenses of the
37 Commission established by this part.

38 **PART XXVIII. TRAINING NEEDS OF THE MOTORSPORTS INDUSTRY**

39 **SECTION 28.** The State Board of Community Colleges (State Board) shall
40 study the issues surrounding the creation of a modern multiuse motorsports specialized
41 training program and the training needs of the motorsports industry. In conducting the
42 study, the State Board shall create a consortium of community colleges to address the
43
44

1 training needs of industry members and to direct training programs to meet those needs.
2 The consortium members shall consist of Catawba Valley Community College, Central
3 Piedmont Community College, Davidson Community College, Forsyth Technical
4 Community College, Halifax Community College, Rowan-Cabarrus Community
5 College, and Wilkes Community College. Forsyth Technical Community College shall
6 be the lead community college in the consortium for management and operations
7 purposes. The consortium of community colleges shall focus its training efforts to
8 provide specialized motorsports workforce training and to help create new jobs at the
9 Advanced Vehicle Research Center located in Northampton County. If the motorsports
10 industry finds that additional training at the university level would be beneficial to the
11 industry, the State Board may work the with the Board of Governors of The University
12 of North Carolina and motorsports industry to determine how to best meet those needs.
13 The State Board shall report its findings and recommendations, including any legislative
14 proposals, to the Joint Legislative Education Oversight Committee on or before
15 February 1, 2007.

16
17 **PART XXIX. INLAND PORT (Dalton)**

18
19 **SECTION 29.** The Institute for the Economy and the Future of Western
20 North Carolina University, in cooperation with the North Carolina Regional Economic
21 Development Commission, known as AdvantageWest, shall study the feasibility of
22 establishing an inland port within the twenty three county region of the Commission.
23 The Commission shall complete the report and submit it to the General Assembly on or
24 before May 1, 2007.

25
26 **PART XXX. STUDY MITIGATION OF POTENTIAL FLOODING IN CERTAIN**
27 **AREAS (H.B. 24 – Gillespie; Goforth, Rapp)**

28
29 **SECTION 30.** The Department of Environment and Natural Resources shall
30 study the causes of the flooding in Canton, Biltmore Village, Blue Ridge Paper
31 Company, and the City of Newland to determine what measures can be taken to prevent
32 or mitigate the flooding potential in those areas. The Department may request the
33 assistance of the United States Army Corps of Engineers in this study. The Department
34 of Environment and Natural Resources shall report its findings to the 2007 General
35 Assembly.

36
37 **PART XXXI. STUDY THE ORGANIZATION OF THE GENERAL COURT OF**
38 **JUSTICE INTO DISTRICTS AND DIVISIONS (S.B. 173 – Bingham)**

39
40 **SECTION 31.** The North Carolina Courts Commission shall study the
41 current state of the General Court of Justice, focusing on workloads, case backlogs, and
42 other issues relevant to the efficient administration of justice and determine whether the
43 current organization of the State into judicial divisions, superior court districts, district
44 court districts, and prosecutorial districts is in need of revision or adjustment in order to

1 better serve the interests of justice. The Commission shall report its findings and
2 recommendations to the 2007 General Assembly.

3
4 **PART XXXII. STUDY INHERENTLY DANGEROUS ANIMALS (S.B. 1032 –**
5 **Garwood)**

6
7 **SECTION 32.1.** The Department of Environment and Natural Resources, in
8 consultation with the North Carolina Zoological Park and the Wildlife Resources
9 Commission, shall study the need to protect the public against the health and safety
10 risks posed by inherently dangerous animals and propose a means of best providing that
11 protection to the public while also protecting the welfare of inherently dangerous
12 animals. In developing recommendations, the Department shall consult with the
13 following entities or groups, or appropriate representatives of those entities or groups:

- 14 (1) The Department of Agriculture and Consumer Services.
15 (2) The Division of Public Health of the Department of Health and Human
16 Services.
17 (3) The North Carolina State University College of Veterinary Medicine.
18 (4) The State Animal Response Team.
19 (5) Local law enforcement officials.
20 (6) Local animal control officials.
21 (7) Wild animal breeders.
22 (8) Exotic pet hobbyists.
23 (9) Commercial pet retailers.
24 (10) Small zoo owners.
25 (11) Humane organizations.
26 (12) Any other entities or groups whose interests may be affected by
27 proposed regulations.

28 **SECTION 32.2.** The Department shall report its findings to the General
29 Assembly no later than the convening of the 2007 General Assembly.

30 **SECTION 32.3.** The report made by the Department of Environment and
31 Natural Resources shall include:

- 32 (1) A list of the types of animals that possess such inherently dangerous
33 characteristics that they should not be owned or possessed by persons
34 who do not have special expertise or training, and a determination as to
35 whether these animals should be grouped into classes for differential
36 treatment based upon the nature and extent of the threat they pose to
37 the public. This list should also include information about the nature of
38 the dangers posed by each type of animal.
39 (2) A suggested means for regulating ownership of certain animals,
40 including a means of enforcing any proposed restrictions on the
41 ownership or possession of those animals. This portion of the report
42 may include an evaluation of regulations in place in other jurisdictions
43 that have proven to be effective in protecting the public from
44 inherently dangerous animals.

- 1 (3) A plan for addressing inherently dangerous animals that are indigenous
2 species within the jurisdiction of the Wildlife Resources Commission
3 under Article 22 of Chapter 113 of the General Statutes and a
4 consideration as to whether any potential legislation should broadly
5 address the keeping of any wildlife as pets, whether indigenous or not
6 and whether inherently dangerous or not. This portion of the report
7 should result from extensive consultation with the Wildlife Resources
8 Commission.
- 9 (4) A recommendation as to whether persons owning or possessing
10 animals covered by any proposed restrictions should be grandfathered
11 in under a regulatory scheme and the appropriate means of
12 grandfathering those persons in, including consideration of whether
13 certain animals are so threatening to the public safety that the
14 grandfathering of untrained owners or possessors should not be
15 allowed under any circumstances.
- 16 (5) A recommended list, as comprehensive as possible, of persons and
17 entities that should be exempted from the proposed restrictions on
18 ownership or possession of the animals covered by any proposed
19 restrictions, such as zoos, veterinary hospitals, wildlife sanctuaries,
20 research institutions, and the like.

21
22 **PART XXXIII. STATE FAIR HOUSING ACT STUDY (Kinnaird)**

23
24 **SECTION 33.** The North Carolina Human Relations Commission shall
25 study whether the State Fair Housing Act should be amended to make it an unlawful
26 discriminatory housing practice to refuse to enter into a residential real estate
27 transaction with a person based upon the fact that the person receives public assistance
28 due to age or physical or mental disability. In studying this issue, the Commission shall
29 review the laws of other states related to housing discrimination and determine the
30 extent to which certain forms of public assistance are protected under those laws. While
31 conducting the study, the Commission shall consult with representatives from the
32 residential real estate and residential rental community. The Commission shall report its
33 findings and any recommendations to the 2007 General Assembly upon its convening.

34
35 **PART XXXIV. STUDY YOUTHFUL OFFENDERS (H.B. 1298 – Bordsen)**

36
37 **SECTION 34.1.** The North Carolina Sentencing and Policy Advisory
38 Commission may study issues related to the conviction and sentencing of youthful
39 offenders aged 16 to 21 years, to determine whether the State should amend the laws
40 concerning these offenders, including, but not limited to, revisions of the Juvenile Code
41 and/or the Criminal Procedure Act that would provide appropriate sanctions, services,
42 and treatment for such offenders. In conducting the study, the Commission may review
43 the laws concerning juveniles and youthful offenders from the federal government,
44 other states, and the relevant North Carolina laws and programs. The Commission shall

1 consult with the Department of Correction, the Department of Health and Human
2 Services, the Department of Juvenile Justice and Delinquency Prevention, and the
3 Department of Public Instruction in conducting the study.

4 **SECTION 34.2.** The Commission shall submit a final report, along with any
5 recommended legislation, by March 1, 2007, to the 2007 General Assembly.

6
7 **PART XXXV. ADMINISTRATIVE OFFICE OF THE COURTS STUDY**
8 **SELF-SERVE CENTERS (Rand)**

9
10 **SECTION 35.** The Administrative Office of the Courts, in consultation with
11 the North Carolina Bar Association, the North Carolina Legal Services Planning
12 Council, Legal Aid of North Carolina, Inc., the North Carolina Justice Center, and
13 Pisgah Legal Services shall study the most effective way to address the increasing
14 numbers of persons who either cannot afford representation or choose to represent
15 themselves in family law matters and in some civil litigation. The Administrative Office
16 of the Courts shall report the results of this study to the House and Senate
17 Appropriations Subcommittees on Justice and Public Safety no later than December 31,
18 2007.

19
20 **PART XXXVI. STUDY OF RATE-SETTING METHODOLOGY FOR**
21 **STATE-FUNDED KIDNEY DIALYSIS (H.B. 1725 – Earle)**

22
23 **SECTION 36.** The Department of Health and Human Services may study its
24 rate setting methodology for State-funded kidney dialysis services to determine the
25 feasibility of inflationary increases that correspond to rate and inflationary increases
26 provided for equivalent Medicaid services. If the study is conducted, the Department
27 shall report its findings to the House of Representatives Appropriations Committee and
28 the Senate Appropriations Committee by May 1, 2007.

29
30 **PART XXXVII. MENHADEN STUDY (H.B. 955 – Stiller)**

31
32 **SECTION 37.** The Joint Legislative Commission on Seafood and
33 Aquaculture may study the management of menhaden and Atlantic thread herring,
34 including whether it should be unlawful to take menhaden or Atlantic thread herring
35 with a purse seine off the shore of Brunswick and New Hanover Counties during all or
36 part of each year. If the study is conducted, the Commission shall report its findings
37 and recommendations, including any legislative proposals, to the 2007 General
38 Assembly.

39
40 **PART XXXVIII. CONTINUE TWENTY-FIRST CENTURY REVENUE**
41 **SYSTEM STUDY COMMISSION (Daughtridge, McGee)**

42
43 **SECTION 38.** Section 46.7 of S.L. 2004-161 reads as rewritten:

1 "SECTION 46.7. Report. – The Commission may make an interim report to the
2 ~~2005~~ 2006 Regular Session of the 2005 General Assembly not later than its convening,
3 and must make its final report to the ~~2006 Regular Session of the 2005–2007~~ General
4 Assembly upon its convening. The Commission shall terminate the earlier of the filing
5 of its final report or upon the convening of the ~~2006 Regular Session of the 2005~~ 2007
6 General Assembly."

7
8 **PART XXXIX. STUDY COMMISSION ON THE ORGANIZATION, POWERS,
9 DUTIES, FUNCTIONS, FUNDING, AND POTENTIAL CONSOLIDATION OR
10 ELIMINATION OF STATE BOARDS, COMMISSIONS, AND COUNCILS
11 (Harrell)**

12
13 **SECTION 39.1.** There is created the Study Commission on State Boards,
14 Commissions, and Councils. The Commission shall consist of 28 members as follows:

- 15 (1) 14 members appointed by the President Pro Tempore of the Senate.
16 (2) 14 members appointed by the Speaker of the House of
17 Representatives.

18 **SECTION 39.2.** The President Pro Tempore of the Senate shall appoint two
19 cochairs of the Commission and the Speaker of the House of Representatives shall
20 appoint two cochairs of the Commission. The Commission may meet at any time upon
21 the joint call of the cochairs. Vacancies on the Commission shall be filled by the same
22 appointing authority as made the initial appointment.

23 **SECTION 39.3.** The Commission shall examine the organization, powers,
24 duties, functions, and funding of State boards, commissions, and councils. The
25 Commission shall specifically consider the following:

- 26 (1) Whether the boards, commissions, or councils should be eliminated or
27 consolidated with one or more other boards, commissions, or councils.
28 (2) Whether the number of members serving on boards, commissions, and
29 councils or the manner in which members are selected should be
30 altered.
31 (3) Whether the number and frequency of meetings of boards,
32 commissions, and councils should be altered.
33 (4) The cost of supporting each board, commission, or council, including
34 salaries, per diem, travel, clerical and administrative support, and other
35 expenses.
36 (5) The productivity and effectiveness of the boards, commissions, and
37 councils.

38 **SECTION 39.4.** The Commission, while in the discharge of its official
39 duties, may exercise all powers provided for under G.S. 120-19 and G.S. 120-19.1
40 through G.S. 120-19.4. The Commission may contract for professional, clerical, or
41 consultant services as provided by G.S. 120-32.02.

42 **SECTION 39.5.** Subject to the approval of the Legislative Services
43 Commission, the Commission may meet in the Legislative Building or the Legislative
44 Office Building. The Legislative Services Commission, through the Legislative Services

1 Officer, shall assign professional staff to assist the Commission in its work. The House
2 of Representatives' and the Senate's Directors of Legislative Assistants shall assign
3 clerical support staff to the Commission, and the expenses relating to the clerical
4 employees shall be borne by the Commission. Members of the Commission shall
5 receive subsistence and travel expenses at the rates set forth in G.S. 120-3.1, 138-5, or
6 138-6, as appropriate.

7 **SECTION 39.6.** The Commission shall submit a final report of its findings
8 and recommendations, including any legislative recommendations, to the 2007 General
9 Assembly upon its convening. The Commission shall terminate upon the convening of
10 the 2007 General Assembly.

11 **SECTION 39.7.** Of the funds appropriated to the General Assembly, the
12 Legislative Services Commission shall allocate funds for the expenses of the
13 Commission established by this part.
14

15 **PART XL. STUDY COMMISSION ON WORKER RETRAINING (Harrell)**

16
17 **SECTION 40.1.** There is created the Study Commission on Worker
18 Retraining. The Commission shall consist of 32 members as follows:

- 19 (1) 16 members appointed by the President Pro Tempore of the Senate.
- 20 (2) 16 members appointed by the Speaker of the House of
21 Representatives.

22 **SECTION 40.2.** At least half of the members appointed to the Commission
23 by the President Pro Tempore of the Senate and at least half of the members appointed
24 to the Commission by the Speaker of the House of Representatives shall be persons who
25 are not members of the General Assembly and who are actively engaged in worker
26 retraining or welfare reform as either private citizens, administrators of State agencies,
27 or administrators or faculty at community colleges in the State.

28 **SECTION 40.3.** The President Pro Tempore of the Senate shall appoint two
29 cochairs of the Commission and the Speaker of the House of Representatives shall
30 appoint two cochairs of the Commission. The Commission may meet at any time upon
31 the joint call of the cochairs. Vacancies on the Commission shall be filled by the same
32 appointing authority as made the initial appointment.

33 **SECTION 40.4.** The Commission shall examine:

- 34 (1) Business incentives that encourage employers to support efforts by
35 employees to retrain in order to qualify for higher paying or
36 nonexportable jobs by allowing employees time off, reimbursing
37 employees for education expenses, or providing other support.
- 38 (2) Successful retraining incentive programs in this and other states.

39 **SECTION 40.5.** The Commission, while in the discharge of its official
40 duties, may exercise all powers provided for under G.S. 120-19 and G.S. 120-19.1
41 through G.S. 120-19.4. The Commission may contract for professional, clerical, or
42 consultant services as provided by G.S. 120-32.02.

43 **SECTION 40.6.** Subject to the approval of the Legislative Services
44 Commission, the Commission may meet in the Legislative Building or the Legislative

1 Office Building. The Legislative Services Commission, through the Legislative Services
2 Officer, shall assign professional staff to assist the Commission in its work. The House
3 of Representatives' and the Senate's Directors of Legislative Assistants shall assign
4 clerical support staff to the Commission, and the expenses relating to the clerical
5 employees shall be borne by the Commission. Members of the Commission shall
6 receive subsistence and travel expenses at the rates set forth in G.S. 120-3.1, 138-5, or
7 138-6, as appropriate.

8 **SECTION 40.7.** The Commission shall submit a final report of its findings
9 and recommendations, including any legislative recommendations, to the 2007 General
10 Assembly upon its convening. The Commission shall terminate upon the convening of
11 the 2007 General Assembly.

12 **SECTION 40.8.** Of the funds appropriated to the General Assembly, the
13 Legislative Services Commission shall allocate funds for the expenses of the
14 Commission established by this part.

15
16 **PART XLI. LOCAL SCHOOL CONSTRUCTION FINANCING STUDY**
17 **(Yongue)**

18
19 **SECTION 41.1.** Section 7.32.(b) of S.L. 2004-124 reads as rewritten:

20 **"SECTION 7.32.(b) Membership.** – The Commission shall be composed of 2019
21 members, as follows:

- 22 (1) ~~One member appointed by the Governor, after consultation with the~~
23 ~~President Pro Tempore of the Senate and the Speaker of the House of~~
24 ~~Representatives, who shall serve as chair;~~
25 (2) Eight members appointed by the President Pro Tempore of the Senate:
26 two members of the Senate from urban areas, two members of the
27 Senate from rural areas, one member representing a large,
28 fast-growing, urban school administrative unit that is a plaintiff in the
29 Leandro school-financing litigation, one member from the financial
30 services industry, one county commissioner, and one educator;
31 (3) Eight members appointed by the Speaker of the House of
32 Representatives: two members of the House of Representatives from
33 urban areas, two members of the House of Representatives from rural
34 areas, one member representing a rural school administrative unit that
35 is a plaintiff in the Leandro school-financing litigation, one member
36 who is knowledgeable about municipal and school finance, one school
37 board member, and one educator;
38 (4) The State Treasurer or a designee;
39 (5) The State Superintendent of Public Instruction or a designee; and
40 (6) The chair of the State Board of Education.

41 Vacancies shall be filled by the appointing authority. The President Pro
42 Tempore of the Senate and the Speaker of the House of Representatives shall each
43 appoint a cochair of the Commission."

44 **SECTION 41.2.** Section 7.32.(i) of S.L. 2004-124 reads as rewritten:

1 "**SECTION 7.32.(i)** Reports. – The Commission shall make an interim report to the
2 ~~2005 General Assembly no later than January 31, 2005, and a final report to the 2006~~
3 ~~2007 Regular Session of the 2005 General Assembly no later than March 31,~~
4 ~~2006 Assembly.~~ The final report shall contain recommendations for legislation to
5 implement recommendations made by the Commission. ~~The interim report may also~~
6 ~~contain recommendations for legislation.~~ The Commission shall terminate ~~on March 31,~~
7 ~~2006 upon the filing of its final report."~~

8
9 **PART XLII. LEGISLATIVE STUDY COMMISSION ON STATE PERSONNEL**
10 **STATUTES**

11
12 **SECTION 42.** Section 5.1 of S.L. 2004-161 reads as rewritten:

13 "**SECTION 5.1.** The General Assembly may study issues related to the State
14 Personnel Act. The Speaker of the House of Representatives and the President Pro
15 Tempore of the Senate shall designate an appropriate committee to conduct the study.
16 The Committee may make an interim report to the ~~2005-2006~~ General Assembly and
17 shall make its final report to the ~~2006 Regular Session of the 2005-2007~~ General
18 Assembly."

19
20 **PART XLIII. DIVISION OF AIR QUALITY STUDY OF COSTS AND**
21 **BENEFITS OF REDUCING EMISSIONS OF OXIDES OF NITROGEN,**
22 **PARTICULATE MATTER, AND GREENHOUSE GASES FROM MOTOR**
23 **VEHICLES. (S.B. 1006 – Clodfelter)**

24
25 **SECTION 43.** The Division of Air Quality of the Department of
26 Environment and Natural Resources shall study the costs and benefits of reducing
27 emissions of oxides of nitrogen, particulate matter, and greenhouse gases from motor
28 vehicles in this State. In particular, the Division shall evaluate the desirability and air
29 quality benefits of adopting motor vehicle emissions standards adopted in other states.
30 The Division of Air Quality shall submit an interim report on its findings and
31 recommendations, including any legislative proposals, no later than January 15, 2007
32 and shall submit a final report no later than April 1, 2007 to the Environmental Review
33 Commission and the Legislative Commission on Global Climate Change.

34
35 **PART XLIV. DEPARTMENT OF HEALTH AND HUMAN SERVICES SURVEY**
36 **OF PHARMACY PROVIDERS PARTICIPATING IN THE MEDICAID**
37 **PROGRAM TO DETERMINE THE COST OF DISPENSING A MEDICAID**
38 **PRESCRIPTION (H.B. 2853 – England; Faison)**

39
40 **SECTION 44.** Not later than January 1, 2007, the Department of Health and
41 Human Services shall conduct a survey of pharmacy providers participating in the
42 Medicaid program to determine the cost of dispensing a Medicaid prescription in North
43 Carolina. In place of the survey, the Department of Health and Human Services may
44 use a recently conducted national survey of a statistically relevant sample of

1 pharmacies. The Department shall report its findings to the Senate Appropriations
2 subcommittee on Health and Human Services, the House of Representatives
3 Appropriations Subcommittee on Health and Human Services, and the Fiscal Research
4 Division not later than March 1, 2007.

5
6 **PART XLV. WATERFRONT ACCESS STUDY COMMITTEE (H.B. 1922 –**
7 **Wainwright, Justice; S.B. 1352 – Albertson)**

8
9 **SECTION 45.1.** There is created the Waterfront Access Study Committee.

10 **SECTION 45.2.** The Committee shall be comprised of 21 members as
11 follows:

- 12 (1) The Director of the Sea Grant College Program of The University of
13 North Carolina or the Director's designee.
- 14 (2) The Senate Cochair of the Joint Legislative Commission on Seafood
15 and Aquaculture or the Cochair's designee.
- 16 (3) The House Cochair of the Joint Legislative Commission on Seafood
17 and Aquaculture or the Cochair's designee.
- 18 (4) The Chair of the Marine Fisheries Commission or the Chair's designee.
- 19 (5) The Chair of the Coastal Resources Commission or the Chair's
20 designee.
- 21 (6) The Chair of the Wildlife Resources Commission or the Chair's
22 designee.
- 23 (7) The Director of the Division of Marine Fisheries or the Director's
24 designee.
- 25 (8) The Director of the Division of Coastal Management or the Director's
26 designee.
- 27 (9) The President of the North Carolina Recreation and Parks Association
28 or the President's designee. The individual who serves in this position
29 must also be a director of a public parks and recreation agency located
30 in a coastal region as described in G.S. 143B-289.54(b).
- 31 (10) A representative of a local government located in the Northeast
32 Coastal Region, as described by G.S. 143B-289.54(b), appointed by
33 the President Pro Tempore of the Senate.
- 34 (11) A representative of a local government located in the Central Coastal
35 Region, as described by G.S. 143B-289.54(b), appointed by the
36 Speaker of the House of Representatives.
- 37 (12) A representative of a local government located in the Southeast
38 Coastal Region, as described by G.S. 143B-289.54(b), appointed by
39 the President Pro Tempore of the Senate.
- 40 (13) An economist appointed by the Speaker of the House of
41 Representatives.
- 42 (14) A representative of the residential building industry who builds in a
43 coastal region as described in G.S. 143B-289.54(b), appointed by the
44 President Pro Tempore of the Senate.

- 1 (15) A realtor licensed under Chapter 93A of the General Statutes,
2 appointed by the Speaker of the House of Representatives.
- 3 (16) An individual involved in economic development in a coastal region as
4 described in G.S. 143B-289.54(b), appointed by the President Pro
5 Tempore of the Senate.
- 6 (17) A representative of the marine trades industry appointed by the
7 Speaker of the House of Representatives.
- 8 (18) A representative of the commercial fishing industry appointed by the
9 President Pro Tempore of the Senate.
- 10 (19) A representative of the recreational fishing industry appointed by the
11 Speaker of the House of Representatives.
- 12 (20) A social scientist appointed by the President Pro Tempore of the
13 Senate.
- 14 (21) A representative of the environmental community appointed by the
15 Speaker of the House of Representatives.

16 The Director of the Sea Grant College Program of The University of North
17 Carolina or the Director's designee shall be the Chair of the Committee. Any vacancy
18 shall be filled by the original appointing authority. A quorum of the Committee shall be
19 a majority of its members. The Committee shall meet upon the call of the Chair.

20 **SECTION 45.3.** The Committee, with the assistance of the Sea Grant
21 College Program of The University of North Carolina and the North Carolina Coastal
22 Resources Law, Planning, and Policy Center, shall study the degree of loss and potential
23 loss of the diversity of uses along the coastal shoreline of North Carolina and how these
24 losses impact access to the public trust waters of the State. Specifically, the Committee
25 shall:

- 26 (1) Gather information about local land-use management and zoning,
27 current shoreline development trends, and local tax rates, including tax
28 assessment trends for shoreline properties.
- 29 (2) Collect research and information from North Carolina and other states
30 and jurisdictions regarding incentive-based techniques and
31 management tools used to preserve waterfront diversity.
- 32 (3) Assess the applicability of such tools and techniques to the coastal
33 shorelines of North Carolina.
- 34 (4) Prepare a draft report with a statement of the issues, a summary of the
35 research, and recommendations to address issues of diversity of
36 waterfront use and access in North Carolina.
- 37 (5) Hold three public meetings to present the draft report and
38 recommendations to the public and user groups. One public meeting
39 shall be held in each of the three coastal regions described by
40 G.S. 143B-289.54(b).

41 **SECTION 45.4.** Members of the Commission shall receive per diem,
42 subsistence, and travel allowances in accordance with G.S. 120-3.1, 138-5, or 138-6, as
43 appropriate. Upon the prior approval of the Legislative Services Commission, the
44 Legislative Services Officer shall assign professional and clerical staff to the

1 Commission to aid in its work. The Commission may contract for professional, clerical,
2 or consultant services as provided by G.S. 120-32.02. The Commission may meet
3 during a regular or extra session of the General Assembly, subject to approval of the
4 President Pro Tempore of the Senate and the Speaker of the House of Representatives.
5 Subject to the approval of the Legislative Services Commission, the Commission may
6 meet in the Legislative Building or the Legislative Office Building. The Commission,
7 while in the discharge of its official duties, may exercise all the powers provided under
8 the provisions of G.S. 120-19 and G.S. 120-19.1 through G.S. 120-19.4, including the
9 power to request all officers, agents, agencies, and departments of the State to provide
10 any information, data, or documents within their possession, ascertainable from their
11 records, or otherwise available to them and the power to subpoena witnesses.

12 **SECTION 45.5.** The Committee may submit an interim report of its study to
13 the Joint Legislative Commission on Seafood and Aquaculture, the Marine Fisheries
14 Commission, and the Coastal Resources Commission no later than January 15, 2007.
15 The Committee shall submit a final report of the results of its study, including any
16 legislative recommendations, to the Joint Legislative Commission on Seafood and
17 Aquaculture, the Marine Fisheries Commission, and the Coastal Resources Commission
18 no later than April 15, 2007. The Committee shall terminate on April 15, 2007, or upon
19 the filing of its final report, whichever occurs first.

20 **SECTION 45.6.** From funds appropriated to the General Assembly, the
21 Legislative Services Commission shall allocate funds for the purpose of conducting the
22 study provided for in this act.

23 **PART XLVI. GOVERNMENT PERFORMANCE AUDIT**

24 **SECTION 46.1.** The Government Performance Audit Committee is
25 established. The Committee shall be located administratively in the General Assembly.
26 The Committee shall consist of 10 members appointed as follows: (i) five members of
27 the House of Representatives shall be appointed by the Speaker of the House of
28 Representatives, and (ii) five members of the Senate shall be appointed by the President
29 Pro Tempore of the Senate.

30 Terms on the Committee begin on August 1, 2006. A member continues to
31 serve until a successor is appointed. A vacancy shall be filled within 30 days by the
32 officer who made the original appointment. The Committee and the terms of the
33 members shall expire when the Committee submits a final report to the General
34 Assembly.

35 The President Pro Tempore of the Senate and the Speaker of the House of
36 Representatives shall each designate a cochair of the Committee. The Committee shall
37 meet at least once a quarter upon the joint call of the cochairs. A quorum of the
38 Committee is six members. No action may be taken except by a majority vote at a
39 meeting at which a quorum is present.

40 From funds available to the General Assembly, the Legislative Services
41 Commission shall allocate monies to fund the meetings of the Committee. Members of
42
43

1 the Committee shall receive subsistence and travel expenses as provided in
2 G.S. 120-3.1.

3 The Legislative Services Commission, through the Legislative Services
4 Officer, shall assign professional staff to assist the Committee in its work. Upon the
5 direction of the Legislative Services Commission, the Directors of Legislative
6 Assistants of the Senate and of the House of Representatives shall assign clerical staff to
7 the Committee. The expenses for clerical employees shall be borne by the Committee.

8 **SECTION 46.2.** The Committee shall contract for a performance audit of
9 the executive branch of State government. The goals of the audit are to evaluate the
10 efficiency and effectiveness of State government and to identify specific ways to make
11 improvements. The audit may examine entire departments, agencies, or institutions, or
12 similar programs in several departments. The results of the audit shall be reported on or
13 before February 1, 2008.

14 The performance audit shall include an examination of the efficiency and
15 effectiveness of major management policies, practices, and functions, including the
16 following areas:

- 17 (1) Planning, budgeting, and program evaluation policies and practices,
18 including an analysis of the compliance of the executive branch with
19 existing planning requirements, such as the Capital Improvement
20 Planning Act, Article 1B of Chapter 143 of the General Statutes.
- 21 (2) Personnel systems operations and management.
- 22 (3) State purchasing operations and management.
- 23 (4) Information technology and telecommunications systems policy,
24 organization, and management.
- 25 (5) Review of duplications and related or overlapping services or activities
26 for the purpose of coordinating and streamlining programs to achieve
27 consistent and clear objectives.

28 **SECTION 46.3.** The Committee shall issue a Request for Proposal (RFP)
29 for a government performance audit to be conducted in accordance with this act. The
30 Committee may award a contract pursuant to the RFP.

31 **PART XLVII. STATE AND LOCAL REVENUE MODERNIZATION STUDY** 32 **COMMISSION.**

33 **SECTION 47.1.** The State and Local Revenue Modernization Study
34 Commission is established.

35 **SECTION 47.2.** The Commission shall be composed of 30 members, as
36 follows:

- 37 (1) Fifteen members appointed by the Speaker of the House of
38 Representatives as follows:
 - 39 a. Five persons with substantial business experience.
 - 40 b. Four persons who are members of the House of Representatives
41 at the time of appointment.

- 1 c. Two persons who hold county or municipal elected office or are
- 2 county or city managers.
- 3 d. One person with experience in economic analysis.
- 4 e. Three members of the public at large.
- 5 (2) Fifteen members appointed by the President Pro Tempore of the
- 6 Senate as follows:
- 7 a. Five persons with substantial business experience.
- 8 b. Four persons who are members of the Senate at the time of
- 9 appointment.
- 10 c. Two persons who hold county or municipal elected office or are
- 11 county or city managers.
- 12 d. One person with experience in economic analysis.
- 13 e. Three members of the public at large.

14 The Commission shall have two cochairs, one designated by the President Pro Tempore
15 of the Senate and one designated by the Speaker of the House of Representatives from
16 among their respective appointees. The Commission shall meet upon the call of the
17 cochairs. Any vacancy on the Commission shall be filled by the original appointing
18 authority.

19 **SECTION 47.3.** The Commission shall:

- 20 (1) Examine State and local revenue-sharing and taxing authority.
- 21 (2) Review the existing State tax code and recommend ways to modernize
- 22 it.
- 23 (3) Examine the current authority of local government to levy taxes and
- 24 fees and recommend any changes in such authority.
- 25 (4) Recommend to the General Assembly needed changes in State and
- 26 local tax structure and sharing of revenues.
- 27 (5) Study and recommend a permanent financing strategy leading to the
- 28 elimination of county financial participation in Medicaid services.

29 **SECTION 47.4.** Members of the Commission shall receive subsistence and
30 travel allowances at the rates set forth in G.S. 120-3.1, 138-5, or 138-6, as appropriate.
31 With the prior approval of the Legislative Services Commission, the Legislative
32 Services Officer shall assign professional and clerical staff to assist in the work of the
33 Commission. The University of North Carolina shall provide advice and staffing to the
34 Commission. Provision of such advice and staffing shall be coordinated through the
35 President of The University of North Carolina, utilizing appropriate resources of the
36 various constituent institutions. With the prior approval of the Legislative Services
37 Commission, the Commission may hold its meetings in the State Legislative Building or
38 the Legislative Office Building. The Commission may also meet at various locations
39 around the State in order to promote greater public participation in its deliberations.
40 The Commission, while in the discharge of its official duties, may exercise all the
41 powers provided under the provisions of G.S. 120-19 and G.S. 120-19.1 through
42 G.S. 120-19.4, including the power to request all officers, agents, agencies, and
43 departments of the State to provide any information, data, or documents within their
44 possession, ascertainable from their records, or otherwise available to them and the

1 power to subpoena witnesses. The Commission may meet during a regular or extra
2 session of the General Assembly.

3 **SECTION 47.5.** The Commission shall report its finding and
4 recommendation to the 2007 Regular Session of the General Assembly no later than
5 May 1, 2007. The Commission shall terminate upon the filing of its final report

6 **SECTION 47.6.** Of the funds appropriated to the General Assembly, the
7 Legislative Services Commission shall allocate funds for the expenses of the
8 Commission established by this Part. Such allocation may be accomplished by transfer
9 of funds to the University of North Carolina. Funds appropriated to The University of
10 North Carolina may also be used to provide professional and clerical assistance as
11 provided by this Part.
12

13 **PART XLVIII. CHRONIC KIDNEY DISEASE TASK FORCE (Wright)**

14
15 **SECTION 48.1.** The North Carolina Institute of Medicine is requested to
16 convene a Task Force to study chronic kidney disease.

17 **SECTION 48.2.** If the Task Force is convened, the Secretary of Health and
18 Human Services or a designee shall serve as a Co-Chair of the Task Force. The other
19 Co-Chair shall be selected from the Task Force members. The Task Force shall include,
20 but not be limited, to the following members:

- 21 (1) Two members of the House of Representatives appointed by the
22 Speaker of the House of Representatives.
- 23 (2) Two members of the Senate appointed by the President Pro Tempore
24 of the Senate.
- 25 (3) Three physicians appointed from lists submitted by the North Carolina
26 Medical Society.
- 27 (4) One physician appointed from lists submitted by the Old North State
28 Medical Society.
- 29 (5) One member who represents the State affiliate of the National Kidney
30 Foundation.
- 31 (6) One member who is a representative of the Department of Nephrology
32 at each of the following medical schools: The University of North
33 Carolina at Chapel Hill School of Medicine, Duke University School
34 of Medicine, Bowman Gray School of Medicine at Wake Forest
35 University, and the Brody School of Medicine at East Carolina
36 University.
- 37 (7) One member who represents owners/operators of clinical laboratories
38 in the State.
- 39 (8) One member who represents a private renal care provider
- 40 (9) One member who is a dietitian licensed by the State of North Carolina.
- 41 (10) One member who is a registered nurse practicing in the renal field.
- 42 (11) One member who is a social worker practicing in the renal field.
- 43 (12) One member who has chronic kidney disease.

- 1 (13) Four representatives from the Department of Health and Human
2 Services, including one representative from Community Care of North
3 Carolina, one representative from the Division of Public Health,
4 Chronic Disease Branch, one representative from the Division of
5 Facility Services, Certificate of Need section, and one representative
6 from the Office of Minority Health and Health Disparities.

7 If the Task Force is convened, the North Carolina Institute of Medicine shall
8 provide staff and arrange for meeting facilities for the Task Force.

9 **SECTION 48.3.** If the Task Force is convened, it shall develop a plan to:

- 10 (1) Reduce the occurrence of chronic kidney disease by controlling the
11 most common risk factors, diabetes and hypertension, through
12 preventive efforts at the community level and disease management
13 efforts in the primary care setting.
- 14 (2) Educate the public and health care professionals about the advantages
15 and methods of early screening, diagnosis, and treatment of chronic
16 kidney disease and its complications based on Kidney Disease
17 Outcomes Quality Initiative Clinical Practice Guidelines for chronic
18 kidney disease or other medically recognized clinical practice
19 guidelines.
- 20 (3) Educate health care professionals about early renal replacement
21 therapy education for patients (including in-center dialysis, home
22 hemodialysis, peritoneal dialysis as well as vascular access options and
23 transplantation) prior to the onset of ESRD when kidney function is
24 declining.
- 25 (4) Make recommendations on the implementation of a cost-effective plan
26 for prevention, early screening, diagnosis, and treatment of chronic
27 kidney disease and its complications for the State's population.
- 28 (5) Identify current barriers to adoption of best practices and potential
29 policy options to address these barriers.

30 **SECTION 48.4.** If the North Carolina Institute of Medicine Chronic Kidney
31 Disease Task Force is convened, it shall submit its interim report and recommendations
32 to the 2007 General Assembly upon its convening, and to the chairs of the Senate
33 Health Committee, the House of Representatives Health Committee, the House Aging
34 Committee, and the Governor. The final report shall be submitted no later than the
35 convening of the 2008 General Assembly. Upon submission of this report, the Task
36 Force shall terminate.

37
38 **PART XLIX. RAIL SERVICES COMMISSION (H.B. 89 – Pate, Rapp; S.B. 674 –**
39 **Nesbitt)**

40
41 **SECTION 49.1.** Commission Established. – There is established in the
42 General Assembly a Joint Legislative Commission on Expanding Rail Service. The
43 Commission shall be composed of 16 members as follows:

- 1 (1) Eight members of the House of Representatives appointed by the
2 Speaker of the House of Representatives.
- 3 (2) Eight members of the Senate appointed by the President Pro Tempore
4 of the Senate.

5 **SECTION 49.2.** Duties of Commission. – The Commission shall study the
6 following matters related to expanding rail service in North Carolina:

- 7 (1) The cost and benefits of expanding and upgrading rail service in the
8 State, including the effect the expanded service would have on
9 economic development.
- 10 (2) The feasibility, cost, and benefits of establishing commuter rail service
11 in the State to transport workers to cities from outlying areas,
12 including the effect the commuter service would have on increasing
13 the economic opportunities of those who live in the outlying areas.
- 14 (3) The cost and benefits of expanding passenger rail service to the
15 western and eastern areas of the State, including the effect the
16 expanded service would have on tourism.
- 17 (4) Ways to preserve unused or abandoned rail corridors for future rail
18 needs.
- 19 (5) Spurring economic development and tourism through further
20 development of short-line railroads.

21 Any vacancy on the Commission shall be filled by the appointing authority.
22 Cochairs of the Commission shall be designated by the Speaker of the House of
23 Representatives and the President Pro Tempore of the Senate from among their
24 respective appointees. The Commission shall meet upon the call of the cochairs. A
25 quorum of the Commission shall be nine members.

26 **SECTION 49.3.** Expenses of Members. – Members of the Commission shall
27 receive per diem, subsistence, and travel allowances in accordance with G.S. 120-3.1,
28 138-5, or 138-6, as appropriate.

29 **SECTION 49.4.** Staff. – Adequate staff shall be provided to the Commission
30 by the Legislative Services Office.

31 **SECTION 49.5.** Consultants. – The Commission may contract for
32 professional, clerical, or consultant services as provided by G.S. 120-32.02.

33 **SECTION 49.6.** Cooperation. – The Commission may call upon any
34 department, agency, institution, or officer of the State or any political subdivision
35 thereof for facilities, data, or other assistance.

36 **SECTION 49.7.** Meetings During Legislative Session. – The Commission
37 may meet during a regular or extra session of the General Assembly, subject to approval
38 of the Speaker of the House of Representatives and the President Pro Tempore of the
39 Senate.

40 **SECTION 49.8.** Meeting Location. – The Commission shall meet at various
41 locations around the State in order to promote greater public participation in its
42 deliberations. The Legislative Services Commission shall grant adequate meeting space
43 to the Commission in the State Legislative Building or the Legislative Office Building.

1 **SECTION 49.9.** Report. – The Commission shall make a final report of its
2 findings and recommendations to the 2007 General Assembly. Upon the filing of its
3 final report, the Commission shall terminate.

4 **SECTION 49.10.** Appropriation. – Of the funds appropriated to the General
5 Assembly, the Legislative Services Commission shall allocate funds for the expenses of
6 the Commission.

7
8 **PART L. LEGISLATIVE STUDY COMMISSION ON THE BUDGET OF THE**
9 **DEPARTMENT OF PUBLIC INSTRUCTION**

10
11 **SECTION 50.1.** There is created the Legislative Study Commission on the
12 Budget of the Department of Public Instruction. The purpose of the Commission is to
13 perform a zero-based budget review of the Department of Public Instruction.

14 **SECTION 50.2.** The Commission shall consist of five members of the
15 House of Representatives appointed by the Speaker of the House of Representatives and
16 five members of the Senate appointed by the President Pro Tempore of the Senate.

17 The Speaker of the House of Representatives shall designate one
18 Representative as cochair, and the President Pro Tempore shall designate one Senator as
19 cochair. Vacancies on the Commission shall be filled by the same appointing authority
20 as made the initial appointment.

21 **SECTION 50.3.** In performing a zero-based budget review of the
22 Department of Public Instruction, the Commission shall include all of the following:

- 23 (1) Consider the mission and goals of the Department, as set out in statutes
24 and in the rules, policies, and practices of the Department.
- 25 (2) Evaluate the mission and goals of the Department in view of the
26 Leandro decision, the No Child Left Behind Act of 2001, the academic
27 performance of students in the public schools, and the needs of the
28 State and its citizens, and propose any necessary revisions.
- 29 (3) Evaluate the efficiency and effectiveness of the Department of Public
30 Instruction in furthering the missions and goals of the Department,
31 including any proposed revisions. This evaluation shall include (i) the
32 role of the Department of Public Instruction, its administrative
33 structure, organization, and its statutory powers and duties; (ii) the role
34 of the State Board of Education as the head of the Department of
35 Public Instruction, its composition, organization, and constitutional
36 and statutory powers and duties; and (iii) the role of the State
37 Superintendent as secretary and chief administrative officer of the
38 State Board, the State Superintendent's selection, and the State
39 Superintendent's constitutional and statutory powers and duties.
- 40 (4) Evaluate each program within the Department to determine (i) whether
41 and to what extent it is required by State or federal law; (ii) what
42 extent it achieves the mission and goals of the Department; and (iii)
43 whether there are alternative ways to achieve the mission and goals of

1 the Department, including proposed revisions, in a more efficient and
2 effective manner.

3 (5) Assess the activities performed in each program, the major benefits
4 provided by the program, the current cost and staffing levels for the
5 program, the rationale for the cost and staffing levels, and the
6 administrative and other overhead costs of the program.

7 (6) Determine the level of funding and staff necessary to accomplish the
8 goals and missions of the Department, including proposed revisions,
9 without regard to past levels of funding.

10 **SECTION 50.4.** The Commission, while in the discharge of its official
11 duties, may exercise all powers provided for under G.S. 120-19 and G.S. 120-19.1
12 through G.S. 120-19.4. The Commission may meet at any time upon the joint call of the
13 cochairs. The Commission may meet in the Legislative Building or the Legislative
14 Office Building. The Legislative Services Commission, through the Legislative Services
15 Officer, shall assign professional staff to assist the Commission in its work. The House
16 of Representatives' and the Senate's Directors of Legislative Assistants shall assign
17 clerical staff to the Commission, and the expenses relating to the clerical employees
18 shall be borne by the Commission. The Commission may contract for professional,
19 clerical, or consultant services as provided by G.S. 120-32.02. If the Commission hires a
20 consultant, the consultant shall not be a State employee or a person currently under
21 contract with the State to provide services. All State departments and agencies and local
22 governments and their subdivisions shall furnish the Commission with any information
23 in their possession or available to them. The Legislative Services Commission, through
24 the Legislative Services Officer, shall assign professional staff to assist the Commission
25 in its work. The House of Representatives' and the Senate's Director of Legislative
26 Assistants shall assign clerical staff to the Commission, and the expenses relating to the
27 clerical employees shall be borne by the Commission.

28 **SECTION 50.5.** The Commission shall report the results of its study and its
29 recommendations to the 2007 General Assembly upon its convening. The Commission
30 shall terminate upon filing its final report or upon the convening of the 2007 General
31 Assembly, whichever is earlier.

32 **SECTION 50.6.** Of the funds appropriated to the General Assembly, the
33 Legislative Services Commission shall allocate funds for the expenses of the
34 Commission established by this Part.
35

36 **PART LI. STATE BOARD OF EDUCATION STUDY OF PUBLIC SCHOOL** 37 **PERSONNEL COMMUNICATION CONCERNING DISABILITIES**

38
39 **SECTION 51.** The State Board of Education, in cooperation with Division
40 TEACCH and the North Carolina Justice Academy, shall study training for public
41 school personnel designed to facilitate, when needed, effective communication and
42 transfer of information about students with autism and other disabilities between school
43 personnel and school resource officers. The State Board shall report its findings and
44 recommendations to the 2007 General Assembly on or before March 31, 2007.

1
2 **PART LII. DOROTHEA DIX HOSPITAL PROPERTY STUDY COMMISSION**
3 **EXPANDED**

4
5 **SECTION 52.** Section 3.4.(b) of S.L. 2003-314 reads as rewritten:

6 "SECTION 3.4.(b) Creation and Membership. – The Dorothea Dix Hospital
7 Property Study Commission is created. The Commission shall consist of ~~nine~~ 11
8 members, ~~four~~ five appointed by the President Pro Tempore of the Senate and ~~four~~ five
9 appointed by the Speaker of the House of Representatives. The Secretary of Health and
10 Human Services shall serve as an ex officio member of the Commission."
11

12 **PART LIII. JOINT LEGISLATIVE STUDY COMMITTEE ON SEX**
13 **OFFENDER REGISTRATION AND INTERNET CRIMES AGAINST**
14 **CHILDREN**

15
16 **SECTION 53.1.** There is established a Joint Legislative Study Committee
17 on Sex Offender Registration and Internet Crimes Against Children.

18 **SECTION 53.2.** The Study Committee shall consist of 18 members, nine
19 members appointed by the Speaker of the House of Representatives and nine members
20 appointed by the President Pro Tempore of the Senate.

21 **SECTION 53.3.** The Study Committee shall study sex offender registration
22 laws and internet crimes against children. In connection with this study, the Committee
23 shall:

- 24 (1) Review the list of offenses for which registration is required in North
25 Carolina and determine whether offenses should be added or deleted
26 from the registration requirement.
- 27 (2) Consider increasing or decreasing the amount of time a person should
28 remain on the registry.
- 29 (3) Examine the procedures for termination of the registration
30 requirement.
- 31 (4) Consider the ways to improve the verification of the registration
32 requirement.
- 33 (5) Evaluate whether law enforcement should have an affirmative duty to
34 notify residents, schools, or other interested parties that a sex offender
35 lives in the neighborhood.
- 36 (6) Identify methods that can be used to track sex offender locations,
37 including the use of GPS devices to monitor sex offenders, even after
38 they have served their sentences.
- 39 (7) Study the use of registration fees.
- 40 (8) Consider prohibiting sex offenders from working in jobs that involve
41 direct contact with children.
- 42 (9) Evaluate proposals that require sex offenders to stay a certain distance
43 from schools and day care centers.

- 1 (10) Compare sex offender laws in North Carolina with the laws of other
2 states.
- 3 (11) Review the criminal statutes and sentencing guidelines in North
4 Carolina relating to the production, distribution, and possession of
5 child pornography and determine how they can be strengthened and
6 improved.
- 7 (12) Review the criminal statutes and sentencing guidelines in North
8 Carolina relating to enticement of children through the use of
9 computers or the Internet.
- 10 (13) Examine the current prosecution and sentencing of child pornography
11 and other Internet crimes against children.
- 12 (14) Evaluate law enforcement practices, capacity, training, and workload
13 for combating child pornography and other Internet crimes against
14 children.
- 15 (15) Investigate ways to increase the use of asset forfeiture in child
16 pornography distribution and production cases.
- 17 (16) Review best practices federally and in other states regarding Internet
18 crimes against children.

19 **SECTION 53.4.** Members of the Committee shall receive per diem,
20 subsistence, and travel allowances in accordance with G.S. 120-3.1, 138-5, or 138-6, as
21 appropriate.

22 **SECTION 53.5.** Subject to the approval of the Legislative Services
23 Commission, the Committee may meet in the State Legislative Building or the
24 Legislative Office Building. The Legislative Services Commission, through the
25 Legislative Services Officer, shall assign professional staff to assist in the work of the
26 Commission. The House of Representatives' and the Senate's Directors of Legislative
27 Assistants shall assign clerical staff to the Committee, and the expenses relating to the
28 clerical employees shall be borne by the Committee. The Committee, while in the
29 discharge of its official duties, may exercise all the powers provided under the
30 provisions of G.S. 120-19 and G.S. 120-19.1 through G.S. 120-19.4, including the
31 power to request all officers, agents, agencies, and departments of the State to provide
32 any information, data, or documents within their possession, ascertainable from their
33 records, or otherwise available to them and the power to subpoena witnesses. The
34 appointing authority shall fill vacancies.

35 **SECTION 53.6.** Of the funds appropriated to the General Assembly, the
36 Legislative Services Commission shall allocate funds for the expenses of the Committee
37 established by this Part.

38 **SECTION 53.7.** The Committee shall make a final report to the 2007
39 General Assembly upon its convening, and shall terminate upon the earlier of the filing
40 of its final report or the convening of the 2007 General Assembly.

41
42 **PART LVIV. JOINT LEGISLATIVE CORRECTIONS, CRIME CONTROL,
43 AND JUVENILE JUSTICE OVERSIGHT COMMITTEE**
44

1 **SECTION 54.1.** The Joint Legislative Corrections, Crime Control, and
2 Juvenile Justice Oversight Committee may study the topics listed in this Part and report
3 its findings, together with any recommended legislation, to the 2007 General Assembly
4 upon its convening.

5 **SECTION 54.2.** Expungement for Non-Violent Felons (H.B. 1084 –
6 Bordsen) – The Committee may study issues related to expungement for non-violent
7 felons.
8

9 **PART LV. BENEFICIAL USES OF INDUSTRIAL HEMP (S.B. 1572 – Bingham**
10 **and Kinnaird)**

11
12 **SECTION 55.1.** There is established a Study Commission on the Beneficial
13 Uses of Industrial Hemp.

14 **SECTION 55.2.** The Commission shall be composed of 15 members as
15 follows:

- 16 (1) Two members of the Senate appointed by the President Pro Tempore
17 of the Senate.
- 18 (2) Two members of the House of Representatives appointed by the
19 Speaker of the House of Representatives.
- 20 (3) Two members appointed by the Governor.
- 21 (4) The Chair of the Agriculture Committee of the House of
22 Representatives.
- 23 (5) The Chair of the Agriculture, Environment, and Natural Resources
24 Committee of the Senate.
- 25 (6) The Commissioner of Agriculture or the Commissioner's designee.
- 26 (7) The Secretary of Commerce or the Secretary's designee.
- 27 (8) The President of the North Carolina Farm Bureau Federation, Inc., or
28 the President's designee.
- 29 (9) The Dean of the Kenan-Flagler Business School at the University of
30 North Carolina at Chapel Hill or the Dean's designee.
- 31 (10) The Dean of The Fuqua School of Business at Duke University or the
32 Dean's designee.
- 33 (11) The Dean of the College of Agriculture and Life Sciences at North
34 Carolina State University or the Dean's designee.
- 35 (12) The Dean of the School of Agriculture and Environmental Sciences at
36 North Carolina Agricultural and Technical State University or the
37 Dean's designee.

38 Any vacancy on the Commission shall be filled by the appointing authority.
39 Cochairs of the Commission shall be designated by the President Pro Tempore of the
40 Senate and the Speaker of the House of Representatives from among their respective
41 appointees. The Commission shall meet upon the call of the cochairs. A quorum of the
42 Commission shall consist of eight members.

43 **SECTION 55.3.** The Commission shall study the many beneficial industrial
44 uses of industrial hemp, including the use of industrial hemp oil as an alternative fuel

1 and the use of industrial hemp fiber in construction and paper products. The
2 Commission shall examine the economic opportunities industrial hemp provides to the
3 State and consider the desirability and feasibility of authorizing industrial hemp
4 cultivation and production as a farm product in North Carolina. In addition, the study
5 shall include the following:

- 6 (1) A review of current scientific and business literature on the many uses
7 of industrial hemp, including the uses of industrial hemp oil as an
8 alternative fuel and motor oil; the uses of omega-3 rich industrial hemp
9 seed and industrial hemp oil in snack foods, body care products, and
10 food supplements; the uses of industrial hemp fibers as raw materials
11 for construction and paper products and for fabric; and the uses of
12 industrial hemp in the manufacture of recyclable car parts.
- 13 (2) A review of scientific literature on the different types of hemp and
14 how industrial hemp differs from hemp that is the illegal substance
15 marijuana.
- 16 (3) A review of current economic literature on the economic benefits of,
17 and the economic markets for, the products made using industrial
18 hemp.
- 19 (4) A review of actions taken by the federal government and actions by
20 other states to produce industrial hemp for industrial uses.
- 21 (5) An evaluation of the economic opportunities for the State that may
22 result from producing industrial hemp as a farm product and
23 manufacturing industrial hemp products.
- 24 (6) Any other issues the Commission deems relevant.

25 **SECTION 55.4.** Members of the Commission shall receive per diem,
26 subsistence, and travel allowances in accordance with G.S. 120-3.1, 138-5, or 138-6, as
27 appropriate. Upon the prior approval of the Legislative Services Commission, the
28 Legislative Services Officer shall assign professional staff to the Commission to aid in
29 its work. The Commission may contract for professional, clerical, or consultant services
30 as provided by G.S. 120-32.02. The Commission may meet during a regular or extra
31 session of the General Assembly, subject to approval of the President Pro Tempore of
32 the Senate and the Speaker of the House of Representatives. Subject to the approval of
33 the Legislative Services Commission, the Commission may meet in the Legislative
34 Building or the Legislative Office Building. The Commission, while in the discharge of
35 its official duties, may exercise all the powers provided under the provisions of
36 G.S. 120-19 and G.S. 120-19.1 through G.S. 120-19.4, including the power to request
37 all officers, agents, agencies, and departments of the State to provide any information,
38 data, or documents within their possession, ascertainable from their records, or
39 otherwise available to them and the power to subpoena witnesses.

40 **SECTION 55.5.** The Commission shall make its findings and
41 recommendations in a final report to the 2007 General Assembly and the Environmental
42 Review Commission by December 1, 2006. The Commission shall terminate upon the
43 filing of its final report.

1 **SECTION 55.6.** From funds appropriated to the General Assembly, the
2 Legislative Services Commission shall allocate funds for the purpose of conducting the
3 study provided for in this Part.

4
5 **PART LVI. STUDY COMMISSION ON DAY CARE AND RELATED**
6 **PROGRAMS (S.B. 1827 – Jenkins)**

7
8 **SECTION 56.1.** There is created the Legislative Study Commission on Day
9 Care and Related Programs.

10 **SECTION 56.2.** The Commission shall consist of 12 members appointed as
11 follows:

- 12 (1) Four members of the Senate appointed by the President Pro Tempore
13 of the Senate.
- 14 (2) Four members of the House of Representatives appointed by the
15 Speaker of the House of Representatives.
- 16 (3) Two members of the general public appointed by the President Pro
17 Tempore of the Senate.
- 18 (4) Two members of the general public appointed by the Speaker of the
19 House of Representatives.

20 Any vacancy on the Commission shall be filled by the appointing authority.
21 Cochairs of the Commission shall be designated by the President Pro Tempore of the
22 Senate and the Speaker of the House of Representatives from among their respective
23 appointees. The Commission shall meet upon the call of the cochairs.

24 **SECTION 56.3.** The Commission shall study all of the following:

- 25 (1) Assess the shortfalls and benefits of the various day care and related
26 programs.
- 27 (2) Consider needed adjustments, and possible program consolidations,
28 and the necessary reprioritization of funds to realize the maximum
29 benefit to the State's children and families.
- 30 (3) Consider how day care and related programs affect economic
31 development today and in the future.
- 32 (4) Review any other matter that the Commission finds relevant to its
33 charge.

34 **SECTION 56.4.** Members of the Commission shall receive per diem,
35 subsistence, and travel allowances in accordance with G.S. 120-3.1, 138-5, or 138-6, as
36 appropriate. Upon the prior approval of the Legislative Services Commission, the
37 Legislative Services Officer shall assign professional and clerical staff to the
38 Commission to aid in its work. The Commission may contract for professional, clerical,
39 or consultant services as provided by G.S. 120-32.02. The Commission may meet
40 during a regular or extra session of the General Assembly, subject to approval of the
41 President Pro Tempore of the Senate and the Speaker of the House of Representatives.
42 Subject to the approval of the Legislative Services Commission, the Commission may
43 meet in the Legislative Building or the Legislative Office Building. The Commission,
44 while in the discharge of its official duties, may exercise all the powers provided under

1 the provisions of G.S. 120-19 and G.S. 120-19.1 through G.S. 120-19.4, including the
2 power to request all officers, agents, agencies, and departments of the State to provide
3 any information, data, or documents within their possession, ascertainable from their
4 records, or otherwise available to them and the power to subpoena witnesses.

5 **SECTION 56.5.** The Commission shall make its findings and
6 recommendations in a final report to the 2007 General Assembly by December 31,
7 2006. The Commission shall terminate upon the filing of its final report.

8 **SECTION 56.6.** From funds appropriated to the General Assembly, the
9 Legislative Services Commission shall allocate funds for the purpose of conducting the
10 study provided for in this Part.

11
12 **PART LVII. BILL AND RESOLUTION REFERENCES**

13
14 **SECTION 57.** The listing of the original bill or resolution in this act is for
15 reference purposes only and shall not be deemed to have incorporated by reference any
16 of the substantive provisions contained in the original bill or resolution.

17
18 **PART LVIII. EFFECTIVE DATE AND APPLICABILITY**

19
20 **SECTION 58.** Except as otherwise specifically provided, this act is effective
21 when it becomes law. If a study is authorized both in this act and in the Current
22 Operations and Capital Improvements Appropriations Act of 2006, the study shall be
23 implemented in accordance with the Current Operations and Capital Improvements
24 Appropriations Act of 2006 as ratified.