

NORTH CAROLINA BILL TEXT

VERSION: Enrolled

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

TEXT:

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2009

SENATE BILL 900

RATIFIED BILL

AN ACT to provide for studies by the LEGISLATIVE RESEARCH Commission, statutory oversight committees and commissions, and other agencies, committees, and commissions.

The General Assembly of North Carolina enacts:

PART I. TITLE

SECTION 1. This act may be known as "The Studies Act of 2010."

PART II. LEGISLATIVE RESEARCH COMMISSION

SECTION 2.1. The Legislative Research Commission may study the topics listed below. When applicable, the bill or resolution that originally proposed the issue or study and the name of the sponsor are listed. Unless otherwise specified, the listed bill or resolution refers to the measure introduced in the 2009 or 2010 session of the 2009 General Assembly. The Commission may consider the original bill or resolution in determining the nature, scope, and aspects of the study

SECTION 2.2. Allowing State Personnel Commission to Transfer Annual and Sick Leave From a city or County (S.B. 1386 East) The Commission may study the issue of allowing the State Personnel Commission to transfer an employee's accrued annual and

sick leave from a city or county, and allowing such transfers for employees shifting employment between units of local government. In conducting the study, the Commission may consider the fiscal impact of allowing the transfers, including any impact on the Teachers' and State Employees' Retirement System and Local Governmental Employees' Retirement System.

SECTION 2.3. Consolidation of State Agencies and Departments (S.B. 1427 Brock) The Commission may study issues relating to whether some State agencies and departments can be consolidated to achieve increased efficiency and cost savings.

SECTION 2.4. Flexibility for Certified Nurse Midwives (S.B. 940 Davis) The Commission is authorized to study whether certified nurse midwives should be given more flexibility in the practice of midwifery. In conducting the study, the Commission may consider whether a certified nurse midwife should be allowed to practice midwifery in collaboration with, rather than under the supervision of, a physician licensed to practice medicine under Article 1 of Chapter 90 of the General Statutes who is actively engaged in the practice of obstetrics.

SECTION 2.5. Televising House of Representatives and Senate Sessions (Stevens, McKissick) The Commission may study the feasibility of televising all House of Representatives and Senate sessions and, in conducting the study, may appoint an advisory committee composed of members of the Legislative Services Commission, other legislators, and members of the public. The study may also include the feasibility of streaming video content over the Internet. The study may include various options for handling the project, including the UNC Center for Public Television and the Agency for Public Telecommunications. The study may examine newer technologies for more cost-efficient means of handling the broadcasts.

SECTION 2.6. Reserved.

SECTION 2.7. Reserved.

SECTION 2.8. Efficient E-Commerce in State Government (S.B. 1425 Brock) The Commission may:

- (1) Review the current payments and collections made by the State that have the greatest potential to benefit from increased automation.
- (2) Examine best practices in the use of electronic funds transfers and direct depositing for State government financial transactions.
- (3) Identify goals and objectives for a coordinated State program to make State government e-commerce more effective and cost-efficient through paperwork reduction and lower transaction and personnel costs.
- (4) Consider any other matters related to improving State government e-commerce and lower the cost of financial transactions.

SECTION 2.9. Fur-Bearer and Fox Management (Faison) The Commission may study the effectiveness of the North Carolina Wildlife Resources Commission's implementation of G.S. 113-291.4(e). The Commission may solicit input from interested parties, including hunters, trappers, public health authorities, local governments, the North Carolina Department of Agriculture and Consumer Services, and private landowners.

SECTION 2.10. Pre-Escheat Procedures (Stein) The Commission may study the need for statutory changes to the law governing location of the legitimate owner of unclaimed property prior to the assumption of the abandonment of the property by the State Treasurer, and to permit a person holding unclaimed property to recover a reasonable charge for complying with the good faith effort requirement of G.S. 116B-59.

SECTION 2.11. Changing Demographics in the State Community College and University Systems (S.B. 1457 Allran) The Commission may study issues relating to the changing demographics in the State's community college and university systems. The Commission may consider how, over the last decade, the populations attending the State's community colleges and universities have changed with regard to all of the following:

- (1) Age.
- (2) Reasons for attendance.
- (3) Students enrolling who have prior educational experience.
- (4) Students enrolling through college transfer programs from community colleges.
- (5) Any other issue the Commission deems relevant to the study.

SECTION 2.12. Ownerless Dogs and Cats, Commercial Dog Breeding (S.B. 1332 McKissick, Jones; S.B. 460 Davis; H.B. 208 Harrison, Wray, Cotham, Carney) The Commission may study issues related to ownerless dogs and cats, and the State's role in ensuring the humane treatment of dogs and cats by breeders, shelters, and other facilities that house dogs and cats.

SECTION 2.13. Use of Military Veteran Contractors (H.B. 912 Killian) The Commission may study methods to encourage State and local government to use military veteran contractors.

SECTION 2.14. Requiring Long-Term Care Facilities to Carry Liability Insurance (H.J.R. 1768 Harrison, Insko, Jeffus) The Commission may study whether long-term care facilities should be required to carry liability insurance. In conducting the study, the Commission should consider:

- (1) Whether the laws of this State adequately protect the ability of residents of long-term care facilities who are harmed by a wrongful act of the facility from

receiving just compensation because of bankruptcy or other actions by the facility's owners to unjustly shield personal or business assets.

(2) Whether as a condition of licensure, long-term care facilities should carry liability insurance.

(3) Whether other states require long-term care facilities to carry liability insurance as a requirement for licensure.

SECTION 2.15. Insurance Coverage Options for Fresh Produce Growers (Wray) The Commission may study the issue of adequate insurance coverage options for fresh produce growers.

SECTION 2.16. Use of "Most Favored Nation" Clauses (H.B. 2004 Insko) The Committee may study the use of "Most Favored Nation" (MFN) clauses in contracts. In conducting the study, the Committee should consider:

(1) The extent to which MFN clauses are included in contracts in our State, and in the nation as a whole.

(2) The most common forms and elements of MFN clauses included in contracts.

(3) The effect of inclusion of MFN clauses in contracts.

(4) The effect that prohibiting the use of MFN clauses in contracts has had in those states that have prohibited their use.

(5) Any other issue relating to the use or prohibition of MFN clauses in contracts that the Committee deems appropriate.

SECTION 2.17. Regulation of Beauty Pageants for Youth Under Thirteen Years of Age (H.B. 1348 Mobley) The Commission may study the regulation of beauty pageants for youth under 13 years of age in North Carolina.

SECTION 2.18. State Boards and Commissions The Commission may study consolidation or elimination of State Boards and Commissions.

SECTION 2.19. Supportive Housing Initiative (Insko) The Commission may study the feasibility and cost-effectiveness of establishing a statewide supportive housing initiative for individuals with mental health, developmental, or substance abuse disabilities. The study should examine whether this type of initiative could achieve each of the following goals with respect to this population:

(1) Fewer emergency room visits and hospital admissions.

(2) Fewer and shorter stays in psychiatric hospitals.

(3) Improved treatment outcomes and overall quality of life.

- (4) Improved levels of functioning within the community setting.
- (5) Expanded funding resources for necessary and appropriate treatment, through Medicaid and other available sources.
- (6) Decreased arrest, incarceration, and recidivism rates.
- (7) Decreased rates of homelessness.
- (8) Improved safety within the community setting for both clients and the public.
- (9) Decreased rates of unemployment and improved supports for maintaining employment consistent with individual preferences and skills.

The Commission should address all of the following in its findings and recommendations:

- (1) A recommendation as to whether and how a statewide supportive housing initiative could achieve each of the goals referenced in subdivisions (1) through (9) above.
- (2) The number of supportive housing units that would be necessary for successful implementation of a statewide supportive housing initiative in North Carolina.
- (3) The amount of capital investment that would be necessary for initiating and maintaining a statewide supportive housing initiative.
- (4) Different funding resources that could be used to pay for ongoing operational costs of a statewide supportive housing initiative.
- (5) The potential cost-savings to be achieved by the State through implementation of a statewide supportive housing initiative.

SECTION 2.20. Broadband-Smart Grid (S.B.1440 Queen) The Commission may study public and private telecommunications issues, including the following:

- (1) Issues relating to the interoperability of telecommunications and smart grid applications in homes and businesses and the relationship of such interoperability to the North Carolina economy and its potential advantages and savings to the people and enterprises of the State.
- (2) Incentives and other funding mechanisms to advance the use of smart meters as well as last mile broadband deployment and their relationship to other software and manufactured devices that will allow North Carolinians to manage their energy usage more efficiently.
- (3) The economic impact on North Carolina should the intersection of energy and broadband initiatives in homes and businesses result in a new major and innovative economic thrust to advance the State's competition in the global economy.

(4) State building design standards relative to smart grid and broadband deployments.

(5) The use of teleconferencing and telehealth by educational and health-related institutions and the feasibility of using those technologies to reduce energy costs related to travel and operations.

(6) State policies that inhibit smart grid advances at the transmission level and programs that could increase the use of distributed energy devices from smart appliances, electric vehicles, alternative energy, and other relevant devices.

(7) The intersection of smart grid and telecommunications advanced applications and devices.

(8) Any other matters pertaining to advancing smart grid and broadband technologies in the State.

#### PART III. JOINT LEGISLATIVE HEALTH CARE OVERSIGHT COMMITTEE STUDIES

SECTION 3.1. The Joint Legislative Health Care Oversight Committee may study the topics listed in this Part and report its findings, together with any recommended legislation, to the 2011 Regular Session of the General Assembly upon its convening.

SECTION 3.2. State Diabetes Coordinator (England) The Committee may study the issue of the feasibility of establishing a State Diabetes Coordinator as a way to help address the growing epidemic of diabetes in the State. The coordinator could be charged to advise ways to save lives, improve the quality of life, and save money for taxpayers and patients by reducing the rates of diabetes and its complications.

SECTION 3.3. Review of Collaborative Project for Reducing Medical Malpractice Claims (Glazier) The Committee may review the collaborative project for reducing medical malpractice costs and claims.

SECTION 3.4. Monitor Impact of Revised Requirements for Personal Care Services (Adams) The Committee may study and monitor the impact that the revised eligibility requirements for Personal Care Services has on seniors and disabled citizens, including the number of persons who are refused services and the reasons therefore and the time frame between request for services and the initiation of services.

#### PART IV. JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE STUDIES

SECTION 4.1. The Joint Legislative Transportation Oversight Committee may study the topics listed in this Part and report its findings, together with any recommended legislation, to the 2011 Regular Session of the General Assembly upon its convening.

SECTION 4.2. Untitled Vehicles Removed and Sold for Scrap (Gibson) The Committee, in consultation with the Division of Motor Vehicles, may study the issue of the untitled vehicles being removed and sold for scrap without sufficient notice to the owner.

SECTION 4.3. Welcome Centers and Visitor Centers (H.B. 2046 Tucker, Cole) The Committee, in consultation with the Department of Transportation and the Department of Commerce, may study issues related to the location, funding, construction, maintenance, and operation of visitor centers and welcome centers in the State.

SECTION 4.4. Debt Agreements (H.B. 1800 Crawford) The Committee, as a part of the study authorized under Section 28.7(e) of Senate Bill 897, may study the issue of the appropriate scope of the power of the Department of Transportation to enter into debt and debt-like agreements pursuant to G.S. 136-18(39).

SECTION 4.5. Street Construction/Developer Responsibility (S.B. 761 Brown, Cole) The Committee may study whether to limit the responsibility of developers for the cost of street or highway construction to the amount necessary to serve the projected traffic generated by a development.

#### PART V. JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE STUDIES

SECTION 5.1. The Joint Legislative Education Oversight Committee may study the topics listed in this Part and report its findings, together with any recommended legislation, to the 2011 Regular Session of the General Assembly upon its convening.

SECTION 5.2. Virtual School of Engineering (Shaw) The Committee may study the feasibility of establishing a Virtual School of Engineering. The purpose of the study is to determine the cost and feasibility of developing and maintaining a Virtual School of Engineering, including the effectiveness of linking the constituent institutions to the established UNC Schools of Engineering by offering engineering classes through satellite and online courses, whether an engineering curriculum lends itself to such a model, and any other related issues deemed relevant by the Committee.

SECTION 5.3. Graduation Disparity (S.B. 1417 Graham) The Committee may examine each of the following:

- (1) Minority graduation statistics.
- (2) National best practices for educating minority students.
- (3) Current statewide efforts to increase high school retention of minority students.
- (4) Teaching methodologies specifically designed for minority students.

(5) Existing technical and career curriculum.

(6) Innovative practices or solutions that have demonstrated success in other states.

The Committee may develop a comprehensive statewide plan and recommendations for increasing the number of minority individuals who complete high school.

SECTION 5.4. Maximum Age for Enrollment in Public Schools (H.J.R. 1948 Fisher, Gill, Yongue, Farmer-Butterfield) The Committee may study whether the maximum initial age for enrollment in the public schools shall be lowered from age seven to age six.

#### PART VI. ENVIRONMENTAL REVIEW COMMISSION STUDIES

SECTION 6.1. The Environmental Review Commission may study the topics listed in this Part and report its findings, together with any recommended legislation, to the 2011 Regular Session of the General Assembly upon its convening.

SECTION 6.2. Impact of Environmental Toxins on Human Health (S.B. 1416 Bingham; H.B. 2015 Harrison, Glazier, Fisher, Insko) The Commission may study the impact of environmental toxins on human health and report its findings and recommendations, including any proposals for legislation or administrative action, to the General Assembly no later than the convening of the 2012 Session of the 2011 General Assembly. The findings and recommendations may include all of the following:

(1) A survey of legislation in other states that ban toxins and chemicals, along with an assessment of the effectiveness of the legislation.

(2) A survey of how other states have set up entities within state government to review and regulate toxins and chemicals that have or will be introduced into the stream of commerce.

(3) A review of incentives proposed or enacted in other states to promote the growth of the green chemistry sector, including a special analysis of documented environmental, public health, and economic benefits, including job creation, within the states.

(4) Identification of current State and federal programs for the review and regulation of environmental toxins and chemicals and recommend any supplementary programs the Commission determines to be necessary for the protection of human health.

(5) A cost-benefit and economic impact analysis for any recommendation made pursuant to this act.

SECTION 6.3. Water Quality Cost Share (S.B. 1385 McKissick) The Commission may study the costs and benefits of improving water quality in reservoirs, rivers, and

other water resources shared by local governments. In its study the Commission may consider the water quality issues for local governments located both upstream and downstream from water resources, the wastewater treatment standards that local governments both upstream and downstream must meet, the cost of complying with water quality and wastewater treatment standards, and the benefits received by local governments by complying with those standards. The Commission may also consider possible alternatives to the current rate structure, treatment programs, and technology used by the State and local governments with regard to water quality and wastewater treatment. The Commission may also consider any other issue that it deems relevant to this study.

SECTION 6.4. Oil and Gas Exploration in the Triassic Basin (Gibson, Love) The Committee may study the issue of oil and gas exploration in the Triassic Basin.

SECTION 6.5. Issues Related to the Use and Storage of Reclaimed Water (H.B. 643 Tucker) The Commission, in consultation with the Department of Environment and Natural Resources, may study issues related to the use and storage of reclaimed water. In its study, the Commission may examine the following issues:

(1) The feasibility and desirability of implementation of reclaimed water programs by municipal wastewater treatment facilities for nonconsumptive indoor use and outdoor use. The Commission may consider any of the following factors:

- a. The implementation and efficacy of reclaimed water policies, programs, ordinances, standards, rules, and regulations established in other states, municipalities, and countries.
- b. Minimum effluent standards for reclaimed water sufficient to address any public health, safety, or environmental risks that may be caused by use of or contact with reclaimed water.
- c. Potential uses for reclaimed water for nonconsumptive indoor use including, but not limited to: toilet flushing, fire protection, and decorative water features.
- d. Potential uses for reclaimed water for outdoor use including, but not limited to: commercial and residential landscaping, lawn irrigation, agricultural irrigation; wetland and stream augmentation; and planned direct or indirect potable reuse.

(2) The feasibility and desirability of storage of reclaimed water in aquifers by municipal wastewater treatment facilities. The Commission may consider any of the following factors:

- a. Whether the current practice of land application of wastewater by municipal wastewater treatment facilities requires too much land to be practicable in the long term.

b. Whether the current practice of land application of wastewater by municipal wastewater treatment facilities is better suited to certain parts of the State or to areas of certain geological or topographical conditions.

c. Whether there are any alternative methods of disposing of wastewater by municipal wastewater treatment system facilities and the costs and benefits of employing any such alternative methods either on a statewide basis or in any specific area of the State.

(3) Whether reclaimed water can be safely stored in and recovered from aquifers. The Commission may consider any of the following factors:

a. The benefits and costs of using reclaimed water in aquifers for use as a barrier to saltwater intrusion.

b. Whether current federal or State laws, including the Underground Injection Control Program of the federal Safe Drinking Water Act and current regional or watershed-based water management strategies, apply to aquifer storage and recovery in North Carolina and are sufficient to address any public health, safety, or environmental risks that may be caused by aquifer storage and recovery.

c. Regulations necessary to assure the protection of public health, safety, and the environment if storage of reclaimed water in aquifers is determined to be in the best interest of the State.

d. Any other topics the Commission deems appropriate to assure that aquifer storage and recovery systems will not be a detriment to public health, safety, or the environment.

(4) Such other matters as the Commission deems appropriate in the conduct of this study.

SECTION 6.6. Reserved.

SECTION 6.7. Gas Leases in the Central Shale Belt (Gibson, Love) The Commission may study the issue of gas leases in the central shale belt, located in the Chatham and Moore County area.

SECTION 6.8. Carbon Sequestration Potential of Natural and Working Landscapes and Other Carbon Offset Opportunities (S.B. 1220 Stein, Albertson; H.B. 1809 Harrison, Underhill, Wilkins) The Commission may study the carbon sequestration potential of natural and working landscapes in the State and the feasibility and advisability of establishing a carbon offset program.

PART VII. REVENUE LAWS STUDY COMMITTEE STUDIES

SECTION 7.1. The Revenue Laws Study Committee may study the topics listed in this Part and report its findings, together with any recommended legislation, to the

2011 Regular Session of the General Assembly upon its convening.

SECTION 7.2. Reserved.

SECTION 7.3. Ticket Resale (Gibson) The Committee may study issues related to ticket resale, including the need for consumer protections in the primary market for event ticket sales; transparency of ticket distribution by artists, promoters, and their agents; freedom of transferability for tickets purchased by consumers; and open interoperability of ticket sale and resale market systems.

SECTION 7.4. Local Cable Service Franchise Agreements (Fisher) The Committee may study the issue of whether and to what extent cable service providers, who entered into local cable service franchise agreements with local governments, and their successors in interest, should be required to continue, maintain and operate institutional networks and electronic transmission facilities pursuant to the terms and conditions of the local franchise agreement as a condition of holding a State cable service franchise.

SECTION 7.5.(a) Local Government Owned and Operated Communication Systems The Committee may continue its study begun in 2009 of local government owned and operated communication systems. As part of its study, the Committee should determine the following:

- (1) The extent to which current law authorizes units of local government to offer communication services not traditionally thought of as cable television services.
- (2) The requirements and standards that should apply to a unit of local government and to a private provider when the local unit offers a communication service that is offered by a private provider.
- (3) Whether varying or different provisions are needed to accommodate communication systems placed in service or financed under G.S. 160A-20 by cities before the effective date of this act.
- (4) Policies and incentives that can be established to facilitate the offering and expansion of communication service by both public and private service providers, including public-private ventures and other opportunities.

SECTION 7.5.(b) In conducting the study described in subsection (a) of this section, the Committee cochairs are authorized to appoint an advisory subcommittee and to ask the Local Government Commission to designate an individual to participate in the subcommittee's deliberations in an exofficio, nonvoting capacity. The subcommittee may consist of no more than 12 members and may include individuals who are not members of the Committee or of the General Assembly, eight of whom represent the following interests:

- (1) A cable service provider.
- (2) A wireless telecommunications service provider.

(3) A local exchange provider that is not a wireless telecommunications service provider.

(4) A local exchange provider that is a wireless telecommunications service provider.

(5) A city that operates a cable system and an electric power system as a public enterprise.

(6) A city that operates a cable system as a public enterprise and does not operate an electric power system as a public enterprise.

(7) A city that is a member of a joint agency established under G.S. 160A-462 for the operation of a cable system as a public enterprise.

(8) The North Carolina League of Municipalities.

#### PART VIII. JOINT LEGISLATIVE UTILITY REVIEW COMMITTEE STUDIES

SECTION 8.1. The Joint Legislative Utility Review Committee may study the topics listed in this Part and report its findings, together with any recommended legislation, to the 2011 Regular Session of the General Assembly upon its convening.

SECTION 8.2. Gas Leases in the Central Shale Belt (Gibson, Love) The Committee may study the issue of gas leases in the central shale belt, located in the Chatham and Moore County area.

#### PART IX. JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE STUDIES

SECTION 9.1. Operation of the Child Nutrition Program (S.B. 1152 Purcell, Dannelly, Davis, Preston, Tillman, Walters; H.B. 1777 Yongue, Brown, Insko, Parfitt) The Joint Legislative Program Evaluation Oversight Committee may include in the 2010 Work Plan for the Program Evaluation Division of the General Assembly a study of the operation of the Child Nutrition Program. The Division may examine (i) the guidelines for assessing indirect costs to local child nutrition programs in local school administrative units and (ii) the financial impact upon local child nutrition programs and local school administrative units of a policy prohibiting the assessment of indirect costs to a child nutrition program until that program has achieved and sustained a three-month operating balance.

SECTION 9.2. Chapter 150B Contested Cases (S.B. 1305 Nesbitt; H.B. 1892 Insko, Braxton, Justus) The Joint Legislative Program Evaluation Oversight Committee may include in the 2010 Work Plan for the Program Evaluation Division of the General Assembly a study of Chapter 150B contested cases. The Division may study the number of decisions rendered by administrative law judges that are overturned as a final agency decision. For these cases the Division may evaluate the nature of the case, the basis of the reversal, the number of cases appealed to superior court, and the results of those appeals.

PART X. JOINT LEGISLATIVE CORRECTIONS, CRIME CONTROL, AND JUVENILE JUSTICE OVERSIGHT COMMITTEE STUDIES

SECTION 10.1. The Joint Legislative Corrections, Crime Control, and Juvenile Justice Oversight Committee may study the topics listed in this Part and report its findings, together with any recommended legislation, to the 2011 Regular Session of the General Assembly upon its convening.

SECTION 10.2. Unsecured Bonds (Love) The Committee may study the factors used in determining the release of defendants with unsecured bonds; the frequency of using unsecured bonds for the release of defendants; the failure to appear rates under unsecured bonds, when a failure to appear has occurred; the amount of time it takes and the entity most likely to apprehend the defendant after the bond is forfeited; and the likelihood of converting forfeiture or judgment to revenue.

PART XI. JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE TO STUDY IMPACT OF EXEMPTING WILDLIFE RESOURCES COMMISSION AND MARINE FISHERIES COMMISSION FROM THE LEGISLATIVE DISAPPROVAL PROCESS

SECTION 11.1. The Joint Legislative Administrative Procedure Oversight Committee may study the impact of exempting the Wildlife Resources Commission and the Marine Fisheries Commission from the legislative disapproval process under the Administrative Procedure Act. In conducting the study, the Committee may consider the number of bills to disapprove rules adopted by either of the two Commissions that have been introduced since 2003, the effect of the delayed effective dates on the enforcement capabilities of the two Commissions, and alternatives available to the public for objecting to rules adopted by either of the two Commissions. The Joint Legislative Administrative Procedure Oversight Committee may report its findings and recommendations to the 2011 General Assembly.

PART XII. Reserved.

PART XIII. STATE BOARD OF EDUCATION TO STUDY ISSUES RELATED TO SPORTS INJURIES AT MIDDLE SCHOOL AND HIGH SCHOOL LEVELS (H.B. 1837 Cotham, Fisher, Glazier, Rapp)

SECTION 13.1. The State Board of Education shall study issues relating to sports injuries for all sports at the middle school and high school levels, focusing on the prevention and treatment of injuries. In conducting the study, the Board should consult with school administrators, representatives of the North Carolina High School Athletic Association, high school athletic directors, middle school coaches, athletic trainers, and doctors with expertise in the area of sports medicine. All State departments and agencies and local governments and their subdivisions shall furnish the Board with any information in their possession or available to them.

SECTION 13.2. The State Board of Education shall submit a final report of the results of its study and its recommendations to the 2011 General Assembly upon its

convening.

PART XIV. STATE BOARD OF EDUCATION TO ESTABLISH A BLUE RIBBON TASK FORCE TO STUDY THE IMPACTS OF RAISING THE COMPULSORY PUBLIC SCHOOL ATTENDANCE AGE (S.B. 1249 Davis; H.B. 1879 Parmon, Bryant, Hurley, Hall)

SECTION 14.1. The State Board of Education shall establish a Blue Ribbon Task Force to study the impacts of raising the compulsory public school attendance age prior to completion of a high school diploma from 16 to 17 or 18. In its study, the Board of Governors shall consider all of the following:

- (1) What impacts, including fiscal impacts, has raising the compulsory school attendance age had in states which have raised the compulsory school attendance age in the last 15 years.
- (2) What conclusions can be drawn as to the impact the compulsory school attendance age has made in the dropout and high school completion rates for states who require compulsory school attendance to ages 16, 17, and 18, respectively.
- (3) What best practices for working with at-risk populations of students who remain in school have been employed in states that have raised the compulsory attendance age in the last 15 years.
- (4) What would be the fiscal impact in raising the compulsory school attendance age from 16 to 17 and 16 to 18, respectively, for each local administrative school unit in North Carolina.

SECTION 14.2. No later than November 15, 2010, the State Board of Education shall submit a report of its study to the Joint Legislative Commission on Dropout Prevention and High School Graduation and the Joint Legislative Education Oversight Committee, including its findings and recommendations.

PART XV. EXECUTIVE COMMITTEE FOR HIGHWAY SAFETY IN THE DEPARTMENT OF TRANSPORTATION TO STUDY RECOMMENDATIONS FOR ADDITIONAL LEGISLATION TO ADDRESS THE CAUSES OF TEEN DRIVING FATALITIES (S.B. 900 Rouzer)

SECTION 15. The Executive Committee for Highway Safety in the Department of Transportation shall report to the General Assembly by April 30, 2011, its recommendations for additional legislation to address the causes of teen driving fatalities.

PART XVI. NORTH CAROLINA INSTITUTE OF MEDICINE TO STUDY THE NEEDS OF YOUNG CHILDREN WITH MENTAL HEALTH PROBLEMS AND THEIR FAMILIES (S.B. 1321 Nesbitt; H.B. 1903 Insko)

SECTION 16.1. The North Carolina Institute of Medicine may convene a Task Force to study the needs of young children with mental health problems and their families. The Task Force shall:

- (1) Examine the current mental health needs of young children, defined as children from birth to age five.
- (2) Examine existing public and private systems of mental health care that are currently available to families of young children with mental health problems.
- (3) Identify evidence-based and promising universal, selective, and indicated prevention strategies to promote the emotional well-being of young children.
- (4) Identify strategies for early screening and identification of young children with mental health risk factors or mental health problems. The screening and identification strategies shall address the impact of parents' behavioral health problems on the mental health of their young children.
- (5) Review evidence-based and promising interventions and systems to promote the positive mental health and emotional well-being of young children and their families.
- (6) Identify strategies to ensure that children who are at high risk of developing mental health problems and their families have access to a comprehensive range of treatments and services, coordinated across agencies and service systems that are (i) culturally, linguistically, and developmentally sensitive; (ii) individualized; (iii) family-centered; (iv) home-, school-, and community-based; and (v) evidence-based.
- (7) Examine workforce adequacy and training needs of mental health professionals and other professionals who provide services to young children and their families.
- (8) Examine the adequacy of State and other funding to support a comprehensive array of evidence-based services.
- (9) Recommend strategies to develop, evaluate, and disseminate treatment and service delivery models to meet young children's mental health needs.
- (10) Examine any other issue that the NCIOM deems relevant to the study.

SECTION 16.2. The NCIOM shall make an interim report to the Joint Legislative Oversight Committee on Mental Health, Developmental Disabilities, and Substance Abuse Services no later than January 15, 2012, which may include legislative and other recommendations, and shall issue its final report with findings, recommendations, and any proposed legislation to the 2013 General Assembly upon its convening.

PART XVII. DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF MEDICAL ASSISTANCE, TO STUDY THE FEASIBILITY OF REQUIRING PROVIDERS ENROLLED IN COMMUNITY CARE OF NORTH CAROLINA TO IMPLEMENT BODY MASS INDEX SCREENING FOR CHILDREN AT RISK OF BECOMING OBESE AND WHO ARE RECEIVING MEDICAID OR PARTICIPATING IN NORTH CAROLINA HEALTH CHOICE FOR CHILDREN PROGRAM (S.B. 1286 Purcell; H.B. 1904 England, Hughes,

Weiss, Yongue)

SECTION 17.1. The Department of Health and Human Services, Division of Medical Assistance, may explore the feasibility of requiring Community Care of North Carolina (CCNC) to implement body mass index (BMI) screening for children at risk of becoming obese and developing diabetes or other chronic diseases, who are receiving Medicaid or participating in the North Carolina Health Choice for Children Program.

SECTION 17.2. As part of its exploration into the feasibility of requiring BMI screening pursuant to Section 17.1, the Department shall work toward the development of each of the following items:

- (1) Establishing performance goals within each CCNC network that includes each of the following components:
  - a. Care management for children who are at risk of becoming obese and developing diabetes or other chronic diseases.
  - b. Annual BMI screening to identify the percentage of children who have a BMI test and the percentage of children who have a decrease in BMI levels.
- (2) Developing a uniform protocol across the CCNC network to ensure the integrity and confidentiality of information collected through BMI screening.
- (3) Implementing reliable methods of collecting data utilizing fitness assessment and reporting programs for youth that include health-related physical fitness tests to assess aerobic capacity; muscular strength, muscular endurance, and flexibility; and body composition.

SECTION 17.3. If the study is undertaken, not later than September 1, 2011, the Department shall report its findings and recommendations to the Legislative Task Force on Childhood Obesity, if reestablished for the 2011-2012 Session, to the Public Health Commission, and to the Fiscal Research Division.

PART XVIII. TASK FORCE/STUDY OF ALTERNATIVES TO HOSPITALIZATION OF FREQUENT USERS OF PSYCHIATRIC HOSPITALS IN NORTH CAROLINA

SECTION 18.1. The Department of Health and Human Services shall conduct a study and propose recommendations by January 31, 2011, regarding the cost-effectiveness of supportive housing as an alternative to institutionalization of the MH/DD/SA populations.

SECTION 18.2. The study shall be conducted by a task force appointed by the Secretary of Health and Human Services.

SECTION 18.3. The Task Force shall include the following:

- (1) Five representatives from various areas of the Department of Health and Human Services.
- (2) One representative from the Housing Trust Fund.
- (3) Six representatives from Local Management Entities.
- (4) Two representatives from the North Carolina Department of Correction.
- (5) One representative from the Division of Medical Assistance.
- (6) One representative from Community Care of North Carolina.
- (7) Two representatives from private providers of housing services for the mentally ill.
- (8) Two representatives from public housing agencies.
- (9) Two consumer representatives 'm a direct consumer and a family member, from a MH/DD/SA consumer/advocacy group.

SECTION 18.4. The Secretary of Health and Human Services shall appoint two co-chairs of the Task Force.

SECTION 18.5. The Task Force will propose a plan focusing on the following goals:

- (1) Develop a cost-effective system of care for the MH/DD/SA population.
- (2) Decrease the need for hospital admission of target population.
- (3) Decrease the length of stay in psychiatric hospitals.
- (4) Decrease incarceration rate of the MH/DD/SA populations.
- (5) Decrease emergency room use by the MH/DD/SA populations.
- (6) Improve level of functioning of the MH/DD/SA populations.
- (7) Explore funding possibilities from Medicaid and other sources.
- (8) Decrease homelessness among the MH/DD/SA populations.
- (9) Maintain MH/DD/SA patients in community setting.
- (10) Decrease impact on law enforcement.
- (11) Make our communities safer for both consumers and others.
- (12) Reduce recidivism for the MH/DD/SA population.

SECTION 18.6. The Task Force shall:

- (1) Identify frequent users of psychiatric beds (State and community) and emergency departments.
- (2) For the above group, determine:
  - a. Their housing situation.
  - b. Incarceration history.
  - c. Recidivism rates.
  - d. Treatment offered and treatment compliance.
  - e. Other factors as determined by Task Force.
- (3) Review existing State and national initiatives in this area.
- (4) Use information from subdivisions (1) and (2) of this section to do the following:
  - a. Study current practices and issues related to placement of MH/DD/SA populations following discharge from psychiatric facilities.
  - b. Develop a business case for the development of a statewide supportive housing initiative to benefit MH/DD/SA populations.
  - c. Calculate the number of supportive housing units needed in the State.
  - d. Calculate the level of capital investment needed for this multiyear initiative.
  - e. Propose different methods that could be used to pay for ongoing operational costs.
  - f. Examine the potential cost-saving attained through this strategy.
  - g. Calculate the level of capital investment needed for this multiyear initiative.
- (5) Other tasks as identified by the Task Force.

PART XIX. DEPARTMENT OF CULTURAL RESOURCES TO STUDY THE FEASIBILITY OF DESIGNATING THE ENDOR IRON FURNACE AS A STATE HISTORIC SITE (S.B. 1353 Atwater; H.B. 1927 Love)

SECTION 19. The Department of Cultural Resources shall study the feasibility of designating the Endor Iron Furnace as a State Historic Site. The Department shall submit the results of its study to the 2011 General Assembly upon its convening.

PART XX. DIVISION OF MARINE FISHERIES OF THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO STUDY THE FISHERY MANAGEMENT PLAN DEVELOPMENT PROCESS (S.B. 1271 Albertson; H.B. 1711 Wainwright, Spear, Underhill)

2009 North Carolina Senate Bill No. 900, North Carolina 2009 General Assembly -  
2010 Regular Session (FULL TEXT - NETSCAN)

SECTION 20. The Division of Marine Fisheries of the Department of Environment and Natural Resources shall study the Fishery Management Plan development process. The Division shall specifically consider how the process could be made more efficient without impairing public input into the process. The Division shall report its findings and recommendations, including any legislative proposals, to the Joint Legislative Commission on Seafood and Aquaculture no later than October 1, 2010.

PART XXI. EXTEND THE NORTH CAROLINA ZOOLOGICAL PARK FUNDING AND ORGANIZATION STUDY COMMITTEE (S.B. 1179 Brunstetter; H.B. 1720 Brubaker, E. Warren, Harrison)

SECTION 21. Section 5.11 of S.L. 2009-329 reads as rewritten:

"SECTION 5.11. Report. The Committee shall report its findings and recommendations to the ~~2010~~ **2011** Regular Session of the ~~2009~~ **2011** General Assembly and the Environmental Review Commission on or before

~~May 1,~~ **December 31,** 2010, at which time the Committee shall terminate."

PART XXII. LEGISLATIVE STUDY COMMISSION ON URBAN GROWTH AND INFRASTRUCTURE ISSUES REPORT DATE

SECTION 22. Section 36.6 of S.L. 2008-181 reads as rewritten:

"SECTION 36.6. The Commission shall report the results of its study and its recommendations to the 2009 General Assembly upon its convening. **The Commission shall submit its final report on or before the date of the convening of the 2011 General Assembly. The Commission shall expire upon the delivering of its final report, or the convening of the 2011 General Assembly, whichever occurs first.**"

PART XXIII. STATE INVESTMENT STUDY REPORTING DATE (S.B. 1217 Hartsell; H.B. 1811 Michaux)

SECTION 23. Section 47.4 of S.L. 2009-574 reads as rewritten:

"SECTION 47.4. The Commission shall make an interim report to the 2010 Regular Session of the 2009 General Assembly prior to its convening, and shall make a final report to the ~~2010~~ **2011** Regular Session of the **2011** General Assembly. The report shall include any proposed legislation."

PART XXIV. EXTEND JOINT SELECT COMMITTEE ON PRESERVATION OF BIOLOGICAL EVIDENCE (Glazier)

SECTION 24. Section 7(d) of S.L. 2009-203 reads as rewritten:

"SECTION 7.(d) The Committee shall submit a final report on the results of its study, including any proposed legislation, to the General Assembly on or before ~~April 1, 2010.~~ **the convening of the Regular Session of the 2011 General Assembly.** The Committee shall file a copy of its report with the President Pro Tempore's of-

fice, the Speaker's office, and the Legislative Library. The Committee shall terminate ~~on April 1, 2010,~~ **upon the convening of the Regular Session of the 2011 General Assembly,** or upon the filing of its final report, whichever occurs first."

PART XXV. EXTEND GENERAL STATUTES COMMISSION STUDIES (S.B. 1164 Hartsell; Ross)

SECTION 25.1. Section 2 of S.L. 2009-281 reads as rewritten:

"SECTION 2. The General Statutes Commission shall study and recommend to the ~~2010~~**2011** Regular Session of the ~~2009~~ **2011** General Assembly ways to ensure that the General Statutes properly and uniformly refer to federal or state military organizations. These may include a single term that will include all organizations that compose the reserve components of the armed forces. The recommendations may include a process to be authorized by the General Assembly whereby changes that do not change the law can be made administratively by the Attorney General."

SECTION 25.2. Section 1 of S.L. 2009-273 reads as rewritten:

"SECTION 1. The General Statutes Commission shall study and recommend ~~to the 2010 Regular Session of the 2009 General Assembly and the 2011 Regular Session of the General Assembly~~ ways to make the General Statutes and the North Carolina Constitution gender neutral. These may include recommending legislative changes needed to make the General Statutes and the Constitution gender neutral and a process to be authorized by the General Assembly whereby changes that do not change the law can be made administratively by the Attorney General to make the General Statutes gender neutral."

PART XXVI. REESTABLISH LEGISLATIVE TASK FORCE ON CHILDHOOD OBESITY (S.B. 1153 Purcell; H.B. 1827 Yongue, Brown, Hughes, Insko)

SECTION 26. Part XLIX of S.L. 2009-574 reads as rewritten:

"PART XLIX. LEGISLATIVE TASK FORCE ON CHILDHOOD OBESITY (Yongue)

"SECTION 49.1. There is created the Legislative Task Force on Childhood Obesity.

"SECTION 49.2. The Task Force shall consist of 12 members as follows:

- (1) Six members of the House of Representatives.
- (2) Six members of the Senate.

"SECTION 49.3. The Speaker of the House of Representatives shall designate one Representative as cochair, and the President Pro Tempore of the Senate shall designate one Senator as cochair. **Terms of the initial members begin on appointment and continue until the convening of the 2011 Session of the General Assembly. Subsequent appointments begin during the 2011 Session of the General Assembly and**

**continue until the Task Force terminates.** Vacancies on the Task Force shall be filled by the same appointing authority that made the initial appointment. A quorum of the Task Force shall be a majority of its members.

"SECTION 49.4. The Task Force shall include, but should not be limited to, study of issues relating to childhood obesity. In the course of the study, the Task Force shall consider and recommend to the General Assembly strategies for addressing the problem of childhood obesity and encouraging healthy eating and increased physical activity among children through:

- (1) Early childhood intervention;
- (2) Childcare facilities;
- (3) Before and after-school programs;
- (4) Physical education and physical activity in schools;
- (5) Higher nutrition standards in schools;
- (6) Comprehensive nutrition education in schools;
- (7) Increased access to recreational activities for children;
- (8) Community initiatives and public awareness; and
- (9) Other means.

"SECTION 49.5. The Task Force shall encourage input from public nonprofit organizations, promoting healthy lifestyles for children, addressing the problems related to childhood obesity, encouraging healthy eating, and increasing physical activity among children.

"SECTION 49.6. Members of the Task Force shall receive per diem, subsistence, and travel allowances in accordance with G.S. 120-3.1, 138-5, or 138-6, as appropriate. The Task Force, while in the discharge of its official duties, may exercise all powers provided for under G.S. 120-19 and G.S. 120-19.1 through G.S. 120-19.4. The Task Force may meet at anytime upon the joint call of the cochairs. The Task Force may meet in the Legislative Building or the Legislative Office Building.

With approval of the Legislative Services Commission, the Legislative Services Officer shall assign professional staff to assist the Task Force in its work. The House of Representatives' and the Senate's Directors of Legislative Assistants shall assign clerical staff to the Task Force, and the expenses relating to the clerical employees shall be borne by the Task Force. The Task Force may contract for professional, clerical, or consultant services as provided by G.S. 120-32.02. If the Task Force hires a consultant, the consultant shall not be a State employee or a person currently under contract with the State to provide services.

All State departments and agencies and local governments and their subdivisions shall furnish the Task Force with any information in their possession or available to them.

"SECTION 49.7. The Task Force shall submit a ~~final~~ report of the results of its study and its recommendations to the 2010 Regular Session of the 2009 General Assembly. **The Task Force may make a report of the results of its study and recommendations to the 2011 General Assembly and shall submit a report to the 2012 Regular Session of the 2011 General Assembly.** The Task Force shall terminate ~~on May 1, 2010, or upon the filing of its final report, whichever occurs first.~~ **upon the convening of the 2012 Regular Session of the 2011 General Assembly.**"

PART XXVII. JOINT LEGISLATIVE STUDY COMMITTEE ON THE CONSOLIDATION OF EARLY CHILDHOOD EDUCATION AND CARE (S.B. 1116 Blue, Purcell, Swindell; H.B. 1781 Rapp, Glazier, Insko)

SECTION 27.1. Committee Established. There is created the Joint Legislative Study Committee on the Consolidation of Early Childhood Education and Care. The Committee shall consist of 18 members to be appointed as follows:

- (1) Five members of the House of Representatives appointed by the Speaker of the House of Representatives.
- (2) Five members of the Senate appointed by the President Pro Tempore of the Senate.
- (3) Seven ex-officio nonvoting members as follows:
  - a. The Secretary of the Department of Health and Human Services.
  - b. The Chairman of the State Board of Education.
  - c. The President of the North Carolina Partnership for Children, Inc.
  - d. The Executive Director of the Office of Early Learning at the Department of Public Instruction.
  - e. The Director of the Head Start State Collaboration Office at the Office of Early Learning at the Department of Public Instruction.
  - f. The President of the Child Care Services Association.
  - g. The Executive Director of the North Carolina Licensed Child Care Association.
- (4) A developmental pediatrician appointed by the Governor as a nonvoting member.

The Speaker of the House of Representatives shall designate one Representative as cochair, and the President Pro Tempore of the Senate shall designate one Senator as cochair. Vacancies on the Committee shall be filled by the same appointing au-

thority making the initial appointment.

The Committee, while in the discharge of its official duties, may exercise all powers provided for under G.S. 120-19 and G.S. 120-19.1 through G.S. 120-19.4. The Committee may meet at any time upon the joint call of the cochairs. The Committee may meet in the Legislative Building or the Legislative Office Building. The Committee may contract for professional, clerical, or consultant services as provided by G.S. 120-32.02.

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

SECTION 27.2. Duties. The Committee shall continue the work of the Task Force on the Consolidation of Early Childhood Education and Care created under S.L. 2009-451 by continuing to work toward the development of an integrated system of early childhood education and care. To that end, the Committee may consult with and receive reports from the appropriate State departments, agencies, and board representatives on issues related to early childhood education and care and consider any other issues the Committee deems relevant.

SECTION 27.3. Report. The Commission may make a final report, including any proposed legislation, to the 2011 General Assembly upon its convening. The Commission shall terminate upon filing its final report or upon the convening of the 2011 General Assembly, whichever is earlier.

PART XXVIII. Extend poverty reduction and economic recovery legislative study commission (H.B. 1845 Pierce, Bryant, Jones, Stewart)

SECTION 28. Section 41.7 of S.L. 2008-181 reads as rewritten:

"SECTION 41.7. The Commission shall submit its final report ~~by the 2010 Regular Session of the 2009 General Assembly and may make interim reports it deems necessary. The Commission's final report shall include the results of the Commission's review and specific legislative recommendations.~~ **to the 2011 General Assembly.** The Commission shall terminate upon filing its final report, or upon the convening of the ~~2010 Regular Session of the 2009~~ **2011** General Assembly, whichever occurs first."

PART XXIX. AGRISCIENCE AND BIOTECHNOLOGY REGIONAL SCHOOL PLANNING COMMISSION (S.B. 1199 Swindell)

SECTION 29.1. There is established the Agriscience and Biotechnology Regional

School Planning Commission. The purpose of the Commission shall be to develop and plan a regional school of agriscience and biotechnology to open in the 2011-2012 school year. The Commission shall be located administratively in the Department of Public Instruction but shall exercise its powers and duties independently of the Department of Public Instruction. The Department of Public Instruction shall provide for the administrative costs of the Commission and shall provide staff to the Commission.

SECTION 29.2. The Commission shall consist of up to nine members appointed by the chair of the State Board of Education. Appointments shall be made no later than September 1, 2010.

SECTION 29.3. The Agriscience and Biotechnology Regional School Planning Commission shall develop a plan for a regional school of agriscience and biotechnology to open in the 2011-2012 school year and shall ensure that the model is replicable, sustainable, and scaleable. In the development of its plan, the Commission shall:

(1) Consider the regional school's governance, funding for operational and capital needs, personnel, admissions and assignment of students, transportation, school food services, and other issues the Commission deems relevant.

(2) Solicit proposals from interested regions seeking to host the school and identify a location for the regional school.

(3) Identify potential business partners for the regional school.

(4) Consult with North Carolina State University and the NC Research Campus and establish connections between those institutions and the regional school.

SECTION 29.4. The Agriscience and Biotechnology Regional School Planning Commission shall report on its recommended plan to the State Board of Education, the Joint Legislative Joining Our Businesses and Schools (JOBS) Study Commission, and the Joint Legislative Education Oversight Committee by January 1, 2011.

PART XXX. GOVERNOR'S LOGISTICS TASK FORCE TO STUDY COMBINING GLOBAL TRANSPARK AUTHORITY, PORTS AUTHORITY, AND RAILROAD; AND ESTABLISHING SERVICE OF A CLASS I RAIL SERVICE TO THE GLOBAL TRANSPARK AND THE PORTS (McComas)

SECTION 30.1. The Governor's Logistics Task Force, as established by Executive Order 32, may study the following issues:

(1) Combining the operations and governing authority of the Global TransPark Authority, the North Carolina Ports Authority, and the North Carolina Railroad to create one entity and one governing body to oversee the combined infrastructure of air cargo, rail, and sea transportation.

(2) Establishing service of a Class I Rail service by more than one railroad to

both the Global TransPark and the State Ports.

SECTION 30.2. If the Task Force undertakes this study, it shall report its findings to the Governor, the General Assembly, and the Joint Legislative Transportation Oversight Committee on or before the convening of the 2011 Regular Session of the 2011 General Assembly.

PART XXXI. WOOD AND CROP BIOMASS STRATEGIC WORKING GROUP (H.B. 2009 Harrison, Bryant, Jones)

SECTION 31.1. The Wood and Crop Biomass Strategic Working Group, as described in H.B. 1766, is established.

PART XXXII. LEGISLATIVE STUDY COMMISSION ON PUBLIC-PRIVATE PARTNERSHIPS (Owens)

SECTION 32.1. There is established the Legislative Study Commission on Public-Private Partnerships.

SECTION 32.2. The Commission shall be composed of 16 members, as follows:

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

The Commission shall include, and consult with, the Secretary of Transportation, the North Carolina Turnpike Authority, the State Treasurer, the Local Government Commission, the State Construction Office, the North Carolina Association of County Commissioners, the North Carolina League of Municipalities, and the North Carolina School Boards Association in the course of its deliberations.

Public members shall be residents of the State. Vacancies on the Commission shall be filled by the appointing authority. The President Pro Tempore of the Senate and the Speaker of the House of Representatives shall each designate a cochair, who shall be a member of the General Assembly. A quorum of the Commission shall be 10 members.

The Commission, while in the discharge of its official duties, may exercise all powers provided for under G.S. 120-19 and G.S. 120-19.1 through G.S. 120-19.4. The Commission may meet at any time upon call of the chairs. The Commission may meet in the Legislative Building or the Legislative Office Building. The Commission may contract for professional, clerical, or consultant services as provided by G.S.

120-32.02.

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

SECTION 32.3. The Commission shall study issues related to Public-Private Partnerships (PPPs), including examination of the appropriate authority for State, regional, and local government units to engage in PPPs for public capital projects through a regulatory framework.

SECTION 32.4. The Commission may make a final report, including any proposed legislation, to the 2011 General Assembly upon its convening. The Commission shall terminate upon filing its final report or upon the convening of the 2011 General Assembly, whichever is earlier.

#### PART XXXIII. LEGISLATIVE TASK FORCE ON PRESCRIPTION DRUG ABUSE

SECTION 33.1. There is established the Legislative Task Force on Prescription Drug Abuse.

SECTION 33.2. The Task Force shall be composed of 16 members, as follows:

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

Public members shall be residents of the State. Vacancies on the Task Force shall be filled by the appointing authority. The President Pro Tempore of the Senate and the Speaker of the House of Representatives shall each designate a cochair, who shall be a member of the General Assembly. A quorum of the Task Force shall be eight members.

The Task Force, while in the discharge of its official duties, may exercise all powers provided for under G.S. 120-19 and G.S. 120-19.1 through G.S. 120-19.4. The Task Force may meet at any time upon call of the chairs. The Task Force may meet in the Legislative Building or the Legislative Office Building. The Task Force may contract for professional, clerical, or consultant services as provided by G.S.

120-32.02.

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

SECTION 33.3. The Task Force may study whether to expand access to the Controlled Substances Reporting System (CSRS) to physician employees and additional types of law enforcement officers, whether to require a photo ID when picking up prescriptions that are considered controlled substances, whether physician education and relicensure needs to include more training on decreasing substance abuse of prescription drugs, and any other matter the Task Force feels would be helpful in reducing prescription drug abuse.

SECTION 33.4. The Task Force may make a final report, including any proposed legislation, to the 2011 General Assembly upon its convening. The Task Force shall terminate upon filing its final report or upon the convening of the 2011 General Assembly, whichever is earlier.

PART XXXIV. LEGISLATIVE COMMISSION ON DIVERSITY IN THE PUBLIC SCHOOLS (Dannelly, Michaux)

SECTION 34.1. There is created the Legislative Commission on Diversity in the Public Schools.

SECTION 34.2. The Commission shall consist of 15 members as follows:

- (1) Five members of the House of Representatives appointed by the Speaker of the House of Representatives.
- (2) Five members of the Senate appointed by the President Pro Tempore of the Senate.
- (3) Five public members appointed by the Governor.

SECTION 34.3. The Speaker of the House of Representatives shall designate one Representative as cochair, and the President Pro Tempore of the Senate shall designate one Senator as cochair. Vacancies on the Commission shall be filled by the same appointing authority that made the initial appointment. A quorum of the Commission shall be a majority of its members.

SECTION 34.4. The Commission shall study the effects of student diversity in public school enrollment. As part of this study, the Commission shall:

- (1) Consider whether schools in which students of various racial, ethnic, and socioeconomic characteristics are balanced improve the quality of the learning experience and the academic achievement of all students as compared to schools with more homogeneous student enrollments.
- (2) Examine whether diverse public schools are successful in closing the achievement gap.
- (3) Explore the level of parental involvement in schools with a diverse student population.
- (4) Examine best practices for creating and maintaining student diversity in schools and school systems in other states.
- (5) Consider whether diverse public schools improve student discipline.
- (6) Consider the fiscal impact and efficiency of State funding streams given the data accumulated in subdivisions (1) through (5) of this section.
- (7) Study any other issue the Commission considers relevant.

SECTION 34.5. The Commission, while in the discharge of its official duties, may exercise all powers provided for under G.S. 120-19 and G.S. 120-19.1 through G.S. 120-19.4. The Commission may meet at any time upon the joint call of the cochairs. The Commission may meet in the Legislative Building or the Legislative Office Building.

With approval of the Legislative Services Commission, the Legislative Services Officer shall assign professional staff to assist the Commission in its work. The House of Representatives' and the Senate's Directors of Legislative Assistants shall assign clerical staff to the Commission, and the expenses relating to the clerical employees shall be borne by the Commission. The Commission may contract for professional, clerical, or consultant services as provided by G.S. 120-32.02. If the Commission hires a consultant, the consultant shall not be a State employee or a person currently under contract with the State to provide services.

All State departments and agencies and local governments and their subdivisions shall furnish the Commission with any information in their possession or available to them.

SECTION 34.6. The Commission shall submit a final report of the results of its study and its recommendations to the 2011 General Assembly. The Commission shall terminate on March 1, 2011, or upon the filing of its final report, whichever occurs first.

PART XXXV. JOINT SELECT COMMITTEE TO STUDY THE ADOPTION OF COMPARATIVE NEGLIGENCE AND ABROGATION OF JOINT AND SEVERAL LIABILITY (H.B. 813 Glazier, Blust, Ross)

SECTION 35.1. There is established the Joint Select Committee to Study the Adoption of Comparative Negligence and Abrogation of Joint and Several Liability.

SECTION 35.2. The Commission shall be composed of 10 members, as follows:

(1) Five members of the Senate appointed by the President Pro Tempore of the Senate.

(2) Five members of the House of Representatives appointed by the Speaker of the House of Representatives.

Vacancies on the Committee shall be filled by the appointing authority. The President Pro Tempore of the Senate and the Speaker of the House of Representatives shall each designate a cochair, who shall be a member of the General Assembly. A quorum of the Committee shall be a majority of its members.

The Committee, while in the discharge of its official duties, may exercise all powers provided for under G.S. 120-19 and G.S. 120-19.1 through G.S. 120-19.4. The Commission may meet at any time upon call of the chairs. The Committee may meet in the Legislative Building or the Legislative Office Building.

The Legislative Services Commission, through the Legislative Services Officer, shall assign professional staff to assist the Committee in its work. The House of Representatives' and Senate's Directors of Legislative Assistants shall assign clerical staff to the Committee, and the expenses relating to the clerical employees shall be borne by the Committee. Members of the Committee shall receive subsistence and travel expenses at the rates set forth in G.S. 120-3.1.

SECTION 35.3. The Committee shall study issues related to the adoption of comparative negligence and the abrogation of joint and several liability, and any other issues related to tort liability.

SECTION 35.4. The Committee may make a final report, including any proposed legislation, to the 2011 General Assembly upon its convening. The Committee shall terminate upon filing its final report or upon the convening of the 2011 General Assembly, whichever is earlier.

#### PART XXXVI. RAILROADS STUDY COMMISSION (Nesbitt, Dickson)

SECTION 36.1. There is established the Railroads Study Commission.

SECTION 36.2. The Commission shall be composed of 10 members, as follows:

(1) Five members of the Senate appointed by the President Pro Tempore of the Senate.

(2) Five members of the House of Representatives appointed by the Speaker of the House of Representatives.

Vacancies on the Commission shall be filled by the appointing authority. The President Pro Tempore of the Senate and the Speaker of the House of Representatives shall each designate a cochair, who shall be a member of the General Assembly. A quorum of the Commission shall be six members.

The Commission, while in the discharge of its official duties, may exercise all powers provided for under G.S. 120-19 and G.S. 120-19.1 through G.S. 120-19.4. The Commission may meet at any time upon call of the chairs. The Commission may meet in the Legislative Building or the Legislative Office Building. The Commission may contract for professional, clerical, or consultant services as provided by G.S. 120-32.02.

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

SECTION 36.3. The Commission may study all issues related to railroads in the State, including passenger rail, freight rail, and corridor issues.

SECTION 36.4. The Commission may make a final report, including any proposed legislation, to the 2011 General Assembly upon its convening. The Commission shall terminate upon filing its final report or upon the convening of the 2011 General Assembly, whichever is earlier.

PART XXXVII. STUDY COMMISSION ON EXPANSION OF THE LIFE SCIENCES INDUSTRY AND RELATED JOB CREATION

SECTION 37.1. There is established the Study Commission on the Expansion of the Life Sciences Industry and Related Job Creation.

SECTION 37.2. The Commission shall be composed of 18 members as follows:

- (1) Five members of the Senate appointed by the President Pro Tempore of the Senate.
- (2) Five members of the House of Representatives appointed by the Speaker of the House of Representatives.
- (3) One business executive in the life sciences industry, appointed by the Speaker of the House of Representatives.
- (4) One business executive in the life sciences industry, appointed by the President Pro Tempore of the Senate.

(5) One scientist in the life sciences industry, appointed by the Speaker of the House of Representatives.

(6) One scientist in the life sciences industry, appointed by the President Pro Tempore of the Senate.

(7) One other public member with substantial experience in the life sciences industry, appointed by the Speaker of the House of Representatives.

(8) One other public member with substantial experience in the life sciences industry, appointed by the President Pro Tempore of the Senate.

(9) Two other public members with substantial knowledge or experience in the discovery, development and commercialization of life sciences products or services, appointed by the Governor.

Public members shall be residents of the State. Vacancies on the Commission shall be filled by the appointing authority. The President Pro Tempore of the Senate and the Speaker of the House of Representatives shall each designate a co-chair, who shall be a member of the General Assembly. A quorum of the Commission shall be 10 members.

The Commission, while in the discharge of its official duties, may exercise all powers provided for under G.S. 120-19 and G. S. 120-19.1 through G.S. 120-19.4. The Commission may meet at any time upon call of the chairs. The Commission may meet in the Legislative Building or the Legislative Office Building or elsewhere in North Carolina at the discretion of the co-chairs. The Commission may contract for professional, clerical, or consultant services as provided by G.S. 120-32.02. The North Carolina Biotechnology Center shall provide professional, clerical or consultant services upon request of the co-chairs. The Legislative Services Commission, through the Legislative Services Officer, shall assign professional staff to assist the Commission in its work. The House of Representatives' and Senate's Directors of Legislative Assistants shall assign clerical staff to the Commission, and the expenses relating to the clerical employees shall be borne by the Commission. Members of the Commission shall receive subsistence and travel expenses at the rates set forth in G.S. 120-3.1, 138-5, or 138-6, as appropriate.

SECTION 37.3. The Commission may examine issues related to:

(1) The need for additional sources of financing for life science companies to finance facilities and equipment for the manufacture, production or warehousing of life science products and services in North Carolina and other facilities for the production and delivery of life science products and services in North Carolina.

(2) The legislative proposals contained in SB 580 and HB 530 in the 2009 and 2010 legislative sessions.

SECTION 37.4. The Commission shall make its final report together with any proposals to the General Assembly by February 1, 2011, and may make interim reports as necessary at other times. The Commission shall terminate upon filing its final report or February 1, 2011, whichever is earlier.

PART XXXVIII. OUT-OF-STATE TRAVEL

SECTION 38. For legislative studies authorized by this act, out-of-state travel must be authorized by the President Pro Tempore of the Senate or the Speaker of the House of Representatives, as appropriate.

PART XXXIX. BILL AND RESOLUTION REFERENCES

SECTION 39. The listing of the original bill or resolution in this act is for reference purposes only and may not be deemed to have incorporated by reference any of the substantive provisions contained in the original bill or resolution.

PART XXXX. EFFECTIVE DATE AND APPLICABILITY

SECTION 40. Except as otherwise specifically provided, this act is effective when it becomes law. If a study is authorized both in this act and in the Current Operations and Capital Improvements Appropriations Act of 2010, the study shall be implemented in accordance with the Current Operations and Capital Improvements Appropriations Act of 2010 as ratified.

In the General Assembly read three times and ratified this the 10th day of July, 2010.

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Walter H. Dalton

President of the Senate

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Joe Hackney

Speaker of the House of Representatives

\_\_\_\_\_  
Beverly E. Perdue

Governor

Approved \_\_\_\_\_m. this \_\_\_\_\_ day of \_\_\_\_\_, 2010

2009 NC S.B. 900 (NS)

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