

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003**

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**SENATE BILL 34
Second Edition Engrossed 3/11/03**

Short Title: Highway Trust Fund Study Committee. (Public)

Sponsors: Senators Gulley; Carpenter and Shubert.

Referred to: Rules and Operations of the Senate.

February 13, 2003

1 A BILL TO BE ENTITLED
2 AN ACT TO REESTABLISH THE HIGHWAY TRUST FUND STUDY
3 COMMITTEE.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.(a)** Study Committee Established. – There is established a
6 Highway Trust Fund Study Committee to report to the Joint Legislative Transportation
7 Oversight Committee.

8 **SECTION 1.(b)** Membership. – The Study Committee shall be composed of
9 20 members as follows:

- 10 (1) The Chairs of the Joint Legislative Transportation Oversight
11 Committee.
12 (2) Five Representatives and four public members appointed by the
13 Speaker of the House of Representatives.
14 (3) Five Senators and four public members appointed by the President Pro
15 Tempore of the Senate.

16 The appointing authorities shall make their appointments to reflect the
17 urban-rural diversity of the population of the State.

18 **SECTION 1.(c)** Duties of the Study Committee. – The Committee may
19 study all aspects of the Highway Trust Fund. The study shall include the examination of
20 all the following:

- 21 (1) The current status, cost estimates, and feasibility of Highway Trust
22 Fund projects currently listed in Article 14 of Chapter 136 of the
23 General Statutes.
24 (2) Unanticipated problems with the structure of the Highway Trust Fund.
25 (3) The gap between transportation funding structures and the actual
26 transportation needs of the State.
27 (4) Allocation issues raised by the structure of the transportation funding
28 equity distribution formula in G.S. 136-17.2A.

- 1 (5) The feasibility of altering the project eligibility requirements of the
2 Highway Trust Fund, including permitting the Department of
3 Transportation to add projects as long as adding those projects does
4 not delay projects already to be funded by the Highway Trust Fund,
5 projects scheduled under the 2002-2008 Transportation Improvement
6 Program, and does not impair the cash-flow provisions of G.S.
7 136-176(a1).
- 8 (6) The feasibility of altering the funding allocation structure of the
9 Highway Trust Fund, including the possible use of the Highway Trust
10 Fund to provide the State match for available federal aid highway
11 funds as long as using the funds in this manner does not delay projects
12 already funded by the Highway Trust Fund, projects scheduled under
13 the 2002-2008 Transportation Improvement Program, and does not
14 impair the cash-flow provisions of G.S. 136-176(a1).
- 15 (7) Any other issue related to the Highway Trust Fund or transportation
16 funding.

17 **SECTION 1.(d)** Vacancies. – The appointing authority shall fill any
18 vacancy on the Study Committee.

19 **SECTION 1.(e)** Cochairs. – Cochairs of the Study Committee shall be the
20 cochairs of the Joint Legislative Transportation Oversight Committee. The Study
21 Committee shall meet upon the call of the Chairs. A quorum of the Study Committee
22 shall be nine members.

23 **SECTION 1.(f)** Expenses of Members. – Members of the Study Committee
24 shall receive per diem, subsistence, and travel allowances in accordance with G.S.
25 120-3.1, 138-5, or 138-6, as appropriate.

26 **SECTION 1.(g)** Staff. – The Legislative Services Office shall assign
27 professional and clerical staff to the assist the Study Committee in its work.

28 **SECTION 1.(h)** Consultants. – The Study Committee may hire consultants
29 to examine specific issues and subjects related to the study, in accordance with G.S.
30 120-32.02.

31 **SECTION 1.(i)** Meetings During Legislative Session. – The Study
32 Committee may meet during a regular or extra session of the General Assembly.

33 **SECTION 1.(j)** Meeting Location. – The Study Committee may meet at
34 various locations around the State in order to promote greater public participation in its
35 deliberations. The Legislative Services Commission shall grant adequate meeting space
36 to the Study Committee in the State Legislative Building or the Legislative Office
37 Building.

38 **SECTION 1.(k)** Report. – The Committee may make interim reports, and
39 shall make a final report to the Joint Legislative Transportation Oversight Committee no
40 later than November 1, 2004. Regardless of whether it has filed an interim or final
41 report, the Committee shall terminate on November 1, 2004.

42 **SECTION 1.(l)** Funding. – The Study Committee shall be funded from
43 funds available to the Joint Legislative Transportation Oversight Committee, in
44 accordance with G.S. 120-70.52.

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SECTION 2. This act is effective when it becomes law.