

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011

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HOUSE DRH50203-LG-81 (03/08)

Short Title: Reorganization/Legislative Oversight Comms. (Public)

Sponsors: Representatives Barnhart and Burr (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT CHANGING THE STRUCTURE OF CERTAIN LEGISLATIVE COMMITTEES
3 AND COMMISSIONS, TRANSFERRING THE DUTIES OF CERTAIN COMMITTEES
4 AND COMMISSIONS TO OTHER COMMITTEES AND COMMISSIONS, CHANGING
5 THE COMPOSITION OF VARIOUS LEGISLATIVE COMMITTEES AND
6 COMMISSIONS, AND MAKING CONFORMING CHANGES.

7 The General Assembly of North Carolina enacts:

8
9 **PART I. REORGANIZATION AND CONSOLIDATION OF LEGISLATIVE**
10 **OVERSIGHT COMMITTEES**

11
12 **LEGISLATIVE SERVICES COMMISSION**

13 **SECTION 1.1.(a)** G.S. 120-31 reads as rewritten:

14 **"§ 120-31. Legislative Services Commission organization.**

15 (a) The Legislative Services Commission shall consist of the President pro tempore of
16 the ~~Senate~~, Senate or a Senator designated by the President Pro Tempore, ~~seven-four~~ Senators
17 appointed by the President pro tempore of the Senate, the Speaker of the House of
18 ~~Representatives~~, Representatives or a member of the House of Representatives designated by
19 the Speaker, and ~~seven-four~~ Representatives appointed by the Speaker of the House of
20 Representatives. The President pro tempore of the Senate, and the Speaker of the House shall
21 serve until the selection and qualification of their respective successors as officers of the
22 General Assembly. The initial appointive members shall be appointed after the date of
23 ratification of this Article and each shall serve for the remainder of his elective term of office
24 and until his successor is appointed or until he ceases to be a member of the General Assembly,
25 whichever occurs first. A vacancy in one of the appointive positions shall be filled in the same
26 manner that the vacated position was originally filled, and the person so appointed shall serve
27 for the remainder of the unexpired term of the person whom he succeeds. In the event the office
28 of Speaker becomes vacated, the ~~seven-four~~ Representatives shall elect one of themselves to
29 perform the duties of the Speaker as required by this Article. In the event the office of President
30 pro tempore becomes vacated, the ~~seven-four~~ Senators shall elect one of themselves to perform
31 the duties of President pro tempore as required by this Article. Members so elevated shall
32 perform the duties required by this Article until a Speaker or a President pro tempore is duly
33 elected by the appropriate house.

34 (b) The President pro tempore of the Senate or his designee from the Commission
35 membership shall be the chairman of the Commission in odd-numbered years and the Speaker



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1 of the House of Representatives or his designee from the Commission membership shall be
2 chairman of the Commission in even-numbered years.

3 (c) The Commission may elect from its membership such other officers as it deems
4 appropriate, and may appoint other members of the General Assembly to serve on any
5 committee of the Commission.

6 (d) The Commission may adopt rules governing its own organization and proceedings.

7 (e) Members of the Commission, when the General Assembly is not in session, shall be
8 reimbursed for subsistence and travel allowance as provided for members of the General
9 Assembly when in session for such days as they are engaged in the performance of their duties.

10 (f) In any case where any provision of law or any rule of the Legislative Services
11 Commission required approval of any action by the Legislative Services Commission, approval
12 of that action by the President Pro Tempore of the Senate and by the Speaker of the House of
13 Representatives constitutes approval of the Commission."

14 **SECTION 1.1.(b)** The terms of the current appointed members of the Legislative
15 Services Commission terminate when this act becomes law.

16 17 **JOINT LEGISLATIVE COMMISSION ON GOVERNMENTAL OPERATIONS**

18 **SECTION 1.2.(a)** The duties of the following committees and commissions are
19 transferred to the Joint Legislative Commission on Governmental Operations:

- 20 (1) Joint Legislative Oversight Committee on Capital Improvements.
- 21 (2) Joint Legislative Commission on Future Strategies for North Carolina.
- 22 (3) Joint Select Committee on Low-Level Radioactive Waste.
- 23 (4) Legislative Committee on New Licensing Boards.
- 24 (5) Joint Legislative Commission on Seafood and Aquaculture.
- 25 (6) Joint Legislative Utility Review Commission.

26 **SECTION 1.2.(b)** The following portions of Chapter 120 of the General Statutes
27 are repealed:

- 28 (1) G.S. 120-70.1 through G.S. 120-70.6, (Article 12A, pertaining to the Joint
29 Legislative Utility Review Commission).
- 30 (2) G.S. 120-70.31 through G.S. 120-70.37, (Article 12C, pertaining to the Joint
31 Select Committee on Low-Level Radioactive Waste).
- 32 (3) G.S. 120-70.60 through G.S. 120-70.66, (Article 12F, pertaining to the Joint
33 Legislative Commission on Seafood and Aquaculture).
- 34 (4) G.S. 120-84.6 through G.S. 120-84.12, (Article 13B, pertaining to the Joint
35 Legislative Commission on Future Strategies for North Carolina).
- 36 (5) G.S. 120-149.1 through G.S. 120-149.6, (Article 18A, pertaining to the
37 Legislative Committee on New Licensing Boards).
- 38 (6) G.S. 120-258 through G.S. 120-260, (Article 29, pertaining to the Joint
39 Legislative Oversight Committee on Capital Improvements).

40 **SECTION 1.2.(c)** G.S. 120-74 reads as rewritten:

41 **"§ 120-74. Appointment of members; terms of office.**

42 The Commission shall consist of ~~38-42~~ members. The President pro tempore of the Senate,
43 the Speaker pro tempore of the House, the Deputy President pro tempore of the Senate, the
44 Majority Leader of the House of Representatives, and the Majority Leader of the Senate and the
45 Speaker of the House shall serve as ex officio members of the Commission. The Speaker of the
46 House of Representatives shall appoint ~~16-21~~ members from the ~~House~~House, at least five of
47 whom are members of the minority party. The President pro tempore of the Senate shall
48 appoint ~~16-21~~ members from the ~~Senate~~Senate, at least five of whom are members of the
49 minority party. Vacancies created by resignation or otherwise shall be filled by the original
50 appointing authority. Members shall serve two-year terms beginning and ending on January 15
51 of the odd-numbered years. Members shall not be disqualified from completing a term of

1 service on the Commission because they fail to run or are defeated for reelection. Resignation
2 or removal from the General Assembly shall constitute resignation or removal from
3 membership on the Commission."

4 **SECTION 1.2.(d)** G.S. 120-76 reads as rewritten:

5 **"§ 120-76. Powers and duties of the Commission.**

6 The Commission shall have the following powers:

- 7 (1) To conduct program evaluation studies of the various components of State
8 agency activity as they relate to:
 - 9 a. Service benefits of each program relative to expenditures;
 - 10 b. Achievement of program goals;
 - 11 c. Use of indicators by which the success or failure of a program may
12 be gauged; and
 - 13 d. Conformity with legislative intent.
- 14 (2) To study legislation which would result in new programs with statewide
15 implications for feasibility and need. These studies may be jointly conducted
16 with the Fiscal Research Division of the Legislative Services Commission.
- 17 (3) To study on a continuing basis the implementation of State government
18 reorganization with respect to:
 - 19 a. Improvements in administrative structure, practices and procedures;
 - 20 b. The relative effectiveness of centralization and decentralization of
21 management decisions for agency operation;
 - 22 c. Opportunities for effective citizen participation; and
 - 23 d. Broadening of career opportunities for professional staff.
- 24 (4) To make such studies and reports of the operations and functions of State
25 government as it deems appropriate or upon petition by resolution of either
26 the Senate or the House of Representatives.
- 27 (5) To produce routine written reports of findings for general legislative and
28 public distribution. Special attention shall be given to the presentation of
29 findings to the appropriate committees of the Senate and the House of
30 Representatives. If findings arrived at during a study have a potential impact
31 on either the finance or appropriations deliberations, such findings shall
32 immediately be presented to the committees. Such reports shall contain
33 recommendations for appropriate executive action and when legislation is
34 considered necessary to effect change, draft legislation for that purpose may
35 be included. Such reports as are submitted shall include but not be limited to
36 the following matters:
 - 37 a. Ways in which the agencies may operate more economically and
38 efficiently;
 - 39 b. Ways in which agencies can provide better services to the State and
40 to the people; and
 - 41 c. Areas in which functions of State agencies are duplicative,
42 overlapping, or failing to accomplish legislative objectives, or for
43 any other reason should be redefined or redistributed.
- 44 (6) To devise a system, in cooperation with the Fiscal Research Division of the
45 Legislative Services Commission, whereby all new programs authorized by
46 the General Assembly incorporate an evaluation component. The results of
47 such evaluations may be made to the Appropriations Committees at the
48 beginning of each regular session.
- 49 (7) To evaluate and approve or deny requests from the Department of
50 Transportation regarding the funding of federally eligible construction
51 projects as provided in the fourth paragraph of G.S. 136-44.2.

- 1 (8) The Joint Legislative Commission on Governmental Operations shall be
2 consulted by the Governor before the Governor does any of the following:
3 a. Repealed by Session Laws 2007-117, s. 2, effective July 1, 2007.
4 b. Authorizes expenditures in excess of the total requirements of a
5 purpose or program as enacted by the General Assembly and as
6 provided by G.S. 143C-6-4.
7 c. Proceeds to reduce programs subsequent to a reduction of ten percent
8 (10%) or more in the federal fund level certified to a department and
9 any subsequent changes in distribution formulas.
10 d. Takes extraordinary measures under Article III, Section 5(3) of the
11 Constitution to effect necessary economies in State expenditures
12 required for balancing the budget due to a revenue shortfall,
13 including, but not limited to, the following: loans among funds,
14 personnel freezes or layoffs, capital project reversions, program
15 eliminations, and use of reserves. However, if the Committee fails to
16 meet within 10 calendar days of a request by the Governor for its
17 consultation, the Governor may proceed to take the actions he feels
18 are appropriate and necessary and shall then report those actions at
19 the next meeting of the Commission.
20 e. Approves a new capital improvement project funded from gifts,
21 grants, receipts, special funds, self-liquidating indebtedness, and
22 other funds or any combination of funds for the project not
23 specifically authorized by the General Assembly. The budget for
24 each capital project must include projected revenues in an amount
25 not less than projected expenditures.
- 26 (9) To examine, on a continuing basis, capital improvements approved and
27 undertaken for State facilities and institutions and to have oversight over
28 implementation of the six-year capital improvements plan developed
29 pursuant to G.S. 143C-8-5.
- 30 (10) To establish a subcommittee to evaluate the need for any new licensing
31 board by establishing criteria and procedures for reviewing proposed
32 licensing boards. To assure that no new licensing board shall be established
33 unless the following criteria are met:
34 a. The unregulated practice of the profession or occupation can
35 substantially harm or endanger the public health, safety, or welfare,
36 and the potential for such harm is recognizable and not remote or
37 dependent upon tenuous argument.
38 b. The profession or occupation possesses qualities that distinguish it
39 from ordinary labor.
40 c. Practice of the profession or occupation requires specialized skill or
41 training.
42 d. A substantial majority of the public does not have the knowledge or
43 experience to evaluate whether the practitioner is competent.
44 e. The public is not effectively protected by other means.
45 f. Licensure will not have a substantial adverse economic impact upon
46 consumers of the practitioner's goods or services.
- 47 (11) To evaluate the North Carolina Utilities Commission, by doing the
48 following:
49 a. Reviewing the actions of the North Carolina Utilities Commission,
50 including the review of its interim and final orders, to the end that the
51 members of the General Assembly may better judge whether these

1 actions serve the best interest of the citizens of North Carolina,
2 individual and corporate.

3 b. Inquiring into the role of the North Carolina Utilities Commission,
4 the Public Staff, and the several utility companies in the development
5 of alternate sources of energy.

6 c. Submitting evaluations to the General Assembly, from time to time,
7 of the performance of the North Carolina Utilities Commission, the
8 Public Staff, and the various utilities operating in the State. A
9 proposed draft of such evaluations shall be submitted to the North
10 Carolina Utilities Commission, the Public Staff, and the affected
11 public utilities prior to submission to the General Assembly, and the
12 affected entity shall be given an opportunity to be heard before the
13 Commission prior to the completion of the evaluation and its
14 submission to the General Assembly.

15 (12) To make reports and recommendations to the General Assembly, from time
16 to time, on matters relating to the powers and duties set out in this section.

17 (13) To review and evaluate changes in federal law and regulations, relevant
18 court decisions, and changes in technology affecting any of the duties of the
19 Commission.

20 (14) To review and evaluate changes in federal law and regulation, or changes
21 brought about by court actions, as well as changes in technology affecting
22 any of the duties of the Commission, to determine whether the State's laws
23 require modification as a result of those changes."

24 **SECTION 1.2.(e) G.S. 120-76.1 reads as rewritten:**

25 **"§ 120-76.1. Prior consultation with the ~~Commission~~Commission; reporting**
26 **requirements.**

27 (a) Consultation by Governor. – Notwithstanding the provisions of G.S. 120-76(8) or
28 any other provision of law requiring prior consultation by the Governor with the Commission,
29 whenever an expenditure is required because of an emergency that poses an imminent threat to
30 public health or public safety, and is either the result of a natural event, such as a hurricane or a
31 flood, or an accident, such as an explosion or a wreck, the Governor may take action without
32 consulting the Commission if the action is determined by the Governor to be related to the
33 emergency. The Governor shall report to the Commission on any expenditures made under this
34 subsection no later than 30 days after making the expenditure and shall identify in the report the
35 emergency, the type of action taken, and how it was related to the emergency.

36 (b) Consultation by Agencies, Boards, and Commission. – Any agency, board,
37 commission, or other entity required under G.S. 120-76(8) or any other provision of law to
38 consult with the Commission prior to taking an action shall submit a detailed report of the
39 action under consideration to the Chairs of the Commission, the Commission Assistant, and the
40 Fiscal Research Division of the General Assembly. If the Commission does not hold a meeting
41 to hear the consultation within 90 days of receiving the submission of the detailed report, the
42 consultation requirement is satisfied. With regard to capital improvement projects of The
43 University of North Carolina, if the Commission does not hold a meeting to hear the
44 consultation within 30 days of receiving the submission of the detailed report, the consultation
45 requirement of G.S. 120-76(8)e. is satisfied.

46 (c) Exemptions. – Consultations regarding the establishment of new fees and charges
47 and the increase of existing fees and charges are governed by G.S. 12-3.1, and this section does
48 not apply to those consultations."

49
50 **JOINT REGULATORY REFORM COMMITTEE**

1 **SECTION 1.3.(a)** The duties of the Joint Legislative Administrative Procedures
 2 Oversight Committee are transferred to the Joint Regulatory Reform Committee.

3 **SECTION 1.3.(b)** Article 12K of Chapter 120 of the General Statutes,
 4 G.S. 120-70.100 through G.S. 120-70.102, is repealed.

5 **SECTION 1.3.(c)** Section 3 of Resolution 2011-2 reads as rewritten:
 6 "SECTION 3. Powers. – The Joint Regulatory Reform Committee has the following
 7 powers and duties:

- 8 (1) Hold meetings and receive input from the public, regulated community, and
 9 agencies regarding outdated, unnecessary, unduly burdensome, or vague
 10 rules and rule-making procedures that are an impediment to private sector
 11 job creation.
- 12 (2) Evaluate the reform suggestions presented during the public comment
 13 process and determine which warrant introduction and consideration during
 14 the 2011 Session of the General Assembly in 2011 or 2012.
- 15 (3) Review the rule-making process to determine if the procedures for adopting
 16 rules give adequate consideration to the potential impact on job creation.
- 17 (3a) Review rules to which the Rules Review Commission has objected to
 18 determine if statutory changes are needed to enable the agency to fulfill the
 19 intent of the General Assembly.
- 20 (3b) Receive reports prepared by the Rules Review Commission containing the
 21 text and a summary of each rule approved by the Commission.
- 22 (3c) Review the activities of State occupational licensing boards to determine if
 23 the boards are operating in accordance with statutory requirements and if the
 24 boards are still necessary to achieve the purposes for which they were
 25 created. This review shall not include decisions concerning board personnel
 26 matters or determinations on individual licensing applications or individual
 27 disciplinary actions.
- 28 (3d) Review State regulatory programs to determine if the programs overlap,
 29 have conflicting goals, or could be simplified and still achieve the purpose of
 30 the regulation.
- 31 (4) Report to the General Assembly concerning any recommendations for
 32 statutory changes."
 33

34 **JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON JUSTICE AND PUBLIC**
 35 **SAFETY**

36 **SECTION 1.4.(a)** The duties of the Joint Legislative Committee on Domestic
 37 Violence are transferred to the Joint Legislative Oversight Committee on Justice and Public
 38 Safety.

39 **SECTION 1.4.(b)** Article 30 of Chapter 120 of the General Statutes, G.S. 120-265
 40 through G.S. 120-267, is repealed.

41 **SECTION 1.4.(c)** Article 12J of Chapter 120 of the General Statutes reads as
 42 rewritten:

43 "Article 12J.
 44 "Joint Legislative ~~Corrections, Crime Control, and Juvenile Justice Oversight~~
 45 ~~Committee.~~Oversight Committee on Justice and Public Safety.

46 "**§ 120-70.93. Creation and membership of Joint Legislative ~~Corrections, Crime Control,~~**
 47 **~~and Juvenile Justice Oversight Committee.~~Oversight Committee on Justice and**
 48 **Public Safety.**

49 The Joint Legislative ~~Corrections, Crime Control, and Juvenile Justice Oversight~~
 50 Committee on Justice and Public Safety is established. The Committee consists of ~~16-22~~
 51 members as follows:

- 1 (1) ~~Eight–Eleven~~ members of the Senate appointed by the President Pro
2 Tempore of the Senate, at least ~~two–three~~ of whom are members of the
3 minority party; and
4 (2) ~~Eight–Eleven~~ members of the House of Representatives appointed by the
5 Speaker of the House of Representatives, at least three of whom are
6 members of the minority party.

7 Terms on the Committee are for two years and begin on the convening of the General
8 Assembly in each odd-numbered year, except the terms of the initial members, which begin on
9 appointment and end on the day of the convening of the 1995 General Assembly. Members
10 may complete a term of service on the Committee even if they do not seek reelection or are not
11 reelected to the General Assembly, but resignation or removal from service in the General
12 Assembly constitutes resignation or removal from service on the Committee.

13 A member continues to serve until his successor is appointed. A vacancy shall be filled
14 within 30 days by the officer who made the original appointment.

15 **"§ 120-70.94. Purpose and powers of Committee.**

16 (a) The Joint Legislative ~~Corrections, Crime Control, and Juvenile Justice Oversight~~
17 Committee on Justice and Public Safety shall examine, on a continuing basis, the correctional,
18 law enforcement, and juvenile justice systems in North Carolina, in order to make ongoing
19 recommendations to the General Assembly on ways to improve those systems and to assist
20 those systems in realizing their objectives of protecting the public and of punishing and
21 rehabilitating offenders. In this examination, the Committee shall:

- 22 (1) Study the budget, programs, and policies of the Departments of Correction,
23 Crime Control and Public Safety, and Juvenile Justice and Delinquency
24 Prevention to determine ways in which the General Assembly may improve
25 the effectiveness of those Departments;
26 (2) Examine the effectiveness of the Department of Correction in implementing
27 the public policy stated in G.S. 148-26 of providing work assignments and
28 employment for inmates as a means of reducing the cost of maintaining the
29 inmate population while enabling inmates to acquire or retain skills and
30 work habits needed to secure honest employment after their release;
31 (2a) Examine the effectiveness of the Department of Crime Control and Public
32 Safety in implementing the duties and responsibilities charged to the
33 Department in G.S. 143B-474 and the overall effectiveness and efficiency of
34 law enforcement in the State;
35 (2b) Examine the effectiveness of the Department of Juvenile Justice and
36 Delinquency Prevention in implementing the duties and responsibilities
37 charged to the Department in Article 12 of Chapter 143B of the General
38 Statutes and the overall effectiveness and efficiency of the juvenile justice
39 system in the State; ~~and~~
40 ~~(3) Study any other matters that the Committee considers necessary.~~
41 (3a) Study and evaluate the funding sources and needs of domestic violence
42 programs providing services to domestic violence victims and programs
43 providing treatment to domestic violence abusers;
44 (4) Study legal services funding for domestic violence victims and explore
45 additional sources of funding;
46 (5) Explore sources of additional funding for all domestic violence programs,
47 including visitation centers;
48 (6) Examine current programs and explore new programs to provide effective
49 services to domestic violence victims and treatment to domestic violence
50 abusers;
51 (7) Examine law enforcement and judicial responses to domestic violence;

- 1 (8) Review data collected on domestic violence cases pursuant to
2 G.S. 15A-1382.1;
3 (9) Study the effectiveness of the Crime Victims Rights Act as it relates to
4 domestic violence; and
5 (10) Study any other matter that the Committee considers necessary.

6 (b) The Committee may make interim reports to the General Assembly on matters for
7 which it may report to a regular session of the General Assembly. A report to the General
8 Assembly may contain any legislation needed to implement a recommendation of the
9 Committee.

10 **"§ 120-70.95. Organization of Committee.**

11 (a) The President Pro Tempore of the Senate and the Speaker of the House of
12 Representatives shall each designate a cochair of the Joint Legislative ~~Corrections, Crime~~
13 ~~Control, and Juvenile Justice Oversight Committee.~~ Oversight Committee on Justice and Public
14 Safety. The Committee shall meet at least once a quarter and may meet at other times upon the
15 joint call of the cochairs.

16 (b) A quorum of the Committee is nine members. No action may be taken except by a
17 majority vote at a meeting at which a quorum is present. While in the discharge of its official
18 duties, the Committee has the powers of a joint committee under G.S. 120-19 and
19 G.S. 120-19.1 through G.S. 120-19.4.

20 (c) Members of the Committee receive subsistence and travel expenses as provided in
21 G.S. 120-3.1. The Committee may contract for consultants or hire employees in accordance
22 with G.S. 120-32.02. The Legislative Services Commission, through the Legislative Services
23 Officer, shall assign professional staff to assist the Committee in its work. Upon the direction
24 of the Legislative Services Commission, the Supervisors of Clerks of the Senate and of the
25 House of Representatives shall assign clerical staff to the Committee. The expenses for clerical
26 employees shall be borne by the Committee."
27

28 **JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE**

29 **SECTION 1.5.(a)** The duties of the Legislative Study Commission on Children
30 and Youth are transferred to the Joint Legislative Education Oversight Committee.

31 **SECTION 1.5.(b)** Article 24 of Chapter 120 of the General Statutes, G.S. 120-215
32 through G.S. 120-221, is repealed.

33 **SECTION 1.5.(c)** G.S. 120-70.80 reads as rewritten:

34 **"§ 120-70.80. Creation and membership of Joint Legislative Education Oversight**
35 **Committee.**

36 The Joint Legislative Education Oversight Committee is established. The Committee
37 consists of 22 members as follows:

- 38 (1) Eleven members of the Senate appointed by the President Pro Tempore of
39 the Senate, at least ~~two~~ three of whom are members of the minority party;
40 and
41 (2) Eleven members of the House of Representatives appointed by the Speaker
42 of the House of Representatives, at least three of whom are members of the
43 minority party.

44 Terms on the Committee are for two years and begin on the convening of the General
45 Assembly in each odd-numbered year. Members may complete a term of service on the
46 Committee even if they do not seek reelection or are not reelected to the General Assembly, but
47 resignation or removal from service in the General Assembly constitutes resignation or removal
48 from service on the Committee.

49 A member continues to serve until his successor is appointed. A vacancy shall be filled
50 within 30 days by the officer who made the original appointment."

51 **SECTION 1.5.(d)** G.S. 120-70.81 reads as rewritten:

1 **"§ 120-70.81. Purpose and powers of Committee.**

2 (a) The Joint Legislative Education Oversight Committee shall examine, on a
3 continuing basis, the several educational institutions in North Carolina, in order to make
4 ongoing recommendations to the General Assembly on ways to improve public education from
5 kindergarten through higher education. In this examination, the Committee ~~shall~~may:

6 (1) Study the budgets, programs, and policies of the Department of Public
7 Instruction, the State Board of Education, the Community Colleges System
8 Office, the Board of Governors of The University of North Carolina, and the
9 constituent institutions of The University of North Carolina to determine
10 ways in which the General Assembly may encourage the improvement of all
11 education provided to North Carolinians and may aid in the development of
12 more integrated methods of institutional accountability;

13 (2) Examine, in particular, the Basic Education Plan and the School
14 Improvement and Accountability Act of 1989, to determine whether changes
15 need to be built into the plans, whether implementation schedules need to be
16 restructured, and how to manage the ongoing development of the policies
17 underlying these legislative plans, including a determination of whether
18 there is a need for the legislature to develop ongoing funding patterns for
19 these plans;

20 (3) Study other states' educational initiatives in public schools, community
21 colleges, and public universities, in order to provide an ongoing commentary
22 to the General Assembly on these initiatives and to make recommendations
23 for implementing similar initiatives in North Carolina; and

24 (4) Study any other educational matters that the Committee considers necessary
25 to fulfill its mandate.

26 (5) Study the needs of children and youth. This study may include, but is not
27 limited to:

28 a. Determining the adequacy and appropriateness of services:

29 1. To children and youth receiving child welfare services;

30 2. To children and youth in the juvenile court system;

31 3. Provided by the Division of Social Services and the
32 Department of Juvenile Justice and Delinquency Prevention;

33 4. To children and youth served by the Mental Health,
34 Developmental Disabilities, and Substance Abuse Services
35 system.

36 b. Developing methods for identifying and providing services to
37 children and youth not receiving but in need of child welfare
38 services, children and youth at risk of entering the juvenile court
39 system, and children and youth exposed to domestic violence
40 situations.

41 c. Developing strategies for addressing the issues of school dropout,
42 teen suicide, and adolescent pregnancy.

43 d. Identifying and evaluating the impact on children and youth of other
44 economic and environmental issues.

45 e. Identifying obstacles to ensuring that children who are in secure or
46 nonsecure custody are placed in safe and permanent homes within a
47 reasonable period of time and recommending strategies for
48 overcoming those obstacles. The Commission shall consider what, if
49 anything, can be done to expedite the adjudication and appeal of
50 abuse and neglect charges against parents so that decisions may be

1 made about the safe and permanent placement of their children as
2 quickly as possible.

3 (6) Evaluate problems associated with juveniles who are beyond the disciplinary
4 control of their parents, including juveniles who are runaways, and develop
5 solutions for addressing the problems of those juveniles.

6 (7) Identify strategies for the development and funding of a comprehensive
7 statewide database relating to children and youth to facilitate State agency
8 planning for delivery of services to children and youth.

9 (b) The Committee may make interim reports to the General Assembly on matters for
10 which it may report to a regular session of the General Assembly. A report to the General
11 Assembly may contain any legislation needed to implement a recommendation of the
12 Committee."
13

14 **JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON HEALTH AND HUMAN** 15 **SERVICES**

16 **SECTION 1.6.(a)** The duties of the following commissions and committees are
17 transferred to the Joint Legislative Oversight Committee on Health and Human Services,
18 established by subsection (c) of this section:

- 19 (1) North Carolina Study Commission on Aging.
- 20 (2) Joint Legislative Health Care Oversight Committee.
- 21 (3) Joint Legislative Oversight Committee on Mental Health, Developmental
22 Disabilities, and Substance Abuse Services.
- 23 (4) Public Health Study Commission.

24 **SECTION 1.6.(b)** The following portions of Chapter 120 of the General Statutes
25 are repealed:

- 26 (1) G.S. 120-70.110 through G.S. 120-70.112, (Article 12M, pertaining to the
27 Joint Legislative Health Care Oversight Committee).
- 28 (2) G.S. 120-180 through G.S. 120-188, (Article 21, pertaining to the North
29 Carolina Study Commission on Aging).
- 30 (3) G.S. 120-195 through G.S. 120-203, (Article 22, pertaining to the Public
31 Health Study Commission).
- 32 (4) G.S. 120-240 through G.S. 120-244, (Article 27, pertaining to the Joint
33 Legislative Oversight Committee on Mental Health, Developmental
34 Disabilities, and Substance Abuse Services).

35 **SECTION 1.6.(c)** Chapter 120 of the General Statutes is amended by adding a new
36 Article to read:

37 "Article 23A.

38 "Joint Legislative Oversight Committee on Health and Human Services.

39 **"§ 120-208. Creation and membership of Joint Legislative Oversight Committee on**
40 **Health and Human Services.**

41 (a) The Joint Legislative Oversight Committee on Health and Human Services is
42 established. The Committee consists of 22 members as follows:

- 43 (1) Eleven members of the Senate appointed by the President Pro Tempore of
44 the Senate, at least three of whom are members of the minority party; and
- 45 (2) Eleven members of the House of Representatives appointed by the Speaker
46 of the House of Representatives, at least three of whom are members of the
47 minority party.

48 (b) Terms on the Committee are for two years and begin on the convening of the
49 General Assembly in each odd-numbered year. Members may complete a term of service on
50 the Committee even if they do not seek reelection or are not reelected to the General Assembly.

1 but resignation or removal from service in the General Assembly constitutes resignation or
2 removal from service on the Committee.

3 (c) A member continues to serve until a successor is appointed. A vacancy shall be
4 filled within 30 days by the officer who made the original appointment.

5 **"§ 120-208.1. Purpose and powers of Committee.**

6 (a) The Joint Legislative Oversight Committee on Health and Human Services shall
7 examine, on a continuing basis, the systemwide issues affecting the development, budgeting,
8 financing, administration, and delivery of health and human services, including issues relating
9 to the governance, accountability, and quality of health and human services delivered to
10 individuals and families in this State. The Committee shall make ongoing recommendations to
11 the General Assembly on ways to improve the quality and delivery of services and to maintain
12 a high level of effectiveness and efficiency in system administration at the State and local
13 levels. In conducting its examination, the Committee shall do all of the following:

14 (1) Study the budgets, programs, and policies of each Division within the
15 Department of Health and Human Services, to determine ways in which the
16 General Assembly may encourage improvement in the budgeting and
17 delivery of health and human services provided to North Carolinians.

18 (2) Examine, in particular, issues relating to services provided by the following
19 Divisions within the Department of Health and Human Services:

20 a. Aging and Adult Services.

21 b. Medical Assistance.

22 c. Mental Health, Developmental Disabilities, and Substance Abuse
23 Services.

24 d. Public Health.

25 e. Social Services.

26 (3) Study other states' health and human services initiatives, in order to provide
27 an ongoing commentary to the General Assembly on these initiatives and to
28 make recommendations for implementing similar initiatives in North
29 Carolina; and

30 (4) Study any other health and human services matters that the Committee
31 considers necessary to fulfill its mandate.

32 (b) The Committee may make interim reports to the General Assembly on matters for
33 which it may report to a regular session of the General Assembly. A report to the General
34 Assembly may contain any legislation needed to implement a recommendation of the
35 Committee.

36 **"§ 120-208.2. Organization of Committee.**

37 (a) The President Pro Tempore of the Senate and the Speaker of the House of
38 Representatives shall each designate a cochair of the Joint Legislative Oversight Committee on
39 Health and Human Services. The Committee shall meet at least once per quarter, except while
40 the General Assembly is in regular session, and may meet at other times upon the joint call of
41 the cochairs.

42 (b) A quorum of the Committee is 10 members. No action may be taken except by a
43 majority vote at a meeting at which a quorum is present. While in the discharge of its official
44 duties, the Committee has the powers of a joint committee under G.S. 120-19 and
45 G.S. 120-19.1 through G.S. 120-19.4.

46 (c) Members of the Committee receive subsistence and travel expenses as provided in
47 G.S. 120-3.1. The Committee may contract for consultants or hire employees in accordance
48 with G.S. 120-32.02. The Legislative Services Commission, through the Legislative Services
49 Officer, shall assign professional staff to assist the Committee in its work. Upon the direction
50 of the Legislative Services Commission, the Supervisors of Clerks of the Senate and of the

1 House of Representatives shall assign clerical staff to the Committee. The expenses for clerical
2 employees shall be borne by the Committee.

3 (d) The Committee cochairs may establish subcommittees for the purpose of examining
4 issues relating to services provided by particular Divisions within the Department of Health and
5 Human Services.

6 **"§ 120-208.3. Additional powers.**

7 The Joint Legislative Oversight Committee on Health and Human Services, while in
8 discharge of official duties, shall have access to any paper or document, and may compel the
9 attendance of any State official or employee before the Committee or secure any evidence
10 under G.S. 120-19. In addition, G.S. 120-19.1 through G.S. 120-19.4 shall apply to the
11 proceedings of the Committee as if it were a joint committee of the General Assembly.

12 **"§ 120-208.4. Reports to Committee.**

13 Whenever a Division within the Department of Health and Human Services is required by
14 law to report to the General Assembly or to any of its permanent, study, or oversight
15 committees or subcommittees on matters affecting that Division, the Department shall transmit
16 a copy of the report to the cochairs of the Joint Legislative Oversight Committee on Health and
17 Human Services."

18
19 **JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE**

20 **SECTION 1.7.(a)** The duties of the Future of the North Carolina Railroad Study
21 Commission are assigned to the Joint Legislative Transportation Oversight Committee.

22 **SECTION 1.7.(b)** Article 28 of Chapter 120 of the General Statutes, G.S. 120-245
23 through G.S. 120-255, is repealed.

24 **SECTION 1.7.(c)** G.S. 120-70.50 reads as rewritten:

25 **"§ 120-70.50. Creation and membership of Joint Legislative Transportation Oversight**
26 **Committee.**

27 The Joint Legislative Transportation Oversight Committee is established. The Committee
28 consists of ~~18~~22 members as follows:

- 29 (1) ~~Nine~~Eleven members of the Senate appointed by the President Pro Tempore
30 of the Senate, at least ~~two~~three of whom are members of the minority party;
31 and
32 (2) ~~Nine~~Eleven members of the House of Representatives appointed by the
33 Speaker of the House of Representatives, at least three of whom are
34 members of the minority party.

35 Terms on the Committee are for two years and begin on January 15 of each odd-numbered
36 year, except the terms of the initial members, which begin on appointment. Members may
37 complete a term of service on the Committee even if they do not seek reelection or are not
38 reelected to the General Assembly, but resignation or removal from service in the General
39 Assembly constitutes resignation or removal from service on the Committee.

40 A member continues to serve until his successor is appointed. A vacancy shall be filled
41 within 30 days by the officer who made the original appointment."

42 **SECTION 1.7.(d)** G.S. 120-70.51(a) reads as rewritten:

43 "(a) The Joint Legislative Transportation Oversight Committee may:

- 44 (1) Review reports prepared by the Department of Transportation or any other
45 agency of State government related, in any manner, to transportation, when
46 those reports are required by any law.
47 (2) Monitor the funds deposited in and expenditures from the North Carolina
48 Highway Trust Fund, the Highway Fund, the General Fund, or any other
49 fund when those expenditures are related, in any manner, to transportation.
50 (3) Determine whether funds related, in any manner, to transportation are being
51 spent in accordance with law.

- 1 (4) Determine whether any revisions are needed in the funding for a program for
2 which funds in the Trust Fund, the Highway Fund, the General Fund, or any
3 other fund when those expenditures are related, in any manner, to
4 transportation may be used, including revisions needed to meet any statutory
5 timetable or program.
- 6 (4a) Examine the importance of railroads and railroad infrastructure
7 improvements to economic development in North Carolina, including
8 improvements to short-line railroads.
- 9 (4b) Study issues important to the future of passenger and freight rail service in
10 North Carolina.
- 11 (4c) Determine methods to expedite property disputes between railroads and
12 private landowners.
- 13 (4d) Study all aspects of the operation, structure, management, and long-range
14 plans of the North Carolina Railroad.
- 15 (5) Report to the General Assembly at the beginning of each regular session
16 concerning its determinations of needed changes in the funding or operation
17 of programs related, in any manner, to transportation."
18

19 JOINT LEGISLATIVE COMMITTEE ON LOCAL GOVERNMENT

20 SECTION 1.8.(a) Part 1 of Article 20 of Chapter 120 of the General Statutes reads
21 as rewritten:

22 "Article 20.

23 "~~Joint Legislative Commission~~ Committee on Municipal Incorporations-Local Government.

24 "Part 1. Organization.

25 "§ 120-157.1. Committee established.

26 (a) The Joint Legislative Committee on Local Government is established. The
27 Committee shall consist of 14 members, appointed as follows:

- 28 (1) Seven members of the Senate appointed by the President Pro Tempore of the
29 Senate, at least two of whom shall be members of the minority party. At
30 least one member shall be a former city or county commissioner, city or
31 county manager, or other city or county elected official.
- 32 (2) Seven members of the House of Representatives appointed by the Speaker of
33 the House of Representatives, at least two of whom shall be members of the
34 minority party. At least one member shall be a former city or county
35 commissioner, city or county manager, or other city or county elected
36 official.

37 (b) Terms on the Committee are for two years and begin on the convening of the
38 General Assembly in each odd-numbered year. Members may complete a term of service on
39 the Committee even if they do not seek reelection or are not reelected to the General Assembly,
40 but resignation or removal from service in the General Assembly constitutes resignation or
41 removal from service on the Committee.

42 (c) A member continues to serve until a successor is appointed. A vacancy shall be
43 filled within 30 days by the officer who made the original appointment.

44 "§ 120-157.2. Purpose and powers of Committee.

45 (a) The Joint Legislative Committee on Local Government shall review and monitor
46 local government capital projects that are required to go before the Local Government
47 Commission and require debt to be issued over one million dollars (\$1,000,000), with the
48 exception of schools, jails, courthouses, and administrative buildings. Any project that fits these
49 criteria must be reported to the Committee Chairs, Committee Assistant, and the Fiscal
50 Research Division at least 45 days prior to presentation before the Local Government
51 Commission.

1 (b) The Committee may make interim reports to the General Assembly on matters for
2 which it may report to a regular session of the General Assembly. A report to the General
3 Assembly shall include the purpose, scope, debt requirements, financing methods, and
4 repayment plans of any local governmental capital project reviewed pursuant to subsection (a)
5 of this section and may contain any legislation needed to implement a recommendation of the
6 Committee.

7 **"§ 120-157.3. Organization of Committee.**

8 (a) The President Pro Tempore of the Senate and the Speaker of the House of
9 Representatives shall each designate a cochair of the Joint Legislative Committee on Local
10 Government. The Committee may meet on days when the members of the General Assembly
11 are entitled to subsistence pursuant to G.S. 120-3.1 and may meet at other times upon the joint
12 call of the cochairs.

13 (b) A quorum of the Committee is eight members. No action may be taken except by a
14 majority vote at a meeting at which a quorum is present. While in the discharge of its official
15 duties, the Committee has the power of a joint committee under G.S. 120-19 and G.S. 120-19.1
16 through G.S. 120-19.4.

17 (c) Members of the Committee may receive subsistence and travel expenses as
18 provided in G.S. 120-3.1. The Committee may contract for consultants or hire employees in
19 accordance with G.S. 120-32.02. The Legislative Services Commission, through the Legislative
20 Services Officer, shall assign professional staff to assist the Committee in its work. Upon the
21 direction of the Legislative Services Commission, the Supervisors of Clerks of the Senate and
22 of the House of Representatives shall assign clerical staff to the Committee. The expenses for
23 clerical employees shall be borne by the Committee.

24 **"§ 120-157.4. Additional powers.**

25 The Joint Legislative Committee on Local Government, while in discharge of official
26 duties, shall have access to any paper or document, and may compel the attendance of any State
27 official or employee before the Committee or secure any evidence under G.S. 120-19. In
28 addition, G.S. 120-19.1 through G.S. 120-19.4 shall apply to the proceedings of the Committee
29 as if it were a joint committee of the General Assembly.

30 **"§ 120-158. ~~Creation of Commission.~~Municipal Incorporations Subcommittee.**

31 ~~(a) There is created the Joint Legislative Commission on Municipal Incorporations,~~
32 ~~referred to in this Article as "Commission".~~Incorporations Subcommittee of the Joint
33 Legislative Committee on Local Government.

34 (b) The Commission shall consist of six members, appointed as follows:

- 35 (1) ~~Two~~Three ~~Senators~~ appointed by the President Pro Tempore of the
36 ~~Senate;~~Senate, at least one of whom shall be a former city or county
37 commissioner, city or county manager, or other local elected official.
- 38 (2) ~~Two~~Three ~~House members~~ appointed by the ~~Speaker;~~Speaker of the House
39 of Representatives, at least one of whom shall be a former city or county
40 commissioner, city or county manager, or other local elected official.
- 41 (3) ~~One city manager or elected city official, appointed by the President Pro~~
42 ~~Tempore of the Senate from a list of three eligible persons nominated by the~~
43 ~~North Carolina League of Municipalities; and~~
- 44 (4) ~~One county commissioner or county manager, appointed by the Speaker~~
45 ~~from a list of three eligible persons nominated by the North Carolina~~
46 ~~Association of County Commissioners.~~

47 **"§ 120-159. ~~Terms.~~Terms; meetings.**

48 (a) Members shall be appointed for terms ending June 30, 1987, and subsequently for
49 two-year terms beginning July 1, 1987, and biennially thereafter. A member eligible when
50 appointed may continue for the remainder of the term regardless of the member's continued

1 eligibility for the category. The ~~Commission~~ Municipal Incorporations Subcommittee shall
2 elect a ~~chairman~~ chair from its membership for a one-year term.

3 (b) The Subcommittee may meet on days when the members of the General Assembly
4 are entitled to subsistence pursuant to G.S. 120-3.1 and may meet at other times upon the joint
5 call of the cochairs.

6 ~~"§ 120-160. Compensation.~~

7 ~~Members of the Commission who are members of the General Assembly shall receive~~
8 ~~subsistence and travel allowances as provided by G.S. 120-3.1. Members who are State officers~~
9 ~~or employees shall receive subsistence and travel allowances as provided by G.S. 138-6. All~~
10 ~~other members shall receive per diem, subsistence, and travel allowances as provided by~~
11 ~~G.S. 138-5.~~

12 ~~"§ 120-161. Facilities and staff.~~

13 ~~The Commission may meet in the Legislative Building or the Legislative Office Building.~~
14 ~~Staff for the Commission shall be provided by the Legislative Services Commission. The~~
15 ~~Commission may contract with the School of Government at the University of North Carolina~~
16 ~~at Chapel Hill, the Local Government Commission, the Department of Environment and~~
17 ~~Natural Resources, or other agencies as may be necessary in completing any required studies,~~
18 ~~within the funds appropriated to the Commission."~~

19
20 **JOINT LEGISLATIVE ECONOMIC DEVELOPMENT OVERSIGHT COMMITTEE**

21 **SECTION 1.10.(a)** G.S. 120-70.130 reads as rewritten:

22 **"§ 120-70.130. Creation and membership of Joint Legislative Economic Development**
23 **Oversight Committee.**

24 The Joint Legislative Economic Development Oversight Committee is established. The
25 Committee consists of ~~12~~ 22 members as follows:

- 26 (1) ~~Six~~ Eleven members of the Senate appointed by the President Pro Tempore
27 of the ~~Senate~~; Senate, at least three of whom are members of the minority
28 party; and
29 (2) ~~Six~~ Eleven members of the House of Representatives appointed by the
30 Speaker of the House of ~~Representatives~~. Representatives, at least three of
31 whom are members of the minority party.

32 Terms on the Committee are for two years and begin on the convening of the General
33 Assembly in each odd-numbered year, except the terms of the initial members, which begin on
34 appointment and end on the day of the convening of the 2007 General Assembly. Members
35 may complete a term of service on the Committee even if they do not seek reelection or are not
36 reelected to the General Assembly, but resignation or removal from service in the General
37 Assembly constitutes resignation or removal from service on the Committee.

38 A member continues to serve until a successor is appointed. A vacancy shall be filled by the
39 officer who made the original appointment."

40 **SECTION 1.10.(b)** G.S. 120-70.131 reads as rewritten:

41 **"§ 120-70.131. Purpose and powers of Committee.**

42 (a) The Joint Legislative Economic Development Oversight Committee shall examine,
43 on a continuing basis, economic growth and development issues and strategies in North
44 Carolina in order to make ongoing recommendations to the General Assembly on ways to
45 promote cost-effective economic development initiatives. In this examination, the Committee
46 may:

- 47 (1) Study the budgets, programs, and policies of the Department of Commerce,
48 the North Carolina Partnership for Economic Development, and other State,
49 regional, and local entities involved in economic development.
50 (2) Analyze legislation from other states regarding economic development.
51 (3) Analyze proposals produced by the Economic Development Board.

1 (3a) Request the Department of Commerce to provide an annual report by
2 January 15 of each year on the effectiveness of the following economic
3 development programs:

4 a. Job Development Investment Grant Program (JDIG).

5 b. One North Carolina.

6 c. Article 3J Credits.

7 d. Job Maintenance and Capital Development Fund (JMAC).

8 (4) Study any other matters that the Committee considers necessary to fulfill its
9 mandate.

10 (b) The Committee may make interim reports to the General Assembly on matters for
11 which it may report to a regular session of the General Assembly. A report to the General
12 Assembly may contain any legislation needed to implement a recommendation of the
13 Committee."
14

15 ENVIRONMENTAL REVIEW COMMISSION

16 **SECTION 1.13.** G.S. 120-70.42 reads as rewritten:

17 "**§ 120-70.42. Membership; cochaIRS; vacancies; quorum.**

18 (a) The Environmental Review Commission shall consist of six Senators appointed by
19 the President Pro Tempore of the Senate, six Representatives appointed by the Speaker of the
20 House of Representatives, who shall serve at the pleasure of their appointing officer, the Chair
21 or a Cochair of the Senate Committee on Agriculture, Environment, and Natural Resources or
22 the equivalent committee, the Chair or a Cochair of the House of Representatives Committee
23 on Environment and Natural Resources or the equivalent committee, the Chair or a Cochair of
24 the Senate Committee on Appropriations – Natural and Economic Resources or the equivalent
25 committee, and the Chair or a Cochair of the House of Representatives Committee on
26 Appropriations – Natural and Economic Resources or the equivalent committee.

27 (b) The President Pro Tempore of the Senate shall designate one or more Senators and
28 the Speaker of the House of Representatives shall designate one or more Representatives to
29 serve as cochaIRS.

30 (c) Except as otherwise provided in this subsection, a member of the Commission shall
31 continue to serve for so long as the member remains a member of the General Assembly and no
32 successor has been appointed. A member of the Commission who does not seek reelection or is
33 not reelected to the General Assembly may complete a term of service on the Commission until
34 the day on which a new General Assembly convenes. A member of the Commission who
35 resigns or is removed from service in the General Assembly shall be deemed to have resigned
36 or been removed from service on the Commission. Any vacancy that occurs on the
37 Environmental Review Commission shall be filled in the same manner as the original
38 appointment.

39 (d) A quorum of the Environmental Review Commission shall consist of ~~nine~~-seven
40 members."
41

42 PART II. CONFORMING CHANGES

43 **SECTION 2.1.** G.S. 7A-346.3 reads as rewritten:

44 "**§ 7A-346.3. Impaired driving integrated data system report.**

45 The information compiled by G.S. 7A-109.2 shall be maintained in an Administrative
46 Office of the Courts database. By March 1, the Administrative Office of the Courts shall
47 provide an annual report of the previous calendar year to the Joint Legislative Commission on
48 Governmental Operations and the Joint Legislative ~~Corrections, Crime Control, and Juvenile~~
49 ~~Justice Oversight Committee.~~ Oversight Committee on Justice and Public Safety. The annual
50 report shall show the types of dispositions for the entire State by county, by judge, by
51 prosecutor, and by defense attorney. This report shall also include the amount of fines, costs,

1 and fees ordered at the disposition of the charge, the amount of any subsequent reduction,
2 amount collected, and the amount still owed, and compliance with sanctions of community
3 service, jail, substance abuse assessment, treatment, and education. The Administrative Office
4 of the Courts shall facilitate public access to the information collected under this section by
5 posting this information on the court's Internet page in a manner accessible to the public and
6 shall make reports of any information collected under this section available to the public upon
7 request and without charge."

8 **SECTION 2.2.** G.S. 7A-409.1(g) reads as rewritten:

9 "(g) The State Judicial Council shall report to the General Assembly and the Chief
10 Justice no later than December 31, 2009, and no later than December 31 of every third year,
11 regarding the implementation of S.L. 2006-184 and shall include in its report the statistics
12 regarding inquiries and any recommendations for changes. The House of Representatives and
13 the Senate shall refer the report of the State Judicial Council to the Joint Legislative
14 ~~Corrections, Crime Control, and Juvenile Justice Oversight Committee~~ on Justice and Public
15 Safety and such other committees as the Speaker of the House of Representatives or the
16 President Pro Tempore of the Senate shall deem appropriate, for their review."

17 **SECTION 2.3.** G.S. 15A-266.5 reads as rewritten:

18 "**§ 15A-266.5. Tests to be performed on DNA sample.**

19 (a) The tests to be performed on each DNA sample are:

- 20 (1) To analyze and type only the genetic markers that are used for identification
21 purposes contained in or derived from the DNA.
- 22 (2) For law enforcement identification purposes.
- 23 (3) For research and administrative purposes, including:
 - 24 a. Development of a population database when personal identifying
25 information is removed.
 - 26 b. To support identification research and protocol development of
27 forensic DNA analysis methods.
 - 28 c. For quality control purposes.
 - 29 d. To assist in the recovery or identification of human remains from
30 mass disasters or for other humanitarian purposes, including
31 identification of missing persons.

32 (b) The DNA record of identification characteristics resulting from the DNA testing
33 shall be stored and maintained by the SBI in the State DNA Database. The DNA sample itself
34 will be stored and maintained by the SBI in the State DNA Databank.

35 (c) The SBI shall report annually to the Joint Legislative Commission on Governmental
36 Operations and to the Joint Legislative ~~Corrections, Crime Control and Juvenile Justice~~
37 ~~Oversight Committee,~~ Oversight Committee on Justice and Public Safety, on or before February
38 1, with information for the previous calendar year, which shall include: a summary of the
39 operations and expenditures relating to the DNA Database and DNA Databank; the number of
40 DNA records from arrestees entered; the number of DNA records from arrestees that have been
41 expunged; and the number of DNA arrestee matches or hits that occurred with an unknown
42 sample, and how many of those have led to an arrest and conviction; and how many letters
43 notifying defendants that a record and sample have been expunged, along with the number of
44 days it took to complete the expunction and notification process, from the date of the receipt of
45 the verification form from the State.

46 (d) The Department of Justice, in consultation with the Administrative Office of the
47 Courts and the Conference of District Attorneys, shall study, develop, and recommend an
48 automated procedure to facilitate the process of expunging DNA samples and records taken
49 pursuant to G.S. 15A-266.3A, and shall report to the Joint Legislative Commission on
50 Governmental Operations, the Joint Legislative ~~Corrections, Crime Control and Juvenile~~

1 ~~Justice Oversight Committee, Oversight Committee on Justice and Public Safety, and the~~
2 Courts Commission, on or before February 1, 2011."

3 **SECTION 2.4.** G.S. 15A-1475 reads as rewritten:

4 **"§ 15A-1475. Reports.**

5 Beginning January 1, 2008, and annually thereafter, the North Carolina Innocence Inquiry
6 Commission shall report on its activities to the Joint Legislative ~~Corrections, Crime Control,~~
7 ~~and Juvenile Justice Oversight Committee~~ on Justice and Public Safety and the State Judicial
8 Council. The report may contain recommendations of any needed legislative changes related to
9 the activities of the Commission. The report shall recommend the funding needed by the
10 Commission, the district attorneys, and the State Bureau of Investigation in order to meet their
11 responsibilities under S.L. 2006-184. Recommendations concerning the district attorneys or the
12 State Bureau of Investigation shall only be made after consultations with the North Carolina
13 Conference of District Attorneys and the Attorney General."

14 **SECTION 2.5.** G.S. 58-42-45 reads as rewritten:

15 **"§ 58-42-45. Article subject to Administrative Procedure Act; legislative oversight of**
16 **plans.**

17 (a) The provisions of Chapter 150B of the General Statutes shall apply to this Article.

18 (b) At the same time the Commissioner issues a notice of hearing under G.S. 150B-38,
19 the Commissioner shall provide copies of the notice to the Joint ~~Legislative Administrative~~
20 ~~Procedure Oversight~~ Regulatory Reform Committee and to the Joint Legislative Commission on
21 Governmental Operations. The Commissioner shall provide the Committee and Commission
22 with copies of any plan promulgated by or approved by the Commissioner under
23 G.S. 58-42-1(1) or (2)."

24 **SECTION 2.6.** G.S. 58-50-95 reads as rewritten:

25 **"§ 58-50-95. Report by Commissioner.**

26 The Commissioner shall report annually to the Joint Legislative ~~Health Care Oversight~~
27 Committee on Health and Human Services regarding the nature and appropriateness of reviews
28 conducted under this Part. The report, which shall be provided to the public upon request,
29 should include the number of reviews, underlying issues in dispute, character of the reviews,
30 dollar amounts in question, whether the review was decided in favor of the covered person or
31 the health benefit plan, the cost of review, and any other information relevant to the evaluation
32 of the effectiveness of this Part."

33 **SECTION 2.7.** G.S. 58-50-180(g) reads as rewritten:

34 "(g) The Executive Director shall make an annual report to the Speaker of the House of
35 Representatives, the President Pro Tempore of the Senate, the Commissioner, the Joint
36 Legislative ~~Health Care Oversight Committee,~~ Committee on Health and Human Services,
37 and the Committee on Employee Hospital and Medical Benefits. The report shall summarize the
38 activities of the Pool in the preceding calendar year, including the net written and earned
39 premiums, benefit plan enrollment, the expense of administration, and the paid and incurred
40 losses."

41 **SECTION 2.8.** G.S. 62-15(a) reads as rewritten:

42 "(a) There is established in the Commission the office of executive director, whose
43 salary and longevity pay shall be the same as that fixed for members of the Commission.
44 "Service" for purposes of longevity pay means service as executive director of the public staff.
45 The executive director shall be appointed by the Governor subject to confirmation by the
46 General Assembly by joint resolution. The name of the executive director appointed by the
47 Governor shall be submitted to the General Assembly on or before May 1 of the year in which
48 the term of his office begins. The term of office for the executive director shall be six years,
49 and the initial term shall begin July 1, 1977. The executive director may be removed from
50 office by the Governor in the event of his incapacity to serve; and the executive director shall
51 be removed from office by the Governor upon the affirmative recommendation of a majority of

1 the Commission, after consultation with the Joint Legislative ~~Utility Review~~
2 ~~Committee~~Commission on Governmental Operations of the General Assembly. In case of a
3 vacancy in the office of executive director for any reason prior to the expiration of his term of
4 office, the name of his successor shall be submitted by the Governor to the General Assembly,
5 not later than four weeks after the vacancy arises. If a vacancy arises in the office when the
6 General Assembly is not in session, the executive director shall be appointed by the Governor
7 to serve on an interim basis pending confirmation by the General Assembly."

8 **SECTION 2.9.** G.S. 62-15(h) reads as rewritten:

9 "(h) The executive director is authorized to employ, subject to approval by the State
10 Budget Officer, expert witnesses and such other professional expertise as the executive director
11 may deem necessary from time to time to assist the public staff in its participation in
12 Commission proceedings, and the compensation and expenses therefor shall be paid by the
13 utility or utilities participating in said proceedings. Such compensation and expenses shall be
14 treated by the Commission, for rate-making purposes, in a manner generally consistent with its
15 treatment of similar expenditures incurred by utilities in the presentation of their cases before
16 the Commission. An accounting of such compensation and expenses shall be reported annually
17 to the Joint Legislative ~~Utility Review Committee~~Commission on Governmental Operations
18 and to the Speaker of the House of Representatives and the President Pro Tempore of the
19 Senate."

20 **SECTION 2.10.** G.S. 62-36A(c) reads as rewritten:

21 "(c) Within 180 days after all local distribution companies have filed their initial or
22 biennial update reports, the Commission and the Public Staff shall independently provide
23 analyses and summaries of those reports, together with status reports of natural gas service in
24 the State, to the Joint Legislative ~~Utility Review Committee~~Commission on Governmental
25 Operations."

26 **SECTION 2.11.** G.S. 62-133.2(g) reads as rewritten:

27 "(g) On July 1 of every odd-numbered year, the Utilities Commission shall provide a
28 report to the Joint Legislative ~~Utility Review Committee~~Commission on Governmental
29 Operations summarizing the proceedings conducted pursuant to this section during the
30 preceding two years."

31 **SECTION 2.12.** G.S. 62-133.5(k) reads as rewritten:

32 "(k) To evaluate the affordability and quality of local exchange service provided to
33 consumers in this State, a local exchange company or competing local provider offering basic
34 local residential exchange service that elects to have its rates, terms, and conditions for its
35 services determined pursuant to the plan described in subsection (h) of this section shall make
36 an annual report to the General Assembly on the state of its company's operations. The report
37 shall be due 30 days after the close of each calendar year and shall cover the period from
38 January 1 through December 31 of the preceding year. The Joint Legislative ~~Utility Review~~
39 ~~Committee~~Commission on Governmental Operations must review the annual reports and
40 decide whether to recommend that the General Assembly take corrective action in response to
41 those reports. The report shall include the following:

- 42 (1) An analysis of telecommunications competition by the local exchange
43 company or competing local provider, including access line gain or loss and
44 the impact on consumer choices from enactment of the Consumer Choice
45 and Investment Act of 2009.
- 46 (2) An analysis of service quality based on customer satisfaction studies from
47 enactment of the Consumer Choice and Investment Act of 2009.
- 48 (3) An analysis of the level of local exchange rates from enactment of the
49 Consumer Choice and Investment Act of 2009."

50 **SECTION 2.13.** G.S. 62-133.8(j) reads as rewritten:

1 "(j) Report. – No later than October 1 of each year, the Commission shall submit a
2 report on the activities taken by the Commission to implement, and by electric power suppliers
3 to comply with, the requirements of this section to the Governor, the Environmental Review
4 Commission, and the Joint Legislative ~~Utility Review Committee~~Commission on
5 Governmental Operations. The report shall include any public comments received regarding
6 direct, secondary, and cumulative environmental impacts of the implementation of the
7 requirements of this section. In developing the report, the Commission shall consult with the
8 Department of Environment and Natural Resources."

9 **SECTION 2.14.** G.S. 62-133.9(i) reads as rewritten:

10 "(i) The Commission shall submit to the Governor and to the Joint Legislative ~~Utility~~
11 ~~Review Committee~~Commission on Governmental Operations a summary of the proceedings
12 conducted pursuant to this section during the preceding two fiscal years on or before September
13 1 of odd-numbered years."

14 **SECTION 2.15.** G.S. 62-158(d) reads as rewritten:

15 "(d) The Commission, after hearing, may adopt rules to implement this section,
16 including rules for the establishment of expansion funds, for the use of such funds, for the
17 remittance to the expansion fund or to customers of supplier and transporter refunds and
18 expansion surcharges or other funds that were sources of the expansion fund, and for
19 appropriate accounting, reporting and ratemaking treatment. The Commission and Public Staff
20 shall report to the Joint Legislative ~~Utility Review Committee~~Commission on Governmental
21 Operations on the operation of any expansion funds in conjunction with the reports required
22 under G.S. 62-36A."

23 **SECTION 2.16.** G.S. 62-159(d) reads as rewritten:

24 "(d) The Commission, after hearing, shall adopt rules to implement this section as soon
25 as practicable. The Commission and Public Staff shall report to the Joint Legislative ~~Utility~~
26 ~~Review Committee~~Commission on Governmental Operations on the use of funding provided
27 under this section in conjunction with the reports required under G.S. 62-36A."

28 **SECTION 2.17.** G.S. 62A-44(c) reads as rewritten:

29 "(c) Report. – In February of each odd-numbered year, the 911 Board must report to the
30 Joint Legislative Commission on Governmental ~~Operations~~Operations and the Revenue Laws
31 Study ~~Committee~~, and the Joint Legislative ~~Utility Review Committee~~. The report must contain
32 complete information regarding receipts and expenditures of all funds received by the 911
33 Board during the period covered by the report, the status of the 911 system in North Carolina at
34 the time of the report, and the results of any investigations by the Board of PSAPs that have
35 been completed during the period covered by the report."

36 **SECTION 2.18.** G.S. 62A-46(a)(2) reads as rewritten:

37 "(2) Reports. – The Board must report to the Joint Legislative Commission on
38 Governmental ~~Operations~~Operations and the Revenue Laws Study ~~Committee~~, and the Joint
39 ~~Legislative Utility Review Committee~~ within 45 days of a change in the funding formula. The
40 report must contain a description of the differences in the old and new formulas and the
41 projected distributions to each PSAP from the new formula."

42 **SECTION 2.19.** G.S. 93B-2(a) reads as rewritten:

43 "(a) No later than October 31 of each year, each occupational licensing board shall file
44 with the Secretary of State, the Attorney General, and the Joint ~~Legislative Administrative~~
45 ~~Procedure Oversight Regulatory Reform Committee~~ an annual report containing all of the
46 following information:

- 47 (1) The address of the board, and the names of its members and officers.
- 48 (2) The number of persons who applied to the board for examination.
- 49 (3) The number who were refused examination.
- 50 (4) The number who took the examination.
- 51 (5) The number to whom initial licenses were issued.

- 1 (6) The number who applied for license by reciprocity or comity.
2 (7) The number who were granted licenses by reciprocity or comity.
3 (7a) The number of official complaints received involving licensed and
4 unlicensed activities.
5 (7b) The number of disciplinary actions taken against licensees, or other actions
6 taken against nonlicensees, including injunctive relief.
7 (8) The number of licenses suspended or revoked.
8 (9) The number of licenses terminated for any reason other than failure to pay
9 the required renewal fee.
10 (10) The substance of any anticipated request by the occupational licensing board
11 to the General Assembly to amend statutes related to the occupational
12 licensing board.
13 (11) The substance of any anticipated change in rules adopted by the
14 occupational licensing board or the substance of any anticipated adoption of
15 new rules by the occupational licensing board."

16 **SECTION 2.20.** G.S. 93B-2(b) reads as rewritten:

17 "(b) No later than October 31 of each year, each occupational licensing board shall file
18 with the Secretary of State, the Attorney General, the Office of State Budget and Management,
19 and the Joint ~~Legislative Administrative Procedure Oversight~~Regulatory Reform Committee a
20 financial report that includes the source and amount of all funds credited to the occupational
21 licensing board and the purpose and amount of all funds disbursed by the occupational
22 licensing board during the previous fiscal year."

23 **SECTION 2.21.** G.S. 95-25.23C(c) reads as rewritten:

24 "(c) Report. – No later than February 1 of each year, the Commissioner shall submit a
25 written report to the General Assembly, the ~~Legislative Study Commission on Children and~~
26 ~~Youth~~Joint Legislative Education Oversight Committee, and the Fiscal Research Division of
27 the General Assembly on the Department of Labor's investigative, inspection, and enforcement
28 activities under the Wage and Hour Act pertaining to youth employment. Each report submitted
29 pursuant to this subsection shall contain data and information about the calendar year preceding
30 the date on which the last written report was submitted. The report shall include at least all of
31 the following:

- 32 (1) All activities the Department of Labor has sponsored or participated in for
33 the purpose of educating employers about their responsibilities under the
34 Wage and Hour Act.
35 (2) The total number of complaints received by the Department of Labor
36 alleging youth employment violations under the Wage and Hour Act, or any
37 regulations issued under the Wage and Hour Act, or both.
38 (3) The specific types of youth employment violations alleged and the ages of
39 the youths referenced in the complaints received by the Department of
40 Labor.
41 (4) The total number of investigations conducted by the Department of Labor
42 concerning alleged youth employment violations, the length of the
43 investigations, and the number of investigators assigned to conduct the
44 investigations. For purposes of this subdivision, the Commissioner shall
45 provide a separate analysis of (i) investigations initiated by the Department
46 in response to a complaint, (ii) investigations initiated by the Department in
47 the absence of a complaint, and (iii) alleged record-keeping violations
48 pertaining to youth employment.
49 (5) The total number of administrative proceedings involving youth employment
50 violations.

- 1 (6) The total number and identity of employers cited for youth employment
2 violations and the industries or occupations that received the greatest and the
3 least number of complaints alleging youth employment violations.
- 4 (7) The total number and dollar amount of civil penalties assessed pursuant to
5 G.S. 95-25.23 and the total number and dollar amount of civil penalties
6 actually collected pursuant to that section. For purposes of this subdivision,
7 the Commissioner shall provide a detailed, itemized list of each civil penalty
8 represented in the total number and dollar amounts reported pursuant to this
9 subdivision and indicate whether each civil penalty is the result of a
10 complaint.
- 11 (8) The total number and dollar amount of civil penalties assessed pursuant to
12 G.S. 95-25.23A and the total number and dollar amount of civil penalties
13 actually collected pursuant to that section. For purposes of this subdivision,
14 the Commissioner shall provide a detailed, itemized list of each civil penalty
15 represented in the total number and dollar amounts reported pursuant to this
16 subdivision and indicate whether each civil penalty is the result of a
17 complaint.
- 18 (9) An explanation of any obstacles that prevented the Department of Labor
19 from enforcing any provision of the Wage and Hour Act as it pertains to
20 youth employment, any recommended changes to the Wage and Hour Act to
21 strengthen the Department of Labor's oversight and enforcement of youth
22 employment laws and regulations in this State, and any other information
23 related to the Department of Labor's enhanced enforcement of the State's
24 youth employment laws and regulations.
- 25 (10) Recommendations about the funding needed by the Department to (i)
26 eliminate any identified obstacles to enforcement of youth employment laws
27 and regulations and (ii) effectively implement any recommended changes."

28 **SECTION 2.22.** G.S. 108A-55(c) reads as rewritten:

29 "(c) The Department shall reimburse providers of services, equipment, or supplies under
30 the Medical Assistance Program in the following amounts:

- 31 (1) The amount approved by the Health Care Financing Administration of the
32 United States Department of Health and Human Services, if that
33 Administration approves an exact reimbursement amount;
- 34 (2) The amount determined by application of a method approved by the Health
35 Care Financing Administration of the United States Department of Health
36 and Human Services, if that Administration approves the method by which a
37 reimbursement amount is determined, and not the exact amount.

38 The Department shall establish the methods by which reimbursement amounts are
39 determined in accordance with Chapter 150B of the General Statutes. A change in a
40 reimbursement amount becomes effective as of the date for which the change is approved by
41 the Health Care Financing Administration of the United States Department of Health and
42 Human Services. The Department shall report to the Fiscal Research Division of the Legislative
43 Services Office and to the Senate Appropriations Committee on Human Resources and the
44 House of Representatives Appropriations Subcommittee on Human Resources or the Joint
45 ~~Legislative Commission on Health Care Oversight~~ Committee on Health and Human Services
46 on any change in a reimbursement amount at the same time as it sends out public notice of this
47 change prior to presentation to the Health Care Financing Administration."

48 **SECTION 2.23.** G.S. 108A-70.25 reads as rewritten:

49 **"§ 108A-70.25. State Plan for Health Insurance Program for Children.**

50 The Department shall develop and submit a State Plan to implement "The Health Insurance
51 Program for Children" authorized under this Part to the federal government as application for

1 federal funds under Title XXI. The State Plan submitted under this Part shall be developed by
2 the Department only as authorized by and in accordance with this Part. No provision in the
3 State Plan submitted under this Part may expand or otherwise alter the scope or purpose of the
4 Program from that authorized under this Part. The Department shall include in the State Plan
5 submitted only those items required by this Part and required by the federal government to
6 qualify for federal funds under Title XXI and necessary to secure the State's federal fund
7 allotment for the applicable fiscal period. Except as otherwise provided in this section, the
8 Department shall not amend the State Plan nor submit any amendments thereto to the federal
9 government for review or approval without the specific approval of the General Assembly. In
10 the event federal law requires that an amendment be made to the State Plan and further requires
11 that the amendment be submitted or implemented within a time period when the General
12 Assembly is not and will not be in session to approve the amendment, then the Department may
13 submit the amendment to the federal government for review and approval without the approval
14 of the General Assembly. Prior to submitting an amendment to the federal government without
15 General Assembly approval as authorized in this section, the Department shall report the
16 proposed amendment to the Joint Legislative ~~Health Care Oversight Committee~~ on Health and
17 Human Services and to members of the Joint Appropriations Subcommittee on Health and
18 Human Services. The report shall include an explanation of the amendment, the necessity
19 therefor, and the federal time limits required for implementation of the amendment."

20 **SECTION 2.24.** G.S. 108A-70.27(b) reads as rewritten:

21 "(b) The Department shall report annually to the Joint Legislative ~~Health Care Oversight~~
22 Committee on Health and Human Services and shall provide a copy of the report to the Joint
23 Appropriations Subcommittees on Health and Human Services. The report shall include:

- 24 (1) Data collected as required under subsection (a) of this section and an
25 analysis thereof giving trends and projections for continued Program
26 funding;
- 27 (2) Program areas working most effectively and least effectively;
- 28 (3) Performance measures used to ensure Program quality, fiscal integrity, ease
29 of access, and appropriate utilization of preventive and medical care;
- 30 (4) Effectiveness of system linkages in addressing access, quality of care, and
31 Program efficiency;
- 32 (5) Recommended changes in the Program necessary to improve Program
33 efficiency and effectiveness;
- 34 (6) Any other information requested by the Committee pertinent to the provision
35 of health insurance for children and the implementation of the Program."

36 **SECTION 2.25.** G.S. 108A-70.27(c) reads as rewritten:

37 "(c) The Executive Administrator and Board of Trustees of the North Carolina Teachers'
38 and State Employees' Major Medical Plan ("Plan") shall provide to the Department data
39 required under this section that are collected by the Plan. Data shall be reported by the Plan in
40 sufficient detail to meet federal reporting requirements under Title XXI. The Plan shall report
41 periodically to the Joint Legislative ~~Health Care Oversight Committee~~ on Health and Human
42 Services claims processing data for the Program and any other information the Plan or the
43 Committee deems appropriate and relevant to assist the Committee in its review of the
44 Program."

45 **SECTION 2.26.** G.S. 113-175.6 reads as rewritten:

46 **"§ 113-175.6. Report.**

47 The Chair of the Marine Fisheries Commission and the Chair of the Wildlife Resources
48 Commission shall jointly submit to the Joint Legislative Commission on ~~Seafood and~~
49 Aquaculture Governmental Operations by October 1 of each year a report on the Marine
50 Resources Fund and the Endowment Fund that shall include the source and amounts of all

1 moneys credited to each fund and the purpose and amount of all disbursements from each fund
2 during the prior fiscal year."

3 **SECTION 2.27.** G.S. 113-182.1(c1) reads as rewritten:

4 "(c1) The Department shall consult with the regional advisory committees established
5 pursuant to G.S. 143B-289.57(e) regarding the preparation of each Fishery Management Plan.
6 Before submission of a plan for review by the Joint Legislative Commission on ~~Seafood and~~
7 ~~Aquaculture~~Governmental Operations, the Department shall review any comment or
8 recommendation regarding the plan that a regional advisory committee submits to the
9 Department within the time limits established in the Schedule for the development and
10 adoption of Fishery Management Plans established by G.S. 143B-289.52. Before the
11 Commission adopts a management measure to implement a plan, the Commission shall review
12 any comment or recommendation regarding the management measure that a regional advisory
13 committee submits to the Commission."

14 **SECTION 2.28.** G.S. 113-182.1(e) reads as rewritten:

15 "(e) The Secretary of Environment and Natural Resources shall monitor progress in the
16 development and adoption of Fishery Management Plans in relation to the Schedule for
17 development and adoption of the plans established by the Marine Fisheries Commission. The
18 Secretary of Environment and Natural Resources shall report to the Joint Legislative
19 Commission on ~~Seafood and Aquaculture~~Governmental Operations on progress in developing
20 and implementing the Fishery Management Plans on or before 1 September of each year. The
21 Secretary of Environment and Natural Resources shall report to the Joint Legislative
22 Commission on Seafood and Aquaculture within 30 days of the completion or substantial
23 revision of each proposed Fishery Management Plan. The Joint Legislative Commission on
24 ~~Seafood and Aquaculture~~Governmental Operations shall review each proposed Fishery
25 Management Plan within 30 days of the date the proposed Plan is submitted by the Secretary.
26 The Joint Legislative Commission on ~~Seafood and Aquaculture~~Governmental Operations may
27 submit comments and recommendations on the proposed Plan to the Secretary within 30 days
28 of the date the proposed Plan is submitted by the Secretary."

29 **SECTION 2.29.** G.S. 113-200(i) reads as rewritten:

30 "(i) Report on Grant Program. – The Sea Grant College Program shall report on the
31 Fishery Resource Grant Program to the Marine Fisheries Commission and the Joint Legislative
32 Commission on ~~Seafood and Aquaculture~~Governmental Operations no later than January 1 of
33 each year."

34 **SECTION 2.30.** G.S. 120-70.33(8) reads as rewritten:

35 "(8) To undertake such additional studies as it deems appropriate or as may from
36 time to time be requested by the President Pro Tempore of the Senate, the
37 Speaker of the House of Representatives, either house of the General
38 Assembly, the Legislative Research Commission, the Joint Legislative
39 Commission on Governmental Operations, or the Environmental Review
40 Commission, ~~or the Joint Legislative Utility Review Committee~~, and to
41 make such reports and recommendations to the General Assembly regarding
42 such studies as it deems appropriate."

43 **SECTION 2.31.** G.S. 120-70.43(a)(7) reads as rewritten:

44 "(7) To undertake such additional studies as it deems appropriate or as may from
45 time to time be requested by the President Pro Tempore of the Senate, the
46 Speaker of the House of Representatives, either house of the General
47 Assembly, the Legislative Research Commission, or the Joint Legislative
48 Commission on Governmental Operations, ~~the Joint Legislative Utility~~
49 ~~Review Committee~~, ~~or the Joint Select Committee on Low Level~~
50 ~~Radioactive Waste~~Operations and to make such reports and
51 recommendations to the General Assembly regarding such studies as it

1 deems appropriate; provided that the Environmental Review Commission
2 shall not undertake any study which the General Assembly has assigned to
3 another legislative commission or committee."

4 **SECTION 2.32.** G.S. 120-163 reads as rewritten:

5 "**§ 120-163. Petition.**

6 (a) The process of seeking the recommendation of the ~~Commission~~Municipal
7 Incorporations Subcommittee is commenced by filing with the ~~Commission~~Municipal
8 Incorporations Subcommittee a petition signed by fifteen percent (15%) of the registered voters
9 of the area proposed to be incorporated, but by not less than 25 registered voters of that area,
10 asking for incorporation. The voter shall sign the petition and also clearly print that voter's
11 name adjacent to the signature. The petition must also contain the voter's residence address and
12 date of birth.

13 ...

14 (d) The petitioners must present to the ~~Commission~~Municipal Incorporations
15 Subcommittee the verified petition from the county board of elections.

16 (e) A petition must be submitted to the ~~Commission~~Municipal Incorporations
17 Subcommittee at least 60 days prior to convening of the next regular session of the General
18 Assembly in order for the ~~Commission~~Municipal Incorporations Subcommittee to make a
19 recommendation to that session."

20 **SECTION 2.33.** G.S. 120-164 reads as rewritten:

21 "**§ 120-164. Notification.**

22 (a) Not later than five days before submitting the petition to the ~~Commission~~Municipal
23 Incorporations Subcommittee, the petitioners shall notify:

- 24 (1) The board or boards of county commissioners of the county or counties
25 where the proposed municipality is located;
26 (2) All cities within that county or counties; and
27 (3) All cities in any other county that are within five miles of the proposed
28 municipality of the intent to present the petition to the
29 ~~Commission~~Municipal Incorporations Subcommittee.

30 (b) The petitioners shall also publish, one per week for two consecutive weeks, with the
31 second publication no later than seven days before submitting the petition to the ~~Commission~~,
32 Municipal Incorporations Subcommittee notice in a newspaper of general circulation in the area
33 proposed to be incorporated of the intent to present the petition to the ~~Commission~~Municipal
34 Incorporations Subcommittee."

35 **SECTION 2.34.** G.S. 120-165 reads as rewritten:

36 "**§ 120-165. Initial inquiry.**

37 (a) The ~~Commission~~Municipal Incorporations Subcommittee shall, upon receipt of the
38 petition, determine if the requirements of G.S. 120-163 and G.S. 120-164 have been met. If it
39 determines that those requirements have not been met, it shall return the petition to the
40 petitioners. The ~~Commission~~Municipal Incorporations Subcommittee shall also publish in the
41 North Carolina Register notice that it has received the petition.

42 (b) If it determines that those requirements have been met, it shall conduct further
43 inquiry as provided by this Part."

44 **SECTION 2.35.** G.S. 120-166 reads as rewritten:

45 "**§ 120-166. Additional criteria; nearness to another municipality.**

46 (a) The ~~Commission~~Municipal Incorporations Subcommittee may not make a positive
47 recommendation if the proposed municipality is located within one mile of a municipality of
48 5,000 to 9,999, within three miles of a municipality of 10,000 to 24,999, within four miles of a
49 municipality of 25,000 to 49,999, or within five miles of a municipality of 50,000 or over,
50 according to the most recent decennial federal census, or according to the most recent annual
51 estimate of the Office of State Budget and Management if the municipality was incorporated

1 since the return of that census. For purposes of this section, "municipality" means a city as
2 defined by G.S. 160A-1(2) or a county that has exercised its authority under Article 24 of
3 Chapter 153A of the General Statutes.

4 (b) Subsection (a) of this section does not apply in the case of proximity to a specific
5 municipality if:

- 6 (1) The proposed municipality is entirely on an island that the nearby city is not
7 on;
- 8 (2) The proposed municipality is separated by a major river or other natural
9 barrier from the nearby city, such that provision of municipal services by the
10 nearby city to the proposed municipality is infeasible or the cost is
11 prohibitive, and the ~~Commission~~ Municipal Incorporations Subcommittee
12 shall adopt policies to implement this subdivision;
- 13 (3) The municipalities within the distances described in subsection (a) of this
14 section by resolution express their approval of the incorporation; or
- 15 (4) An area of at least fifty percent (50%) of the proposed municipality has
16 petitioned for annexation to the nearby city under G.S. 160A-31 within the
17 previous 12 months before the incorporation petition is submitted to the
18 ~~Commission~~ Municipal Incorporations Subcommittee but the annexation
19 petition was not approved."

20 **SECTION 2.36.** G.S. 120-168 reads as rewritten:

21 **"§ 120-168. Additional criteria; development.**

22 The ~~Commission~~ Municipal Incorporations Subcommittee may not make a positive
23 recommendation unless forty percent (40%) of the area is developed for residential,
24 commercial, industrial, institutional, or governmental uses, or is dedicated as open space under
25 the provisions of a zoning ordinance, subdivision ordinance, conditional or special use permit,
26 or recorded restrictive covenants."

27 **SECTION 2.37.** G.S. 120-169 reads as rewritten:

28 **"§ 120-169. Additional criteria; area unincorporated.**

29 The ~~Commission~~ Municipal Incorporations Subcommittee may not make a positive
30 recommendation if any of the proposed municipality is included within the boundary of another
31 incorporated municipality, as defined by G.S. 153A-1(1), or if any of the proposed municipality
32 is included within the boundary of a county that has exercised its authority under Article 24 of
33 Chapter 153A of the General Statutes."

34 **SECTION 2.38.** G.S. 120-169.1 reads as rewritten:

35 **"§ 120-169.1. Additional criteria; level of development, services; financial impact on
36 other local governments.**

37 (a) Repealed by Session Laws 1999-458, s. 4.

38 (b) Services. – The ~~Commission~~ Municipal Incorporations Subcommittee may not make
39 a positive recommendation unless the area to be incorporated submits a plan for providing a
40 reasonable level of municipal services. This plan shall be based on the proposed services stated
41 in the petition under G.S. 120-163(c).

42 (c) The ~~Commission~~ Municipal Incorporations Subcommittee in its report shall indicate
43 the impact on other municipalities and counties of diversion of already levied local taxes or
44 State-shared revenues from existing local governments to support services in the proposed
45 municipality."

46 **SECTION 2.39.** G.S. 120-221(c) reads as rewritten:

47 "(c) The Task Force shall report at least annually to the Commission or more
48 frequently at the request of the cochairs of the Commission, and shall also
49 report on April 1 of each year to the House of Representatives
50 Appropriations Subcommittee on Health and Human Services, the Senate
51 Appropriations Committee on Health and Human Services, the Joint

1 Legislative Oversight Committee on ~~Mental Health, Developmental~~
2 ~~Disabilities, and Substance Abuse~~Health and Human Services, and the Fiscal
3 Research Division."

4 **SECTION 2.40.** G.S. 122C-5 reads as rewritten:

5 "**§ 122C-5. Report on restraint and seclusion.**

6 The Secretary shall report annually on October 1 to the Joint Legislative Oversight
7 Committee on ~~Mental Health, Developmental Disabilities, and Substance Abuse~~Health and
8 Human Services on the following for the immediately preceding fiscal year:

- 9 (1) The level of compliance of each facility with applicable State and federal
10 laws, rules, and regulations governing the use of restraints and seclusion.
11 The information shall indicate areas of highest and lowest levels of
12 compliance.
- 13 (2) The total number of facilities that reported deaths under G.S. 122C-31, the
14 number of deaths reported by each facility, the number of deaths
15 investigated pursuant to G.S. 122C-31, and the number found by the
16 investigation to be related to the use of restraint or seclusion."

17 **SECTION 2.41.** G.S. 122C-13(11) reads as rewritten:

18 "(11) Submit a report annually to the Secretary, the Joint Legislative Oversight
19 Committee on ~~Mental Health, Developmental Disabilities, and Substance~~
20 ~~Abuse~~Health and Human Services, and the Joint Legislative Health Care
21 Oversight Committee containing data and findings regarding the types of
22 problems experienced and complaints reported by or on behalf of providers,
23 consumers, and employees of providers, as well as recommendations to
24 resolve identified issues and to improve the administration of MH/DD/SA
25 facilities and the delivery of MH/DD/SA services throughout the State."

26 **SECTION 2.42.** G.S. 122C-102(c) reads as rewritten:

27 "(c) State Performance Measures. – The State Plan shall also include a mechanism for
28 measuring the State's progress towards increased performance on the following matters: access
29 to services, consumer-focused outcomes, individualized planning and supports, promotion of
30 best practices, quality management systems, system efficiency and effectiveness, and
31 prevention and early intervention. Beginning October 1, 2006, and every six months thereafter,
32 the Secretary shall report to the General Assembly and the Joint Legislative Oversight
33 Committee on ~~Mental Health, Developmental Disabilities, and Substance Abuse~~Health and
34 Human Services, on the State's progress in these performance areas."

35 **SECTION 2.43.** G.S. 122C-112.1(a)(30) reads as rewritten:

36 "(30) Prior to requesting approval to close a State facility under G.S. 122C-181(b):

- 37 a. Notify the Joint Legislative Commission on Governmental
38 Operations, the Joint Legislative Oversight Committee on ~~Mental~~
39 ~~Health, Developmental Disabilities, and Substance Abuse~~Health and
40 Human Services, and members of the General Assembly who
41 represent catchment areas affected by the closure; and
- 42 b. Present a plan for the closure to the members of the Joint Legislative
43 Oversight Committee on ~~Mental Health, Developmental Disabilities,~~
44 ~~and Substance Abuse~~Health and Human Services, the House of
45 Representatives Appropriations Subcommittee on Health and Human
46 Services, and the Senate Appropriations Committee on Health and
47 Human Services for their review, advice, and recommendations. The
48 plan shall address specifically how patients will be cared for after
49 closure, how support services to community-based agencies and
50 outreach services will be continued, and the impact on remaining
51 State facilities. In implementing the plan, the Secretary shall take into

1 consideration the comments and recommendations of the committees
2 to which the plan is presented under this subdivision."

3 **SECTION 2.44.** G.S. 122C-112.1(a)(35) reads as rewritten:

4 "(35) Develop and adopt rules governing a statewide data system containing waiting list
5 information obtained annually from each LME as required under G.S. 122C-115.4(b)(8). The
6 rules adopted shall establish standardized criteria to be used by LMEs to ensure that the waiting
7 list data are consistent across LMEs. The Department shall use data collected from LMEs under
8 G.S. 122C-115.4(b)(8) for statewide planning and needs projections. The creation of the
9 statewide waiting list data system does not create an entitlement to services for individuals on
10 the waiting list. The Department shall report annually to the Joint Legislative Oversight
11 Committee on ~~Mental Health, Developmental Disabilities, and Substance Abuse~~ Health and
12 Human Services its recommendations based on data obtained annually from each LME. The
13 report shall indicate the services that are most needed throughout the State, plans to address
14 unmet needs, and any cost projections for providing needed services."

15 **SECTION 2.45.** G.S. 122C-115.4(e) reads as rewritten:

16 "(e) Notwithstanding subsection (d) of this section, in the case of serious financial
17 mismanagement or serious regulatory noncompliance, the Secretary may temporarily remove
18 an LME function after consultation with the Joint Legislative Oversight Committee on ~~Mental~~
19 ~~Health, Developmental Disabilities, and Substance Abuse~~ Health and Human Services."

20 **SECTION 2.46.** G.S. 130A-40.1(b) reads as rewritten:

21 "(b) The Secretary of Health and Human Services may approve only one request under
22 subsection (a) of this section, this section being designed as a pilot program concerning
23 alternative qualifications for a local health director. The Secretary of Health and Human
24 Services shall report any approval under this section to the ~~Public Health Study~~
25 ~~Commission~~ Joint Legislative Oversight Committee on Health and Human Services."

26 **SECTION 2.47.** G.S. 131D-2.13(e) reads as rewritten:

27 "(e) Report on Use of Restraint. – The Department shall report annually on October 1 to
28 the Joint Legislative Oversight Committee on ~~Mental Health, Developmental Disabilities, and~~
29 ~~Substance Abuse~~ Health and Human Services the following for the immediately preceding
30 fiscal year:

- 31 (1) The level of compliance of each adult care home with applicable State law
32 and rules governing the use of physical restraint and physical hold of
33 residents. The information shall indicate areas of highest and lowest levels of
34 compliance.
- 35 (2) The total number of adult care homes that reported deaths under
36 G.S. 131D-34.1, the number of deaths reported by each facility, the number
37 of deaths investigated pursuant to G.S. 131D-34.1, and the number found by
38 the investigation to be related to the adult care home's use of physical
39 restraint or physical hold."

40 **SECTION 2.48.** G.S. 131D-10.6(10) reads as rewritten:

41 "(10) Report annually on October 1 to the Joint Legislative Oversight Committee on
42 ~~Mental Health, Developmental Disabilities, and Substance Abuse~~ Health and Human
43 Services the level of facility compliance with applicable State law governing the use of restraint and
44 time-out in residential child-care facilities. The report shall also include the total number of
45 facilities that reported deaths under this section, the number of deaths reported by each facility,
46 the number of deaths investigated pursuant to this section, and the number found by the
47 investigation to be related to the use of physical restraint or time-out."

48 **SECTION 2.49.** G.S. 131E-314 reads as rewritten:

49 "§ 131E-314. **Division Reporting.**

50 The Division of Medical Assistance of the Department of Health and Human Services shall
51 report quarterly to the Joint Legislative ~~Health Care Oversight Committee~~ on Health and

1 Human Services on its regulatory activities in the enforcement of this ~~aet~~-Article and shall
2 provide the Committee with a summary of nonconfidential information on the financial plans
3 and operations of PSOs. The report to the Committee shall include a description and
4 explanation of any regulations or regulatory interpretations that differ from Department of
5 Insurance regulations applicable to HMOs. The report shall also include PSO efforts to improve
6 community health status. The Division shall develop processes or methods to measure
7 improvements in health outcomes for Medicare beneficiaries served by managed care
8 organizations and shall report quarterly to the Joint Legislative ~~Health Care Oversight~~
9 Committee on Health and Human Services on the development of these standards."

10 **SECTION 2.50.** G.S. 143-318.14A(a) reads as rewritten:

11 "(a) Except as provided in subsection (e) below, all official meetings of commissions,
12 committees, and standing subcommittees of the General Assembly (including, without
13 limitation, joint committees and study committees), shall be held in open session. For the
14 purpose of this section, the following also shall be considered to be "commissions, committees,
15 and standing subcommittees of the General Assembly:

- 16 (1) The Legislative Research Commission;
- 17 (2) The Legislative Services Commission;
- 18 (3) Repealed by Session Laws 2006-203, s. 93, effective July 1, 2007, and
19 applicable to the budget for the 2007-2009 biennium and each subsequent
20 biennium thereafter;
- 21 ~~(4) The Joint Legislative Utility Review Committee;~~
- 22 (5) The Joint Legislative Commission on Governmental Operations;
- 23 (6) The Joint Legislative Commission on ~~Municipal Incorporations;~~Local
24 Government;
- 25 (7) Repealed by Session Laws 1997, c. 443, s. 12.30, effective August 28, 1997.
- 26 ~~(8) The Joint Select Committee on Low-Level Radioactive Waste;~~
- 27 (9) The Environmental Review Commission;
- 28 (10) The Joint Legislative Transportation Oversight Committee;
- 29 (11) The Joint Legislative Education Oversight Committee;
- 30 ~~(12) The Joint Legislative Commission on Future Strategies for North Carolina;~~
- 31 (13) The Commission on Children with Special Needs;
- 32 ~~(14) The Legislative Committee on New Licensing Boards;~~
- 33 (15) The Agriculture and Forestry Awareness Study Commission; and
- 34 ~~(16) The North Carolina Study Commission on Aging; and~~
- 35 (17) The standing Committees on Pensions and Retirement."

36 **SECTION 2.51.** G.S. 143B-273.8(b) reads as rewritten:

37 "(b) The Department of Correction shall report by February 1 of each year to the Chairs
38 of the Senate and House Appropriations Committees, the Senate and House Appropriations
39 Subcommittees on Justice and Public Safety, and the Joint Legislative ~~Corrections, Crime~~
40 ~~Control, and Juvenile Justice Oversight Committee~~ on Justice and Public Safety on the status of
41 the Criminal Justice Partnership Program. The report shall include the following information:"

42 **SECTION 2.52.** G.S. 143B-279.8(e) reads as rewritten:

43 "(e) The Coastal Resources Commission, the Environmental Management Commission,
44 and the Marine Fisheries Commission shall report to the Joint Legislative Commission on
45 ~~Seafood and Aquaculture~~Governmental Operations and the Environmental Review
46 Commission on progress in developing and implementing the Coastal Habitat Protection Plans,
47 including the extent to which the actions of the three commissions are consistent with the Plans,
48 on or before 1 September of each year."

49 **SECTION 2.53.** G.S. 143B-279.8(f) reads as rewritten:

50 "(f) The Secretary of Environment and Natural Resources shall report to the
51 Environmental Review Commission and the Joint Legislative Commission on Seafood and

1 Aquaculture within 30 days of the completion or substantial revision of each draft Coastal
2 Habitat Protection Plan. The Environmental Review Commission and the Joint Legislative
3 Commission on ~~Seafood and Aquaculture~~Governmental Operations shall concurrently review
4 each draft Coastal Habitat Protection Plan within 30 days of the date the draft Plan is submitted
5 by the Secretary. The Environmental Review Commission and the Joint Legislative
6 Commission on ~~Seafood and Aquaculture~~Governmental Operations may submit comments and
7 recommendations on the draft Plan to the Secretary within 30 days of the date the draft Plan is
8 submitted by the Secretary."

9 **SECTION 2.54.** G.S. 147-16(b) reads as rewritten:

10 "(b) The Governor shall, unless otherwise requested by any person listed in subdivisions
11 (1) through (4) of this subsection, provide notice of the commutation of any sentence within 20
12 days after the commutation by first-class mail to the following at the last known address:

- 13 (1) The victim or victims of the crime for which the sentence was imposed;
- 14 (2) The victims' spouse, children, and parents;
- 15 (3) Any other members of the victims' family who request in writing to be
16 notified; and
- 17 (4) The Chairs of the Joint Legislative ~~Corrections, Crime Control, and Juvenile~~
18 ~~Justice Oversight Committee.~~Oversight Committee on Justice and Public
19 Safety."

20 **SECTION 2.55.** G.S. 147-86.35(a) reads as rewritten:

21 "(a) The chair of the Commission shall report each year by November 1 to the Joint
22 Legislative Commission on Governmental Operations and to the chairs of the Joint Legislative
23 ~~Health Care Oversight Committee~~ on Health and Human Services regarding implementation of
24 this Article, including a report on funds disbursed during the fiscal year by amount, purpose,
25 and category of recipient, and other information as requested by the Joint Legislative
26 Commission on Governmental Operations. The annual report shall also include a summary of
27 each recipient's annual report submitted to the Health and Wellness Trust Fund Commission
28 pursuant to G.S. 147-86.31(b) and an analysis of progress toward the goals and objectives of
29 any comprehensive, community-based plan established pursuant to G.S. 147-86.30(e)(3). A
30 written copy of the annual report shall also be sent to the Legislative Library by November 1
31 each year. Written reports shall also be sent on a quarterly basis to the Joint Legislative
32 Commission on Governmental Operations."

33 **SECTION 2.56.** G.S. 148-37(c) reads as rewritten:

34 "(c) In addition to the authority contained in subsections (a) and (b) of this section, and
35 in addition to the contracts ratified by subsection (f) of this section, the Secretary of Correction
36 may enter into contracts with any public entity or any private nonprofit or for-profit firms for
37 the confinement and care of State prisoners in any out-of-state correctional facility when to do
38 so would most economically and effectively promote the purposes served by the Department of
39 Correction. Contracts entered into under the authority of this subsection shall be for a period
40 not to exceed two years and shall be renewable from time to time for a period not to exceed two
41 years. Prisoners may be sent to out-of-state correctional facilities only when there are no
42 available facilities in this State within the State prison system to appropriately house those
43 prisoners. Any contract made under the authority of this subsection shall be approved by the
44 Department of Administration before the contract is executed. Before expending more than the
45 amount specifically appropriated by the General Assembly for the out-of-state housing of
46 inmates, the Department shall obtain the approval of the Joint Legislative Commission on
47 Governmental Operations and shall report such expenditures to the Chairs of the Senate and
48 House Appropriations Committees, the Chairs of the Senate and House Appropriations
49 Subcommittees on Justice and Public Safety, and the Chairs of the Joint Legislative
50 ~~Corrections, Crime Control, and Juvenile Justice Oversight Committee.~~Oversight Committee
51 on Justice and Public Safety."

1 **SECTION 2.57.** G.S. 148-37(g) reads as rewritten:

2 "(g) The Secretary of Correction may contract with private for-profit or nonprofit firms
3 for the provision and operation of four or more confinement facilities totaling up to 2,000 beds
4 in the State to house State prisoners when to do so would most economically and effectively
5 promote the purposes served by the Department of Correction. This 2,000-bed limitation shall
6 not apply to the 500 beds in private substance abuse treatment centers authorized by the
7 General Assembly prior to July 1, 1995. Whenever the Department of Correction determines
8 that new prison facilities are required in addition to existing and planned facilities, the
9 Department may contract for any remaining beds authorized by this section before constructing
10 State-operated facilities.

11 Contracts entered under the authority of this subsection shall be for a period not to exceed
12 10 years, shall be renewable from time to time for a period not to exceed 10 years. The
13 Secretary of Correction shall enter contracts under this subsection only if funds are
14 appropriated for this purpose by the General Assembly. Contracts entered under the authority
15 of this subsection may be subject to any requirements for the location of the confinement
16 facilities set forth by the General Assembly in appropriating those funds.

17 Once the Department has made a determination to contract for additional private prison
18 beds, it shall issue a request for proposals within 30 days of the decision. The request for
19 proposals shall require bids to be submitted within two months, and the Department shall award
20 contracts at the earliest practicable date after the submission of bids. The Secretary of
21 Correction, in consultation with the Chairs of the Joint Legislative ~~Corrections, Crime Control,~~
22 ~~and Juvenile Justice Oversight Committee~~ on Justice and Public Safety and the Chairs of the
23 House and Senate Appropriations Subcommittees on Justice and Public Safety, shall make
24 recommendations to the State Purchasing Officer on the final award decision. The State
25 Purchasing Officer shall make the final award decision, and the contract shall then be subject to
26 the approval of the Council of State after consultation with the Joint Legislative Commission
27 on Governmental Operations.

28 Contracts made under the authority of this subsection may provide the State with an option
29 to purchase the confinement facility or may provide for the purchase of the confinement facility
30 by the State. Contracts made under the authority of this subsection shall state that plans and
31 specifications for private confinement facilities shall be furnished to and reviewed by the
32 Office of State Construction. The Office of State Construction shall inspect and review each
33 project during construction to ensure that the project is suitable for habitation and to determine
34 whether the project would be suitable for future acquisition by the State. All contracts for the
35 housing of State prisoners in private confinement facilities shall require a minimum of ten
36 million dollars (\$10,000,000) of occurrence-based liability insurance and shall hold the State
37 harmless and provide reimbursement for all liability arising out of actions caused by operations
38 and employees of the private confinement facility.

39 Prisoners housed in private confinement facilities pursuant to this subsection shall remain
40 subject to the rules adopted for the conduct of persons committed to the State prison system.
41 The Secretary of Correction may review and approve the design and construction of private
42 confinement facilities before housing State prisoners in these facilities. The rules regarding
43 good time, gain time, and earned credits, discipline, classification, extension of the limits of
44 confinement, transfers, housing arrangements, and eligibility for parole shall apply to inmates
45 housed in private confinement facilities pursuant to this subsection. The operators of private
46 confinement facilities may adopt any other rules as may be necessary for the operation of those
47 facilities with the written approval of the Secretary of Correction. Custodial officials employed
48 by a private confinement facility are agents of the Secretary of Correction and may use those
49 procedures for use of force authorized by the Secretary of Correction to defend themselves, to
50 enforce the observance of discipline in compliance with confinement facility rules, to secure

1 the person of a prisoner, and to prevent escape. Private firms under this subsection shall employ
2 inmate disciplinary and grievance policies of the North Carolina Department of Correction."

3 **SECTION 2.58.** G.S. 148-37(i) reads as rewritten:

4 "(i) The Department of Correction shall make a written report no later than March 1 of
5 every odd-numbered year, beginning in 1997, on the substance of all outstanding contracts for
6 the housing of State prisoners entered into under the authority of this section. The report shall
7 be submitted to the Council of State, the Department of Administration, the Joint Legislative
8 Commission on Governmental Operations, and the Joint Legislative ~~Corrections, Crime~~
9 ~~Control, and Juvenile Justice Oversight Committee.~~Oversight Committee on Justice and Public
10 Safety. In addition to the report, the Department of Correction shall provide information on
11 contracts for the housing of State prisoners as requested by these groups."

12 **SECTION 2.59.** G.S. 150B-21.11 reads as rewritten:

13 **"§ 150B-21.11. Procedure when Commission approves permanent rule.**

14 When the Commission approves a permanent rule, it must notify the agency that adopted
15 the rule of the Commission's approval, deliver the approved rule to the Codifier of Rules, and
16 include the text of the approved rule and a summary of the rule in its next report to the Joint
17 ~~Legislative Administrative Procedure Oversight~~Regulatory Reform Committee.

18 If the approved rule will increase or decrease expenditures or revenues of a unit of local
19 government, the Commission must also notify the Governor of the Commission's approval of
20 the rule and deliver a copy of the approved rule to the Governor by the end of the month in
21 which the Commission approved the rule."

22 **SECTION 2.60.** G.S. 150B-21.12(d) reads as rewritten:

23 "(d) Return of Rule. – A rule to which the Commission has objected remains under
24 review by the Commission until the agency that adopted the rule decides not to satisfy the
25 Commission's objection and makes a written request to the Commission to return the rule to the
26 agency. When the Commission returns a rule to which it has objected, it must notify the
27 Codifier of Rules of its action and must send a copy of the record of the Commission's review
28 of the rule to the Joint ~~Legislative Administrative Procedure Oversight~~Regulatory Reform
29 Committee in its next report to that Committee. If the rule that is returned would have increased
30 or decreased expenditures or revenues of a unit of local government, the Commission must also
31 notify the Governor of its action and must send a copy of the record of the Commission's
32 review of the rule to the Governor. The record of review consists of the rule, the Commission's
33 letter of objection to the rule, the agency's written response to the Commission's letter, and any
34 other relevant documents before the Commission when it decided to object to the rule."

35 **SECTION 2.61.** G.S. 150B-21.16 reads as rewritten:

36 **"§ 150B-21.16. Report to Joint ~~Legislative Administrative Procedure Oversight~~**
37 **Committee.Regulatory Reform Committee.**

38 The Commission must make monthly reports to the Joint ~~Legislative Administrative~~
39 ~~Procedure Oversight~~Regulatory Reform Committee. The reports are due by the last day of the
40 month. A report must include the rules approved by the Commission at its meeting held in the
41 month in which the report is due and the rules the Commission returned to agencies during that
42 month after the Commission objected to the rule. A report must include any other information
43 requested by the Joint Legislative Administrative Procedure Oversight Committee. When the
44 Commission sends a report to the Joint ~~Legislative Administrative Procedure~~
45 ~~Oversight~~Regulatory Reform Committee, the Commission must send a copy of the report to the
46 Codifier of Rules."

47 **SECTION 2.62.** G.S. 159B-30.1 reads as rewritten:

48 **"§ 159B-30.1. Additional reports.**

49 Beginning March 1, 1996, and annually thereafter, each joint agency operating under the
50 authority of Chapter 159B of the General Statutes shall file a report with the Joint Legislative
51 ~~Utility Review Committee~~Commission on Governmental Operations describing the activities of

1 the joint agency carried out pursuant to the authority granted by G.S. 159B-2, 159B-11(19b),
2 159B-12 and 159B-17(c). The report shall cover the preceding calendar year. Each joint agency
3 shall file such additional reports as the Joint Legislative ~~Utility Review Committee~~Commission
4 on Governmental Operations shall request."
5

6 **PART III. EFFECTIVE DATE**

7 **SECTION 3.** Unless otherwise provided, this act is effective when it becomes law.