

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

H

2

House Bill 1319
Committee Substitute Favorable 7/24/93

Short Title: The Studies Act of 1993.

(Public)

Sponsors:

Referred to:

June 1, 1993

A BILL TO BE ENTITLED

**AN ACT TO AUTHORIZE STUDIES BY THE LEGISLATIVE RESEARCH
COMMISSION, TO CREATE AND CONTINUE VARIOUS COMMITTEES AND
COMMISSIONS, AND TO DIRECT VARIOUS STATE AGENCIES TO STUDY
SPECIFIED ISSUES.**

The General Assembly of North Carolina enacts:

PART I.—TITLE

Section 1. This act shall be known as "The Studies Act of 1993".

PART II.—LEGISLATIVE RESEARCH COMMISSION

Sec. 2.1. The Legislative Research Commission may study the topics listed below. Listed with each topic is the 1993 bill or resolution that originally proposed the issue or study and the name of the sponsor. The Commission may consider the original bill or resolution in determining the nature, scope, and aspects of the study. The topics are:

- (1) Education Support Services (H.B. 11 - Fussell, S.B. 13 - Martin of Guilford),
- (2) Water Issues-Surface Water and Groundwater – study continued (H.J.R. 52 - Fussell, S.J.R. 67 - Tally),

- 1 (3) Alternative Approaches to Deal with Discrimination in Employment –
2 study continued (H.B. 54 - Kennedy),
- 3 (4) Solid Waste Management – study continued (H.J.R. 69 - R.
4 Thompson, S.J.R. 56 - Odom),
- 5 (5) Emergency Management Issues – study continued (H.B. 88 -
6 Hightower, S.B. 75 - Parnell),
- 7 (6) State Real Property Transfers – study continued and expanded, (H.B.
8 92 - Bowman, S.B. 756 - Sherron),
- 9 (7) Ways to Promote Energy Conservation and the Use of Renewable
10 Sources of Energy in North Carolina – study continued (H.J.R. 104
11 and H.J.R. 150 - Bowman, S.B. 337 - Plexico),
- 12 (8) Mountain Area Study (H.B. 117 - Crawford, S.B. 85 - Hyde),
- 13 (9) Revenue Laws – study continued (H.J.R. 123 - Jarrell),
- 14 (10) Criminal Case Disposition (H.B. 127 - Michaux, S.B. 250 - Soles),
- 15 (11) State Parks and Recreation Areas (H.B. 149 - DeVane),
- 16 (12) Information Technology (H.B. 172 - Bowman, S.B. 741 - Sherron),
- 17 (13) Fire and Occupational Safety Issues – study continued (H.J.R. 191 -
18 Fitch, S.J.R. 107 - Plyler),
- 19 (14) State Personnel (H.B. 196 - Fitch, S.B. 119 - Johnson),
- 20 (15) Child Care Issues (H.B. 213 - Rogers, S.B. 89 - Walker),
- 21 (16) Need to Establish a College of Chiropractic in North Carolina (H.B.
22 224 - Black, S.B. 223 - Conder),
- 23 (17) Immunity from Liability Resulting from Negligent Acts (H.B. 242 -
24 Nye and Jeffus),
- 25 (18) Fiscal Trends and Reform (H.B. 267 - Diamont, S.B. 194 - Perdue),
- 26 (19) Child Support (H.B. 272 - Diamont, S.B. 314 - Martin of Guilford),
- 27 (20) Public Health Programs Organization (H.B. 289 - Blue, S.B. 298 -
28 Martin of Guilford),
- 29 (21) Reducing the Legal Limit of Blood Alcohol from 0.10 to 0.02 for 18 to
30 20 Year Olds While Driving a Motor Vehicle (H.B. 366 - Easterling),
- 31 (22) Model Employment Termination Act (H.B. 384 - Beall),
- 32 (23) Recycling and Composting Poultry Mortalities (H.B. 421 - James),
- 33 (24) Unfunded Mandates to Counties and Cities (H.B. 433 - Joye),
- 34 (25) Ways to Improve Guardianship Services (H.B. 451 - Gottovi),
- 35 (26) Law Regulating Mortgage Bankers and Mortgage Brokers (H.B. 464 -
36 Smith and Brubaker),
- 37 (27) Development of a Lead Hazard Management Program in the State
38 (H.B. 623 - Moore),
- 39 (28) Family Law Reform (H.J.R. 705 - R. Thompson),
- 40 (29) Health and Fitness Club Issues (H.J.R. 714 - G. Thompson),
- 41 (30) Bid Laws and Reciprocity (H.B. 716 - Daughtry),
- 42 (31) Voter Registration (H.B. 778 - Michaux),
- 43 (32) Rental Vehicle Insurance (H.B. 798 - Stamey),
- 44 (33) Emergency Cardiac Care (H.J.R. 805 - Green),

- 1 (34) Need for a Property Owners' Association Act (H.B. 919 - R.
2 Thompson),
- 3 (35) Tobacco Warehouse (H.B. 889 - Bowen),
- 4 (36) All-Terrain Vehicles Licensing and Regulation (H.B. 1006 - Smith),
- 5 (37) Public Assistance Direct Deposit (H.B. 1022 - Spears),
- 6 (38) Residential Property Disclosure Act (H.B. 1032 - Hensley),
- 7 (39) Professional Firefighters Early Retirement Incentives (H.B. 1033 -
8 Hensley),
- 9 (40) Restitution Policy as a Part of Criminal Justice System (H.B. 1035 -
10 Michaux),
- 11 (41) Farmland Preservation Enabling Act, including Dairy Farmer
12 Economic Issues (H.J.R. 1060 - Colton),
- 13 (42) Alcoholic Beverage Control Laws (H.B. 1093 - Hensley),
- 14 (43) Literacy (H.B. 1131 - Gottovi),
- 15 (44) Business Tax Credits for Purchases of Recycled Products (H.B. 1132 -
16 Gottovi),
- 17 (45) Divorce Education Program for Couples with Children (H.B. 1148 -
18 Alexander),
- 19 (46) Recreational Hook-and-Line Fishing License in Coastal Fishing
20 Waters and Use of Commercial Nets (H.B. 1156 - Bowman),
- 21 (47) Insurance Coverage for Biologically Based Brain Diseases (H.B. 1161
22 - Alexander),
- 23 (48) Bingo (H.B. 1190 - Flaherty),
- 24 (49) Liabilities of Registers of Deeds under the Torrens Land Registration
25 System (H.J.R. 1194 - Redwine),
- 26 (50) Public Transportation and Railroads (H.J.R. 1225 - Luebke),
- 27 (51) Effect of the Use of Commercial Nets on Fish and Shellfish Stocks and
28 their Estuarine Habitats (H.J.R. 1282 - Richardson),
- 29 (52) Disaster Relief Volunteer Protection (H.B. 1283 - Redwine, S.B. 1192
30 - Doyle),
- 31 (53) Representation of Extraterritorially Zoned Areas (H.J.R. 1284 - Ellis),
- 32 (54) Consumer Protection Issues (H.J.R. 1303 - Spears; H.B. 1453
33 Easterling),
- 34 (55) Application of Chiropractic Care for the Cost-Effective Delivery of
35 Health Care (H.J.R. 1309 - Stamey, S.J.R. 1156 - Odom),
- 36 (56) Issues Relating to Pilot Programs (H.J.R. 1319 - Ramsey),
- 37 (57) Cemetery Commission and the Regulation of Cemeteries in the State
38 (H.B. 1320 - Hill),
- 39 (58) Advisability of Protecting Purchasers of Used Motor Vehicles and of
40 Extending Warranties to the Sale or Lease of Used Motor Vehicles
41 (H.J.R. 1324 - Beall),
- 42 (59) Temporary Employment in the State (H.B. 1351 - Holt),
- 43 (60) Tort Reform (H.J.R. 1378 - Gamble),

- 1 (61) East Carolina University School of Medicine's Potential Scope and
- 2 Focus for the Next Decade (H.J.R. 1389 - Gamble),
- 3 (62) Alternate Election Systems (H.J.R. 1397 - Luebke),
- 4 (63) Health Care Insurance Coverage for Chemical Dependency (H.J.R.
- 5 1411 - Alexander),
- 6 (64) Medicaid (H.J.R. 1412 - Alexander),
- 7 (65) Exactions (H.B. 1413 - Richardson, S.B. 1181 - Conder),
- 8 (66) Historic Preservation Crafts Training in North Carolina (H.J.R. 1426 -
- 9 Colton),
- 10 (67) Juvenile Code (H.J.R. 1429 - Hensley),
- 11 (68) Recovery Care Centers and Their Role in Developing a System of
- 12 Affordable, Quality Health Care (H.J.R. 1434 - Richardson, S.J.R.
- 13 1172 - Parnell),
- 14 (69) Disposition of Public Historic Structures (H.J.R. 1447 - Colton),
- 15 (70) Equitable Distribution (H.J.R. 1452 - Easterling),
- 16 (71) Consumer Protection Issues (H.B. 1453 - Easterling),
- 17 (72) Long-Term Care Issues (H.J.R. 1456 - Gardner),
- 18 (73) Constitutional Review (S.B. 21 - Lee),
- 19 (74) Barrier to Meeting Human Services Needs Because of Confidentiality
- 20 Requirements Set Out in State and Federal Laws and Regulations
- 21 (S.J.R. 22 - Martin of Guilford),
- 22 (75) Comprehensive Transportation Funding (S.B. 165 and S.B. 166 -
- 23 Martin of Guilford),
- 24 (76) UNC Board of Governors Appointment Process (S.J.R. 390 - Martin
- 25 of Guilford),
- 26 (77) Legislative Compliance Review (S.B. 395 - Perdue),
- 27 (78) Physical Fitness Among Youth (S.B. 443 - Warren),
- 28 (79) Fletcher-Jerals Omnibus Health Reform Act of 1993 (S.B. 554 -
- 29 Daniel),
- 30 (80) Workers' Compensation (S.B. 587 - Simpson),
- 31 (81) Law Officer Conduct Review System (S.B. 683 - Richardson of
- 32 Mecklenburg),
- 33 (82) Partnership for Quality Growth (S.B. 736 and S.B. 737 - Sherron),
- 34 (83) Certificates of Participation (S.B. 739 - Sherron),
- 35 (84) Development of Markets for Animal Residues (S.B. 956 - Albertson),
- 36 (85) Family Law Reform (S.J.R. 993 - Perdue),
- 37 (86) Legal Research (S.B. 1092 - Martin of Guilford),
- 38 (87) Medical Malpractice Compensation (S.J.R. 1159 - Ballance),
- 39 (88) Forfeitures and Fines Clear Proceeds Allocation (S.J.R. 1167 -
- 40 Ballance),
- 41 (89) State Purchasing (S.B. 1178 - Sherron),
- 42 (90) Alternative Schools (S.B. 1200 - Gunter),
- 43 (91) Minority Males (S.B. 1236 - Martin of Guilford),
- 44 (92) Medicaid Eligibility Requirements (S.B. 1251 - Marshall),

- 1 (93) Economic Impact of Rules (S.B. 1261 - Sherron),
2 (94) African-American Cultural Center (S.B. 1262 - Jordan),
3 (95) Early Retirement Penalty Reduction for Members of the Teachers' and
4 State Employees' Retirement System (S.B. 1264 - Harris),
5 (96) Fire Fighter Benefits (S.B. 1266 - Sherron),
6 (97) Alternative Revenue Sources for State Government (S.B. 1268 -
7 Kaplan),
8 (98) Regional Government and Economic Development Zones (S.B. 1269 -
9 Kaplan),
10 (99) North American Free Trade Agreement Impact on North Carolina
11 (S.B. 1271 - Kaplan),
12 (100) Health Care Reform (S.B. 1293 - Daniel), and
13 (101) Wastewater Discharge Requirements at Public Schools (S.B. 1295 -
14 Daniel).

15 Sec. 2.2. Committee Membership. For each Legislative Research
16 Commission Committee created during the 1993-94 biennium, the cochairs of the
17 Commission shall appoint the Committee membership.

18 Sec. 2.3. Reporting Dates. For each of the topics the Legislative Research
19 Commission decides to study under this act or pursuant to G.S. 120-30.17(1), the
20 Commission may report its findings, together with any recommended legislation, to the
21 1994 Regular Session of the 1993 General Assembly or the 1995 General Assembly, or
22 both.

23 Sec. 2.4. Bills and Resolution References. The listing of the original bill or
24 resolution in this Part is for reference purposes only and shall not be deemed to have
25 incorporated by reference any of the substantive provisions contained in the original bill
26 or resolution.

27 Sec. 2.5. Funding. From the funds available to the General Assembly, the
28 Legislative Services Commission may allocate additional monies to fund the work of
29 the Legislative Research Commission.

30 PART III.—MENTAL HEALTH STUDY COMMISSION

31 (H.B. 305 - Lutz, S.B. 400 - Harris)

32 Sec. 3.1. The Mental Health Study Commission, established and structured
33 by 1973 General Assembly Resolution 80; Chapter 806, 1973 Session Laws; Chapter
34 185, 1975 Session Laws; Chapter 184, 1977 Session Laws; Chapter 215, 1979 Session
35 Laws; 1979 General Assembly Resolution 20; Chapter 49, 1981 Session Laws; Chapter
36 268, 1983 Session Laws; Chapter 792, 1985 Session Laws; Chapter 873, 1987 Session
37 Laws; Chapter 802, 1989 Session Laws; and Chapter 754, 1991 Session Laws, is
38 reestablished and authorized to continue in existence until July 1, 1995.

39 Sec. 3.2. The continued Mental Health Study Commission shall have all the
40 powers and duties of the original Study Commission as they are necessary to continue
41 the original study, to assist in the implementation of the original and succeeding Study
42 Commission recommendations, and to plan further activity on the subject of the study.

43 Sec. 3.3. Members and staff of the continued Mental Health Study
44 Commission shall receive compensation and expenses delineated by the original

1 authorization in the 1973 General Assembly Resolution 80. Expenses of the
2 Commission shall be expended by the Department of Human Resources from Budget
3 Code 14460 subhead 1110.

4 Sec. 3.4. In addition to other studies authorized by law, the Mental Health
5 Study Commission shall:

- 6 (1) Exercise oversight of, and make recommendations regarding the
7 implementation of the Adult Substance Abuse Plan, the
8 Comprehensive Long Range Plan for Adults with Severe and
9 Persistent Mental Illness, the Child Mental Health Plan, the Child and
10 Adolescent Alcohol and Other Drug Abuse Plan, and the
11 Developmental Disabilities Services Plan;
- 12 (2) Exercise oversight of, and make recommendations regarding
13 implementation of the Quality Improvement Initiative endorsed by the
14 Mental Health Study Commission;
- 15 (3) Monitor implementation of Commission recommendations to improve
16 mental health, developmental disabilities, and substance abuse services
17 to criminal justice offenders;
- 18 (4) Exercise oversight of, and make recommendations regarding the
19 implementation of the Pioneer Funding System and the funding
20 initiatives to maximize the use of federal and private dollars to support
21 mental health, developmental disabilities, and substance abuse
22 services;
- 23 (5) Identify and recommend effective model programs for implementation
24 in each of the Mental Health Study Commission Plans;
- 25 (6) Develop a business initiative to increase awareness about the crisis in
26 the mental health system and to build partnerships for creating an
27 effective response; and
- 28 (7) Review major initiatives for children for integration with the Child
29 Mental Health Plan.

30 PART IV.—JOINT LEGISLATIVE COMMISSION ON SEAFOOD AND
31 AQUACULTURE TO STUDY SHELLFISH LEASING PROGRAM

32 (H.B. 810 - Smith)

33 Sec. 4.1. In addition to the powers and functions set forth in Article 12F of
34 Chapter 120 of the General Statutes, the Joint Legislative Commission on Seafood and
35 Aquaculture shall study and evaluate the shellfish leasing program and determine
36 whether modifications should be made to the program. The Commission shall report its
37 findings and recommendations to the 1995 General Assembly.

38
39 PART V.—ENVIRONMENTAL REVIEW COMMISSION TO STUDY
40 ENVIRONMENTAL JUSTICE

41 (H.B. 1423 - Fitch)

42 Sec. 5.1. The Environmental Review Study Commission shall study:

- 43 (1) The advantages and disadvantages of adopting as a requirement that
44 future applicants for solid waste, hazardous waste, low-level

1 radioactive waste, and any other environmental permits provide State
2 agencies with socioeconomic and demographic data on the community
3 affected by the permit;

4 (2) The current criteria for siting solid waste, hazardous waste, and low-
5 level radioactive waste management facilities; the identity of major
6 emitters of air pollution and major dischargers of wastewater in low-
7 income and minority communities;

8 (3) The advisability of adopting policies to increase the participation of
9 low-income and minority citizens in environmental decisions;

10 (4) The advisability of adopting policies to ensure fairness in the siting of
11 solid waste, hazardous waste, and low-level radioactive waste
12 management facilities and in the permitting of major emitters and
13 dischargers of pollution; and

14 (5) Any other issues related to achieving environmental justice
15 that the Commission chooses to study.

16 Sec. 5.2. The Commission shall report its findings and any recommendations
17 to the 1995 General Assembly.

18 PART VI.—PUBLIC HEALTH STUDY COMMISSION

19 (S.B. 69 - Cooper)

20 Sec. 6.1. Chapter 120 of the General Statutes is amended by adding the
21 following new Article to read:

22 **“ARTICLE 22.**

23 **“THE PUBLIC HEALTH STUDY COMMISSION.**

24 **“§ 120-195. Commission created; purpose.**

25 There is established the Public Health Study Commission. The Commission shall
26 examine the public health system to determine its effectiveness and efficiency in
27 assuring the delivery of public health services to the citizens of North Carolina.

28 **“§ 120-196. Commission duties.**

29 The Commission shall study the availability and accessibility of public health
30 services to all citizens throughout the State. In conducting the study the Commission
31 shall:

32 (1) Determine whether the public health services currently available in
33 each county or district health department conform to the mission and
34 essential services established under G.S. 130A-1.1;

35 (2) Study the work force needs of each county or district health
36 department, including salary levels, professional credentials, and
37 continuing education requirements, and determine the impact that
38 shortages of public health professional personnel have on the delivery
39 of public health services in county and district health departments;

40 (3) Review the status and needs of local health departments relative to
41 facilities, and the need for the development of minimum standards
42 governing the provision and maintenance of these facilities;

43 (4) Propose a long-range plan for funding the public health system, which
44 plan shall include a review and evaluation of the current structure and

1 financing of public health in North Carolina and any other
2 recommendations the Commission deems appropriate based on its
3 study activities; and

4 (5) Conduct any other studies or evaluations the Commission considers
5 necessary to effectuate its purpose.

6 **"§ 120-197. Commission membership; vacancies; terms.**

7 (a) The Commission shall consist of 17 members, one of whom shall be the State
8 Health Director. The Speaker of the House of Representatives shall appoint seven
9 members, two of whom shall be selected from among the following: the UNC School of
10 Public Health, the North Carolina Primary Care Association, the North Carolina Home
11 Care Association, the North Carolina Pediatric Society, and the North Carolina Citizens
12 for Public Health. Five of the Speaker's appointees shall be persons who are members of
13 the House of Representatives at the time of their appointment, one of the five being the
14 Representative who chairs the House standing committee related to health matters. The
15 President Pro Tempore of the Senate shall appoint seven members, two of whom shall
16 be selected from among the following: the North Carolina Health Directors'
17 Association, the North Carolina Public Health Association, the Association of Public
18 Health Nurses, the North Carolina Environmental Health Supervisors' Association, and
19 the North Carolina Association of Public Health Educators. Five of the President Pro
20 Tempore's appointees shall be persons who are members of the Senate at the time of
21 their appointment, one of the five being the Senator who chairs the Senate standing
22 committee related to health matters. The Governor shall appoint one member from
23 either the North Carolina Medical Society or the North Carolina Hospital Association.
24 The Lieutenant Governor shall appoint one member from either the North Carolina
25 Association of County Commissioners or the Association of North Carolina Boards of
26 Health.

27 (b) Vacancies shall be filled by the official who made the initial appointment
28 using the same criteria as provided by this section. All initial appointments shall be
29 made within one calendar month from the effective date of this Article.

30 (c) Legislative members appointed by the Speaker and the President Pro
31 Tempore shall serve two-year terms. The public members initially appointed by the
32 Speaker and the President Pro Tempore shall each serve a three-year term. The
33 members initially appointed by the Governor and the Lieutenant Governor shall each
34 serve a one-year term. Thereafter, the terms of all Commission members shall be for
35 two years.

36 **"§ 120-198. Commission meetings.**

37 The Commission shall have its first meeting not later than 60 days after adjournment
38 of the 1993 Regular Session of the 1993 General Assembly at the call of the President
39 Pro Tempore of the Senate and the Speaker of the House of Representatives. The
40 President Pro Tempore of the Senate and the Speaker of the House of Representatives
41 shall each appoint one legislative member of the Commission to serve as cochair. The
42 Commission shall meet upon the call of the cochairs.

43 **"§ 120-199. Commission reimbursement.**

1 The Commission members shall receive no salary as a result of serving on the
2 Commission but shall receive necessary subsistence and travel expenses in accordance
3 with G.S. 120-3.1, 138-5, and 138-6, as applicable.

4 **"§ 120-200. Commission subcommittees; non-Commission membership.**

5 The Commission cochairs may establish subcommittees for the purpose of making
6 special studies pursuant to its duties, and may appoint non-Commission members to
7 serve on each subcommittee as resource persons. Resource persons shall be voting
8 members of the subcommittee and shall receive subsistence and travel expenses in
9 accordance with G.S. 138-5 and G.S. 138-6.

10 **"§ 120-201. Commission authority.**

11 The Commission may obtain information and data from all State officers, agents,
12 agencies, and departments, while in discharge of its duties, under G.S. 120-19, as if it
13 were a committee of the General Assembly. The Commission also may call witnesses,
14 compel testimony relevant to any matter properly before the Commission, and subpoena
15 records and documents, provided that any patient record shall have patient identifying
16 information removed. The provisions of G.S. 120-19.1 through G.S. 120-19.4 shall
17 apply to the proceedings of the Commission as if it were a joint committee of the
18 General Assembly. In addition to the other signatures required for the issuance of a
19 subpoena under this section, the subpoena shall also be signed by the cochairs of the
20 Commission. Any cost of providing information to the Commission not covered by
21 G.S. 120-19.3 may be reimbursed by the Commission from funds appropriated to it for
22 its continuing study.

23 **"§ 120-202. Commission reports.**

24 The Commission shall report to the General Assembly, the Governor, and the
25 Lieutenant Governor the results of its study and recommendations. The Commission
26 shall submit its written report not later than 30 days after the convening of each biennial
27 session of the General Assembly.

28 **"§ 120-203. Commission staff; meeting place.**

29 The Commission may contract for clerical and professional staff or for any other
30 services it may require in the course of its ongoing study.

31 The Commission may, with the approval of the Legislative Services Commission,
32 meet in the State Legislative Building or the Legislative Office Building."

34 PART VII.—ELECTION LAWS REVIEW COMMISSION

35 (S.B. 21 - Lee, Basnight)

36 Sec. 7.1. (a) There is created an Election Laws Review Commission to be
37 composed of 18 members appointed as follows:

- 38 (1) The President Pro Tempore of the Senate shall appoint six members;
- 39 (2) The Speaker of the House of Representatives shall appoint six
40 members; and
- 41 (3) The Governor shall appoint six members.

42 As used in this Part and unless otherwise clearly indicated, "Commission" shall refer to
43 the Election Laws Review Commission.

1 (b) The President Pro Tempore of the Senate and the Speaker of the House of
2 Representatives shall each designate a cochair of the Commission from their appointees.
3 Either cochair may call the first meeting of the Commission.

4 (c) Members shall serve until the termination of the Commission or, in case of a
5 State legislator member, until the member either does not file for reelection to the
6 General Assembly or is not reelected, whichever occurs first. Vacancies shall be filled
7 in the same manner as the original appointments were made.

8 Sec. 7.2. (a) The Election Laws Review Commission shall study thoroughly:

9 (1) The election laws, policies, and procedures of the State, specifically to
10 include those relating to campaign finance regulation, the
11 appropriateness of their sanctions, and the appropriate handling and
12 disposition of campaign contributions;

13 (2) The administration of those laws, policies, and procedures at the State
14 and local levels and the responsibilities of those administering these
15 laws; and

16 (3) Federal and State case rulings impinging on these laws, policies, and
17 practices.

18 (b) The Commission shall recommend changes to the law that will:

19 (1) Clarify the present law by removing inconsistencies and outdated
20 provisions, including those of dubious constitutionality;

21 (2) Incorporate in the law any desirable uncodified procedures, practices,
22 and rulings of a general nature that have been implemented by the
23 State Board of Elections and its Executive Secretary-Director;

24 (3) Conform the law to State and federal case law and to any requirements
25 of federal statutory law and regulation;

26 (4) Ensure the efficient and effective administration of elections in this
27 State;

28 (5) Continue the impartial, professional administration of elections, which
29 the citizens of the State expect and demand; and

30 (6) Recodify the election laws, as necessary, to produce a comprehensive
31 current statement of law and practice of elections in North Carolina.

32 Sec. 7.3. With the prior approval of the Legislative Services Commission, the
33 Legislative Administrative Officer shall assign professional and clerical staff to assist in
34 the work of the Election Laws Review Commission. Clerical staff shall be furnished to
35 the Commission through the Offices of the House of Representatives and Senate
36 Supervisors of Clerks. The expenses of employment of the clerical staff shall be borne
37 by the Commission. With the prior approval of the Legislative Services Commission,
38 the Election Laws Review Commission may hold its meetings in the State Legislative
39 Building or the Legislative Office Building.

40 Sec. 7.4. The Commission may submit an interim report of its findings and
41 recommendations and the status of its work on or before the first day of the 1994
42 Regular Session of the 1993 General Assembly. The Commission shall submit a final
43 written report of its findings and recommendations on or before the convening of the
44 1995 Session of the General Assembly. All reports shall be filed with the President Pro

1 Tempore of the Senate and the Speaker of the House of Representatives, the Principal
2 Clerks of the Senate and the House of Representatives, and the Legislative Librarian.
3 Upon filing its final report, the Commission shall terminate.

4 Sec. 7.5. Members of the Commission shall be paid per diem, subsistence,
5 and travel allowances as follows:

6 (1) Commission members who are also members of the General
7 Assembly, at the rate established in G.S. 120-3.1;

8 (2) Commission members who are officials or employees of the State or
9 local government agencies, at the rate established in G.S. 138-6;

10 (3) All other Commission members, at the rate established in G.S. 138-5.

11 Sec. 7.6. The State Board of Elections and its Executive Secretary-Director,
12 local boards of election, and all other State departments and agencies, and local
13 governments and their subdivisions shall cooperate with the Commission and, upon
14 request, shall furnish to the Commission and its staff any information in their possession
15 or available to them.

16
17 PART VIII.—JOINT LEGISLATIVE UTILITY REVIEW COMMITTEE TO STUDY
18 RECENT RULINGS BY UTILITIES COMMISSION ON THE REGULATORY
19 TREATMENT OF THE GAIN ON SALE OF WATER AND SEWER FACILITIES
20 AND TO STUDY MUNICIPAL ELECTRIC UTILITY SYSTEMS

21 (S.B. 190 - Perdue)

22 Sec. 8.1. (a) The Joint Legislative Utility Review Committee may study the
23 recent rulings by the Utilities Commission on the regulatory treatment of the gain on
24 sale of water and sewer facilities, and may examine the impact of those rulings on
25 expanding municipalities, the effect on the ratepayers of municipal utilities, and the
26 effect on the shareholders of the water and sewer utilities. The Committee may make
27 findings and a recommendation on the need for legislation to modify or reverse those
28 rulings, and may report the results of its study to the 1993 General Assembly, 1994
29 Regular Session.

30 (b) The Joint Legislative Utility Review Committee may:

31 (1) Study municipal electric utility systems serving customers outside the
32 corporate limits, concentrating on the following areas:

33 a. Whether cities have successfully organized their electric utility
34 systems to allow participation either by customers inside the
35 corporate limits, by customers outside the corporate limits, or
36 by customers both inside and outside the corporate limits; and

37 b. Electric rates for customers with city service compared with
38 what those rates might be if a private utility served areas inside
39 and outside the city that the city currently serves, such analysis
40 also to examine what would happen to in-city rates if out-of-
41 city customers were no longer served.

42 The study required by this subdivision may focus on a particular
43 system or systems.

- 1 (2) Study the feasibility of establishing special competitive electrical rates
2 in North Carolina in order to attract more industries to the State.
- 3 (3) Study the rate disparity between investor-owned electric utilities in
4 North Carolina, and suggest methods of eliminating that disparity.
- 5 (4) Study the need for regulation of municipal electric utility systems by
6 the Utilities Commission.
- 7 (5) Determine whether municipal electric utility systems are providing
8 special rates for economic development purposes and whether such
9 rates comply with State law.

10 The Committee may report its findings and any recommendations to the 1993 General
11 Assembly, 1994 Regular Session.

12

13 PART IX.—JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE TO
14 STUDY THE ISSUE OF EDUCATIONAL NEGLECT

15 (S.B. 1281 - Perdue)

16 Sec. 9.1. The Joint Legislative Education Oversight Committee shall study
17 the whole issue of educational neglect. The Committee shall report the results of this
18 study, together with any legislative proposals, in its regular report to the 1995 General
19 Assembly.

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21 PART X.—BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH
22 CAROLINA TO DEVELOP A PROPOSAL FOR A NORTH CAROLINA
23 INSTITUTE OF GERONTOLOGY, TO EVALUATE ALL MARINE SCIENCES
24 PROGRAMS, AND TO STUDY CONSTITUENT STATUS OF SCHOOL OF
25 SCIENCE AND MATHEMATICS

26 (S.B. 1280 - Perdue, S.B. 1282 - Perdue)

27 Sec. 10.1. The Board of Governors of The University of North Carolina shall
28 study the establishment of the North Carolina Institute of Gerontology, to be located on
29 a campus of The University of North Carolina and administered by the Board of
30 Governors, in consultation with the State Board of Community Colleges and the North
31 Carolina Association of Independent Colleges and Universities. The Board of
32 Governors shall report its findings, including a detailed fiscal analysis, and
33 recommendations to the Joint Legislative Education Oversight Committee by May 1,
34 1994.

35 Sec. 10.2. (a) The Board of Governors of The University of North Carolina shall
36 evaluate all Marine Sciences programs offered by the constituent institutions of The
37 University of North Carolina.

38 (b) This evaluation shall include:

- 39 (1) A detailed examination of each program's effectiveness, including the
40 number of students enrolled, graduating, and obtaining professional
41 jobs in related areas;
- 42 (2) An examination of duplication and overlapping of related programs
43 throughout The University of North Carolina; and

1 (3) A cost/benefit analysis of removing, combining, or expanding
2 programs.

3 (c) The Board of Governors shall report this study, together with any proposals
4 and recommendations, to the Joint Legislative Education Oversight Committee by
5 March 1, 1994.

6 Sec. 10.3. (a) The Board of Governors of The University of North Carolina shall
7 evaluate the status of the North Carolina School of Science and Mathematics as an
8 affiliated school of The University of North Carolina. As part of this review, the Board
9 shall determine whether the School's purposes, as established in G.S. 116-232, would be
10 carried out more effectively if the School was established as a constituent institution of
11 The University of North Carolina, as defined in G.S. 116-2(4).

12 (b) The Board of Governors shall report this study, together with any proposals
13 and recommendations, to the Joint Legislative Education Oversight Committee by
14 March 1, 1994.

15

16 PART XI.—APPROPRIATION FOR STUDIES

17 Sec. 11.1. From the appropriations to the General Assembly for studies, the
18 Legislative Services Commission may allocate funds to conduct the studies authorized
19 by this act.

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21 PART XII.—EFFECTIVE DATE

22 Sec. 12.1. This act is effective upon ratification. Part VI of this act is
23 repealed on June 30, 1995.