

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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SENATE BILL 315

Government Performance Audit Select Committee Substitute Adopted 4/1/93

Short Title: GPAC/Info. Tech. Briefings.

(Public)

Sponsors:

Referred to: Appropriations.

February 23, 1993

A BILL TO BE ENTITLED

AN ACT TO IMPLEMENT RECOMMENDATIONS OF THE GOVERNMENT PERFORMANCE AUDIT COMMITTEE RELATING TO INFORMATION TECHNOLOGY, TELECOMMUNICATIONS, PURCHASE AND CONTRACT, ECONOMIC DEVELOPMENT, REVENUE, ORGANIZATION AND STAFFING, AND RELATED GENERAL GOVERNMENT MATTERS.

The General Assembly of North Carolina enacts:

PART I—INFORMATION TECHNOLOGY

Section 1. The State Information Processing Services (hereafter referred to as "SIPS") shall prepare and document a plan for developing and implementing a technically competent and adequately staffed performance analysis and capacity planning operation for its information systems and telecommunications networks. As part of its plan, SIPS shall propose to the Information Resource Management Commission (hereafter referred to as "IRMC") the implementation of the computer programs necessary to support performance analysis and capacity planning operations. SIPS shall present the written plan to the IRMC for approval and implementation not later than December 31, 1993.

Sec. 1.1. SIPS shall evaluate and simplify its procedures and processes for billing customers for use of its services. SIPS shall submit a plan for implementing the new billing procedures and processes to the IRMC for approval and implementation not later than July 1, 1993.

1 Sec. 1.2. SIPS shall evaluate and redesign the billing report format that it
2 provides to its customers in order to meet their information needs. SIPS shall submit a
3 plan for implementing the new billing report format to the IRMC for approval and
4 implementation not later than July 1, 1993.

5 Sec. 1.3. The IRMC shall adopt not later than July 1, 1993, written
6 procedures for setting rates charged to customers of the SIPS computing, consulting,
7 telecommunications, and related services.

8 Sec. 1.4. SIPS shall prepare an evaluation of costs and benefits of
9 implementing leasing as a financing strategy for purchasing its mainframe computers.
10 This evaluation shall include an analysis of the requirements for annual reserve fund
11 accumulations at SIPS and the effect on total billing rates for SIPS' client agencies.
12 This evaluation shall include an analysis of any statutory changes or constitutional
13 changes that would be required to permit such leasing procedures for mainframe
14 computers. SIPS shall submit the report to the Office of State Budget and Management,
15 the Office of State Controller, the IRMC, and the Joint Legislative Commission on
16 Governmental Operations not later than July 1, 1993.

17 Sec. 1.5. SIPS shall develop a written plan for a program to provide technical
18 leadership and support in a variety of information technologies to agencies throughout
19 State government. SIPS shall present the written plan to the IRMC for approval and
20 implementation not later than December 31, 1993.

21 Sec. 1.6. SIPS shall prepare a written plan for developing and implementing
22 a training program that will focus its training services in information technologies,
23 software tools, and technical management techniques in which its clients have growing
24 needs. SIPS shall present the written plan to the IRMC for approval and
25 implementation not later than December 31, 1993.

26 Sec. 1.7. SIPS shall prepare a written plan for setting technical standards for
27 the design, development, and implementation of all new application systems to be run at
28 its data center. SIPS shall present the written plan to the IRMC for approval and
29 implementation not later than December 31, 1993.

30 Sec. 1.8. SIPS shall prepare a written plan for (i) evaluating the support it
31 provides to Local Area Network (hereafter referred to as "LAN") clients and users in
32 State agencies, (ii) determining the most appropriate levels of LAN support it can
33 provide to State agencies, and (iii) deploying LANs in State agencies where LANs are
34 determined to be needed and useful. SIPS shall present the written plan to the IRMC
35 for approval and implementation not later than December 31, 1993.

36 Sec. 1.9. SIPS shall prepare a written plan for updating its LAN guidelines
37 and standards in such a manner that will support alternative approaches to designing and
38 implementing LANs in State agencies. SIPS shall present the written plan to the IRMC
39 for approval and implementation not later than December 31, 1993.

40 Sec. 1.10. SIPS shall prepare a written plan for providing training for its staff
41 and for preparing standards and procedures to be used in computer-aided software
42 engineering applications development at SIPS. SIPS shall present the written plan to
43 the IRMC for approval not later than December 31, 1993, and shall implement the plan
44 upon this approval.

1 Sec. 1.11. SIPS shall develop a written plan for providing service to its
2 customers that incorporates SIPS needs to be competitive in the total costs of such
3 services to SIPS customers. The plan shall compare SIPS service plans and capabilities
4 with services from alternative sources of technology, such as purchase of service from
5 commercial vendors and purchase of agency computers and networks that are smaller
6 than mainframes. SIPS shall present the written plan to the IRMC for approval not later
7 than September 1, 1993.

8 Sec. 1.12. SIPS shall develop a written plan (i) for instituting a client service
9 management program and (ii) for instituting procedures for improving its relations with
10 all of its customers. SIPS shall submit the written plan to the IRMC for approval not
11 later than September 1, 1993, and shall implement the plan upon this approval.

12 Sec. 1.13. SIPS shall develop specific measures of service performance that
13 are oriented to meeting the needs of its clients and shall develop written service level
14 agreements for committing to meet these performance standards when requested to do
15 so by a user of SIPS services. SIPS shall submit the measures of service performance
16 and its plans for instituting service level agreements with clients to the IRMC for
17 approval not later than September 1, 1993, and shall begin the service level agreement
18 process upon approval of its plan by the IRMC.

19 Sec. 1.14. The IRMC shall develop a written plan and guidelines for agencies
20 to adopt a uniform set of policies, procedures, and standards relating to the procurement,
21 management, and use of information and telecommunications technology. The IRMC
22 shall present the written plan and guidelines to the Joint Legislative Commission on
23 Governmental Operations not later than September 30, 1993.

24 Sec. 1.15. The IRMC shall develop a written plan for encouraging and
25 assisting agencies to link their information technology plans to their program objectives
26 throughout the agency. The IRMC shall deliver its written plan to the Joint Legislative
27 Commission on Governmental Operations not later than September 30, 1993.

28 Sec. 1.16. The IRMC shall develop a written plan and procedure by which
29 every agency under its jurisdiction shall submit its information technology plans for
30 review and comment by either IRMC staff or information resource managers selected
31 by the IRMC from at least two other agencies. The purpose of these reviews shall be to:

- 32 (1) Familiarize agencies with other agencies' information technology
33 operations, and
- 34 (2) Provide constructive reviews and suggestions for agencies' information
35 technology operations.

36 The plan and procedure developed by the IRMC shall result in every agency under its
37 jurisdiction having its information technology plans reviewed at least once every three
38 years. The IRMC shall deliver the written plan for this review procedure to the Joint
39 Legislative Commission on Governmental Operations not later than December 31,
40 1993.

41 Sec. 1.17. SIPS shall prepare a written plan for linking its strategic and
42 operational plans to the information technology plans and policies of its customers and
43 client agencies. SIPS shall deliver this plan to the IRMC not later than December 31,
44 1993, and shall implement the plan upon receiving approval of the plan.

1 Sec. 1.18. SIPS shall develop a written plan to strengthen its problem
2 reporting operations. SIPS shall present the written plan to the IRMC for approval and
3 implementation not later than December 31, 1993.

4 Sec. 1.19. SIPS shall develop a plan for a quality assurance operation inside
5 its organizational structure. SIPS shall present the written plan to the IRMC for
6 approval and implementation not later than December 31, 1993.

7 Sec. 1.20. SIPS shall develop a plan to combine the two sides of its
8 mainframe computer into a single image system. SIPS shall present the written plan to
9 the IRMC for approval and implementation not later than December 31, 1993.

10 Sec. 1.21. SIPS shall develop a plan to make operational a fully functional
11 change management system concerning its computer resources, telecommunications
12 resources, and consulting services. SIPS shall present the written plan to the IRMC for
13 approval and implementation not later than December 31, 1993.

14 Sec. 1.22. SIPS shall prepare a written plan for a version/release approach to
15 maintaining all production systems on SIPS' mainframe computers. The plan shall
16 cover production systems maintained either by SIPS or by the agencies using the SIPS
17 mainframe computers. SIPS shall present the written plan to the IRMC for approval
18 and implementation not later than December 31, 1993.

19 Sec. 1.23. SIPS shall prepare a documented plan for a training program to
20 cross-train its system programmers to provide more backup staff resources for critical
21 systems products and applications. SIPS shall present the written plan concerning the
22 training program to the IRMC for approval and implementation not later than December
23 31, 1993.

24 Sec. 1.24. SIPS shall update all job title classifications for its employees, in
25 conjunction with the Office of State Personnel, not later than December 31, 1993.

26 Sec. 1.25. The IRMC shall prepare and adopt a plan for sponsoring periodic
27 briefings for senior executive agency officials, senior judicial branch officials, and
28 members of the General Assembly on major topics, issues, trends, and developments in
29 information technology.

30 The IRMC shall present the plan for the briefings to the Joint Legislative
31 Commission on Governmental Operations not later than July 1, 1993, and shall
32 implement the plan, incorporating where possible and practicable any revisions
33 suggested by the Joint Legislative Commission on Governmental Operations,
34 immediately after the presentation.

35 The IRMC shall prepare and deliver a written report to the Joint Legislative
36 Commission on Governmental Operations not later than December 31, 1993, listing (i)
37 the number of such briefings held during 1993, (ii) a brief description of the contents of
38 the briefings, (iii) a list of persons from the three branches of government who attended
39 the meetings, (iv) an evaluation of the effectiveness of the meetings, and (v) plans for
40 future meetings.

41 Sec. 1.26. The IRMC, working in coordination with the Office of State
42 Personnel and the personnel officers in the executive agencies, shall develop a written
43 plan for continuously updating information technology position descriptions at the State
44 Information Processing Services and all executive agencies to reflect current

1 qualifications requirements for those positions. The IRMC shall present the results of
2 the initial updating efforts and the plan for continuously revising and updating the
3 position descriptions to the Joint Legislative Commission on Governmental Operations
4 not later than December 31, 1993.

5 Sec. 1.27. The IRMC shall develop a plan for relocating information systems
6 technical staff positions, including but not limited to computer programmers, systems
7 analysts, database administrators, and other data processing specialists, from the
8 agencies in which they now work to the State Information Processing Services wherever
9 feasible.

10 The plan shall detail (i) the financial savings of each proposed relocation, (ii)
11 other benefits of the proposed centralization, and (iii) projected direct and indirect costs
12 to the State of the proposed centralization.

13 The IRMC shall present this plan to the Joint Legislative Commission on
14 Governmental Operations not later than December 31, 1993.

15 Sec. 1.28. The IRMC shall develop a written policy that specifies the
16 conditions under which an agency may purchase, implement, and use mainframe
17 computer resources and telecommunications resources other than those provided by the
18 State Information Processing Services. The IRMC shall deliver the written policy to the
19 Joint Legislative Commission on Governmental Operations not later than December 31,
20 1993.

21 Sec. 1.29. The IRMC shall develop a written plan not later than December
22 31, 1993, for encouraging all State agencies to establish oversight of the information
23 resource management function within the top management levels of each agency. The
24 IRMC shall present the plan to the Joint Legislative Commission on Governmental
25 Operations not later than December 31, 1993.

26 Sec. 1.30. The IRMC shall establish policies and guidelines for disaster
27 recovery plans and operations at SIPS. These policies and guidelines shall be
28 established not later than June 30, 1993.

29 Sec. 1.31. The IRMC shall establish policies and guidelines for State
30 agencies to follow in developing disaster recovery plans and operations. The IRMC
31 shall present these policies and guidelines to the Joint Legislative Commission on
32 Governmental Operations not later than June 30, 1993.

33 Sec. 1.32. SIPS shall prepare a report on steps it has taken to develop a
34 contract for full-facility disaster recovery services, commonly referred to as a "hot site"
35 facility, that will provide disaster recovery coverage for critical applications on the State
36 computer center's mainframe computer and network as well as disaster recovery
37 coverage for critical applications on other State mainframe computers. SIPS shall
38 deliver the report to the IRMC not later than July 31, 1993.

39 Sec. 1.33. All State departments under the jurisdiction of the IRMC shall
40 submit to the IRMC their plans for participating in and using the SIPS contract for hot
41 site disaster recovery services to recover any of their applications that are determined by
42 the IRMC or the SIPS hot site contract to be critical to the operations of State
43 government. The State departments shall submit these plans to the IRMC not later than
44 July 31, 1993.

1 Sec. 1.34. The IRMC shall develop procedures for requiring agencies to
2 submit plans for purchasing and using personal computers and workstations before
3 authorizing the agencies to purchase these devices. The IRMC shall present its draft
4 procedures, including drafts of any legislation that would be required to prohibit agency
5 purchases of personal computers and workstations without plans approved by the
6 IRMC, to the Joint Legislative Commission on Governmental Operations not later than
7 December 31, 1993.

8 Sec. 1.35. The Fiscal Research Division of the Legislative Services Office
9 shall develop a procedure for funding information technology and telecommunications
10 projects that extend more than two years. The procedure shall include
11 recommendations for any needed changes in the rules of the Senate and House of
12 Representatives, changes in the operation and procedures of budget, appropriations, and
13 finance committees, and changes in the statutes that would be necessary to encourage or
14 permit funding information systems and telecommunications projects that extend more
15 than two years.

16 The Fiscal Research Division shall deliver its draft procedure for approval to
17 the Legislative Services Commission not later than December 31, 1993.

18 Sec. 1.36. Not later than July 1, 1993, the Department of Environment,
19 Health, and Natural Resources, the Department of Human Resources, the Department of
20 Public Instruction, the Department of Revenue, the Department of State Treasurer, the
21 Department of Transportation, the Employment Security Commission, and the
22 Administrative Office of the Courts shall deliver written reports to the Information
23 Resource Management Commission on actions they have taken to address each of the
24 findings and recommendations concerning the management and operation of their
25 respective information systems, as published in the North Carolina General Assembly's
26 Government Performance Audit Committee's Performance Audit of Information
27 Technology and Telecommunications, Volume II, December 1992.

28 Sec. 1.37. Not later than July 1, 1993, the Legislative Automated Systems
29 Division in the Legislative Services Office shall deliver a written report to the
30 Legislative Services Commission on actions that staff division has taken to address each
31 of the findings and recommendations concerning the management and operation of the
32 North Carolina General Assembly's information systems, as published in the North
33 Carolina General Assembly's Government Performance Audit Committee's Performance
34 Audit of Information Technology and Telecommunications, Volume II, December
35 1992. This report shall contain any written response to the audit prepared by the
36 Legislative Automated Systems Division, but not included in the North Carolina
37 General Assembly's Government Performance Audit Committee's Performance Audit of
38 Information Technology and Telecommunications, Volume II, December 1992.

39 Sec. 1.38. Not later than December 31, 1993, the Department of
40 Environment, Health, and Natural Resources, the Department of Human Resources, the
41 Department of Public Instruction, the Department of Revenue, the Department of State
42 Treasurer, the Department of Transportation, the Employment Security Commission,
43 and the Administrative Office of the Courts shall deliver written, updated reports to the
44 Information Resource Management Commission on actions they have taken to address

1 each of the findings and recommendations concerning the management and operation
2 of their respective information systems, as published in the North Carolina General
3 Assembly's Government Performance Audit Committee's Performance Audit of
4 Information Technology and Telecommunications, Volume II, December 1992.

5 Sec. 1.39. Not later than December 31, 1993, the Legislative Automated
6 Systems Division in the Legislative Services Office shall deliver a written, updated
7 report to the Legislative Services Commission on actions that staff division has taken to
8 address each of the findings and recommendations concerning the management and
9 operation of the North Carolina General Assembly's information systems, as published
10 in the North Carolina General Assembly's Government Performance Audit Committee's
11 Performance Audit of Information Technology and Telecommunications, Volume II,
12 December 1992.

13 14 **PART II—TELECOMMUNICATIONS**

15
16 Sec. 2. G.S. 143B-426.21 reads as rewritten:

17 **"§ 143B-426.21. Information Resource Management Commission.**

18 (a) Creation; Membership. – The Information Resource Management
19 Commission is created in the Office of the State Controller. The Commission consists of
20 the following members:

- 21 (1) Four members of the Council of State, appointed by the Governor.
- 22 (2) The Secretary of Administration.
- 23 (3) The State Budget Officer.
- 24 (4) Two members of the Governor's cabinet, appointed by the Governor.
- 25 (5) One citizen of the State of North Carolina with a background in and
26 familiarity with information systems or telecommunications, appointed
27 by the General Assembly upon the recommendation of the President
28 Pro Tempore of the Senate in accordance with G.S. 120-121.
- 29 (6) One citizen of the State of North Carolina with a background in and
30 familiarity with information systems or telecommunications, appointed
31 by the General Assembly upon the recommendation of the Speaker of
32 the House of Representatives in accordance with G.S. 120-121.
- 33 (7) The Chair of the Governor's Committee on Data Processing and
34 Information Systems.
- 35 (8) The Chair of the State Information Processing Services Advisory
36 Board.

37 Members of the Commission shall not be employed by or serve on the board of
38 directors or other corporate governing body of any information systems, computer
39 hardware, computer software, or telecommunications vendor of goods and services to
40 the State of North Carolina.

41 The two initial cabinet members appointed by the Governor and the two initial
42 citizen members appointed by the General Assembly shall each serve a term beginning
43 September 1, 1992, and expiring on June 30, 1995. Thereafter, their successors shall be
44 appointed for four-year terms, commencing July 1. Members of the Governor's cabinet

1 shall be disqualified from completing a term of service of the Commission if they are no
2 longer cabinet members.

3 The appointees by the Governor from the Council of State shall each serve a term
4 beginning on September 1, 1992, and expiring on June 30, 1993. Thereafter, their
5 successors shall be appointed for four-year terms, commencing July 1. Members of the
6 Council of State shall be disqualified from completing a term of service on the
7 Commission if they are no longer members of the Council of State.

8 Vacancies in the two legislative appointments shall be filled as provided in G.S.
9 120-122.

10 The Commission chair shall be elected in the first meeting of each calendar year
11 from among the appointees of the Governor from the Council of State and shall serve a
12 term of one year. The Secretary of Administration shall be secretary to the
13 Commission.

14 No member of the Information Resource Management Commission shall vote on an
15 action affecting solely his or her own State agency.

16 (b) Powers and Duties. – The Commission has the following powers and duties:

- 17 (1) To develop, approve, and publish a statewide information technology
18 strategy covering the current and following biennium that shall be
19 updated annually and shall be submitted to the General Assembly on
20 the first day of each regular session.
- 21 (2) To develop, approve, and sponsor statewide technology initiatives and
22 to report on those initiatives in the annual update of the statewide
23 information technology strategy.
- 24 (3) To review and approve biennially the information technology plans of
25 the executive agencies, including their plans for the procurement and
26 use of personal computers and workstations.
- 27 (4) To recommend to the Governor and the Office of State Budget and
28 Management the relative priorities across executive agency
29 information technology plans.
- 30 (5) To establish a quality assurance policy for all agency information
31 technology projects, information systems training programs, and
32 information systems documentation.
- 33 (6) To establish and enforce a quality review and expenditure review
34 procedure for major agency information technology projects.
- 35 (7) To review and approve expenditures from appropriations made to the
36 Office of State Budget and Management for the purpose of creating a
37 Computer Reserve Fund.
- 38 (8) To develop and promote a policy and procedures for the fair and
39 competitive procurement of information technology consistent with the
40 rules of the Department of Administration and consistent with
41 published industry standards for open systems that provide agencies
42 with a vendor-neutral operating environment where different
43 information technology hardware, software, and networks operate
44 together easily and reliably.

1 (9) To prepare and maintain a statewide data security plan, including data
2 security standards and security audit standards, to protect the integrity
3 and confidentiality of sensitive data and communications that reside on
4 the State's computers and that move through the State's
5 telecommunications networks.

6 (c) Meetings. – The Information Resources Management Commission shall
7 adopt bylaws containing rules governing its meeting procedures. The Information
8 Resources Management Commission shall meet at least monthly.

9 (d) Agency Information Resource Manager Reports. – Each executive agency
10 shall designate in January of each year to the Information Resource Management
11 Commission the senior staff member in the agency who serves as the Information
12 Resource Manager in the agency. Not later than the last business day of the first month
13 of each calendar quarter, the Information Resource Manager in each agency shall
14 deliver to the Commission a written report summarizing the agency's expenditures in
15 the previous calendar quarter for information technology hardware, information
16 technology software, telecommunications, information technology consulting services,
17 information technology personnel, and other miscellaneous information technology
18 expenses. The report also shall contain brief descriptions of the major information
19 technology initiatives undertaken in the previous calendar quarter and the tangible
20 results from each initiative.

21 (e) Agency Telecommunications Resource Managers. – Each State agency shall
22 designate in January of each year one of its employees or officials to the Information
23 Resource Management Commission as the Telecommunications Resource Manager for
24 the agency. The person designated by the agency as the Telecommunications Resource
25 Manager may be the same person designated as the agency Information Resource
26 Manager. Any State advisory board or commission that makes recommendations to the
27 State Information Processing Service concerning the operation of its computer and
28 telecommunications resources shall include at least two members from the persons who
29 have been designated as agency telecommunications resource managers.

30 (f) State Information Processing Services Telecommunications Plans. – The
31 State Information Processing Services (hereafter 'SIPS') shall submit an annual
32 telecommunications plan, including plans for the expenditures and operations of the
33 State Telecommunications System, to the first regularly scheduled meeting of the
34 Information Resource Management Commission each year. The Commission shall
35 incorporate information that it deems relevant and useful from this annual
36 telecommunications plan in the annual statewide information technology strategy
37 presented to the General Assembly on the first day of each regular session.

38 SIPS shall submit a strategic plan for State telecommunications to the first regularly
39 scheduled meeting of the Information Resource Management Commission each year.
40 The strategic plan shall include statements of direction for the development of voice,
41 data, and video technology to be made available to State government through the State
42 Telecommunications System in the coming three to five years. The strategic
43 telecommunications plan shall summarize its anticipated costs and benefits to State
44 government and the citizens of North Carolina. The Commission shall incorporate

1 information that it deems relevant and useful from this strategic telecommunications
2 plan in the annual statewide information technology strategy presented to the General
3 Assembly on the first day of each regular session.

4 (g) Risk Notifications. – The Information Resources Management Commission
5 shall establish and maintain procedures for periodically identifying (i) agencies facing
6 risks to the continuing operation of their information technology systems or (ii) agencies
7 facing risks to the successful implementation of new information technology
8 applications. Any agency identified and notified by the Commission as facing risks
9 under this subsection shall prepare a written plan to reduce and eliminate these risks.
10 The affected agencies shall deliver their plans to the Commission not later than 90 days
11 after receiving the notification from the Commission."

12 Sec. 2.1. The Information Resource Management Commission (hereafter
13 referred to as "IRMC") shall prepare and adopt, not later than December 31, 1993,
14 written guidelines that specify those responsibilities that pertain to the operation of the
15 State Telecommunications System (hereafter referred to as "STS") and those
16 responsibilities that pertain to the operation of the State agency telecommunications
17 functions.

18 Sec. 2.2. The State Information Processing Services (hereafter referred to as
19 "SIPS") shall prepare a plan for the delivery of telecommunications services to State
20 agencies and include in the plan techniques for ensuring that State agency user needs are
21 given priority over the interests of telecommunications equipment and service vendors.
22 SIPS shall present the plan for delivery of telecommunications services to the IRMC not
23 later than December 31, 1993.

24 Sec. 2.3. SIPS, in consultation with major users, shall prepare a plan for
25 implementing its "bandwidth on demand" concept and submit the plan to the IRMC not
26 later than December 31, 1993.

27 Sec. 2.4. The IRMC shall prepare a plan for consolidating any multiple
28 voice, video, and data networks within or across State agencies that it deems appropriate
29 to consolidate after the completion and receipt of reports required under this act. Upon
30 adoption of the plan, the IRMC shall present the plan to the Joint Legislative
31 Commission on Governmental Operations.

32 Sec. 2.5. SIPS shall evaluate and revise its telecommunications disaster
33 recovery plan and coordinate that plan with the disaster recovery plan for the State
34 computer center. SIPS shall present its revised telecommunications disaster recovery
35 plan to the Information Resources Management Commission not later than December
36 31, 1993.

37 Sec. 2.6. The IRMC and The University of North Carolina jointly shall
38 prepare a written evaluation of the costs, benefits, and feasibility of migrating the
39 portions of The University of North Carolina Education Computing Service's (hereafter
40 referred to as "UNCECS") wide area network that are currently being upgraded by the
41 UNCECS onto the STS's North Carolina Integrated Network (hereafter referred to as
42 "NCIN") and the Microelectronics Center of North Carolina (hereafter referred to as
43 "MCNC") CONCERT data network. The IRMC and The University of North Carolina

1 shall jointly present the written evaluation to the Joint Legislative Commission on
2 Governmental Operations not later than December 31, 1993.

3 Sec. 2.7. The IRMC and the Administrative Office of the Courts jointly shall
4 prepare a written evaluation of the costs, benefits, and feasibility of transferring
5 ownership of the Administrative Office of the Courts' network back to the ownership
6 and management of the State Telecommunications System. The evaluation shall
7 include an independent study to determine whether incremental operating costs
8 (including incremental overhead costs) are lower under STS, and a service level
9 agreement between STS and the Administrative Office of the Courts that meets the
10 Administrative Office of the Courts' requirements for network service. The IRMC and
11 the Administrative Office of the Courts jointly shall present the written evaluation to the
12 Joint Legislative Commission on Governmental Operations not later than December 31,
13 1993.

14 Sec. 2.8. The IRMC and the MCNC jointly shall prepare a written evaluation
15 of the costs, benefits, and feasibility of moving ownership and management of the
16 MCNC CONCERT data network, that can be efficiently managed and supported by the
17 STS, over to the STS North Carolina Integrated Network. The IRMC and the MCNC
18 jointly shall present the written evaluation to the Joint Legislative Commission on
19 Governmental Operations not later than December 31, 1993.

20 Sec. 2.9. The IRMC and the Department of Justice jointly shall investigate
21 the costs, benefits, and feasibility of transferring the Department of Justice's Police
22 Information Network to the ownership or management of the STS North Carolina
23 Integrated Network. This evaluation shall include investigation of the technical ability
24 of maintaining network security for the Police Information Network, as required by
25 federal government rules and regulations, on a shared physical communications
26 network. The IRMC and the Department of Justice jointly shall present a written report
27 on the results of the investigation to the Joint Legislative Commission on Governmental
28 Operations not later than December 31, 1993.

29 Sec. 2.10. The IRMC, the Department of Administration Agency for Public
30 Telecommunications, and the University of North Carolina Center for Public Television
31 jointly shall develop a written plan and timetable to promote the sharing of facilities and
32 telecommunications resources between the Agency for Public Telecommunications and
33 the University of North Carolina Center for Public Television. The IRMC, the
34 Department of Administration Agency for Public Telecommunications, and the
35 University of North Carolina Center for Public Television jointly shall present the
36 written plan and timetable to the Joint Legislative Commission on Governmental
37 Operations not later than December 31, 1993.

38 Sec. 2.11. The IRMC shall prepare a written plan to establish stronger
39 centralized governance over its wide area communications networks. The plan shall
40 include involvement of three organizational components: (i) a Director of Statewide
41 Telecommunications, (ii) a Telecommunications Advisory Board, and (iii) an expansion
42 of IRMC membership to include at least one telecommunications official in State
43 government. The plan for stronger centralized governance shall apply to the wide area
44 communications networks only as the transport mechanism to move information. The

1 IRMC shall present the written plan to the Joint Legislative Commission on
2 Governmental Operations not later than September 30, 1993.

3 Sec. 2.12. The IRMC and the STS, in consultation with major users, shall
4 prepare a written needs assessment, requirements analysis, and feasibility study for
5 migrating networks to a new broadband technology that will support activities
6 including, but not limited to, greater use of local area network interconnections,
7 geographic information systems, image processing, video conferencing, State and
8 county library interconnections, and educational television. The written plan shall
9 include an assessment of demand for the increased bandwidth, a comprehensive cost
10 analysis of migrating to a new broadband technology, an assessment of broadband
11 technology's reliability in actual operation, and an assessment of the ability of
12 technology vendors to deliver the network as it has been proposed. The IRMC shall
13 present the written needs assessment, requirements analysis, and feasibility plan to the
14 Joint Legislative Commission on Governmental Operations not later than September 30,
15 1993.

16 Sec. 2.13. The Microelectronics Center of North Carolina shall prepare a
17 written needs assessment, requirements analysis, and feasibility study for replacing and
18 expanding its analog microwave segments with optic fiber provided by a common
19 carrier. Among its topics, the reports shall address current capacity constraints,
20 anticipated capacity constraints over the next five years, and realistic, anticipated
21 demand growth over the next five years. The MCNC shall deliver the written needs
22 assessment, requirements analysis, and feasibility study to the IRMC and the Joint
23 Legislative Commission on Governmental Operations not later than December 31,
24 1993.

25 Sec. 2.14. The IRMC shall direct an evaluation of the three pilot projects
26 currently underway on two-way video teleconferencing for distance learning and remote
27 medical diagnosis. The State shall not replace the funding of the pilot projects from the
28 current grantors or sponsors before the completion of the evaluation, which shall (i)
29 examine the findings and conclusions of the distance learning pilot projects, and (ii)
30 validate the pilot projects' effectiveness in supporting training in schools, homes, and
31 State agencies.

32 Sec. 2.15. The IRMC shall direct the Agency for Public Telecommunications
33 in preparing a written needs assessment, requirements analysis, feasibility study, and
34 documented demand analysis of the Agency for Public Telecommunications' proposal
35 to broadcast gavel-to-gavel coverage of General Assembly sessions. The IRMC and the
36 Agency for Public Telecommunications shall deliver the written report, along with
37 recommendations of the IRMC, to the Joint Legislative Commission on Governmental
38 Operations not later than December 31, 1993.

39 Sec. 2.16. The University of North Carolina shall prepare a written plan for
40 upgrading The University of North Carolina Education Computing Services' LINCNET
41 (i) to support greater bandwidth applications, such as file/catalog transfer, and (ii) to be
42 compatible with the Triangle-area library network, consisting of Duke University, North
43 Carolina State University, and the University of North Carolina at Chapel Hill. The

1 University of North Carolina shall deliver the written plan to the Joint Legislative
2 Commission on Governmental Operations not later than December 31, 1993.

3 Sec. 2.17. The State Telecommunications System shall develop a written
4 plan to pursue a single statewide Centrex tariff with each of the current geographic
5 carriers. The STS shall deliver the written plan to the IRMC not later than December
6 31, 1993.

7 Sec. 2.18. The State Telecommunications System shall develop a plan and a
8 draft request for proposal for a single bulk discount agreement with the long-distance
9 InterExchange Carrier voice telecommunications service. The STS shall deliver the
10 written plan and draft request for proposal to the IRMC for approval not later than
11 December 31, 1993.

12 13 **PART III—PURCHASE AND CONTRACT**

14
15 Sec. 3. The Secretary of Administration shall study the manner in which
16 purchase and contract bid protests are handled for State departments and agencies,
17 public schools, and community colleges and shall make findings on the following: (i)
18 whether there should be a uniform procedure applicable to all bid protests, (ii) whether
19 bid protests should be appealed pursuant to Chapter 150B of the General Statutes
20 (Administrative Procedures Act), and (iii) the extent to which the State Purchasing
21 Office should be involved with bid protests. The Secretary shall submit findings and
22 recommendations to the General Assembly for approval prior to March 15, 1994.

23 Sec. 3.1. G.S. 143-49 reads as rewritten:

24 **"§ 143-49. Powers and duties of Secretary.**

25 The Secretary of Administration shall have power and authority, and it shall be his
26 duty, subject to the provisions of this Article:

- 27 (1) To canvass sources of supply, and to purchase or to contract for the
28 purchase, lease and lease-purchase of all supplies, materials,
29 equipment and other tangible personal property required by the State
30 government, or any of its departments, institutions or agencies under
31 competitive bidding or otherwise as hereinafter provided.
- 32 (2) To establish and enforce specifications ~~which~~ or standards that shall
33 apply to all supplies, materials and equipment to be purchased or
34 leased for the use of the State government or any of its departments,
35 institutions or agencies. The Secretary shall develop a program for
36 prioritizing the commodities for which specifications or standards need
37 to be developed according to the existing demand for the commodities
38 and the current volume of purchases of the commodities. The
39 Secretary shall also consider the adoption of specifications or
40 standards that have been developed or adopted by other governmental
41 entities.
- 42 (3) To purchase or to contract for, by sealed, competitive bidding or other
43 suitable means, all contractual services and needs of the State
44 government, or any of its departments, institutions, or agencies; or to

1 authorize any department, institution or agency to purchase or contract
2 for such services.

3 When the award of any contract for contractual services exceeding a
4 cost of one hundred thousand dollars (\$100,000) requires negotiation
5 with prospective contractors, the Secretary shall request and the
6 Attorney General shall assign a representative of the office of the
7 Attorney General to assist in negotiation for the award of the contract.
8 It shall be the duty of such representative to assist and advise in
9 obtaining the most favorable contract for the State, to evaluate all
10 proposals available from prospective contractors for that purpose, to
11 interpret proposed contract terms and to advise the Secretary or his
12 representatives of the liabilities of the State and validity of the contract
13 to be awarded. All contracts and drafts of such contracts shall be
14 prepared by the office of the Attorney General and copies thereof shall
15 be retained by such office for a period of three years following the
16 termination of such contracts. The term 'contractual services' as used in
17 this subsection shall mean work performed by an independent
18 contractor requiring specialized knowledge, experience, expertise or
19 similar capabilities wherein the service rendered does not consist
20 primarily of acquisition by this State of equipment or materials and the
21 rental of equipment, materials and supplies. The term 'negotiation' as
22 used herein shall not be deemed to refer to contracts entered into or to
23 be entered into as a result of a competitive bidding process.

24 (3a) To monitor the purchasing activity of the State and its departments,
25 institutions, and agencies and to require standardized periodic
26 reporting on the volume of purchases by commodity, service, and
27 vendor category, and the volume of purchases under term contract and
28 open-market procedures. The Secretary shall compile and analyze the
29 data no less than annually.

30 The Secretary shall also conduct a biennial management review of
31 the purchasing operations in State government and in each of its
32 departments, institutions, and agencies to assure that they are using
33 effective and efficient purchasing practices in accordance with law.
34 The Secretary may recommend measures to improve purchasing
35 operations.

36 The Secretary shall report his findings and recommendations under
37 this subdivision to the Governor and the General Assembly on an
38 annual basis.

39 (3b) To develop and implement innovative procurement practices so as to
40 reduce the cost of ordering supplies and services, reduce the volume of
41 inventory maintained by State departments and agencies, and increase
42 the quality of products purchased. These innovative procurement
43 practices may include (i) requiring State departments and agencies to
44 order items from prime vendors for delivery at the time the items are

1 needed instead of ordering for stock, when it is advisable to do so, and
2 (ii) urging State departments and agencies to place orders with vendors
3 electronically.

4 The Secretary may appoint a task force to assist him in the
5 implementation of this duty.

6 (4) To have general supervision of all storerooms and stores operated by
7 the State government, or any of its departments, institutions or
8 agencies and to have supervision of inventories of all tangible personal
9 property belonging to the State government, or any of its departments,
10 institutions or agencies. The duties imposed by this subdivision shall
11 not relieve any department, institution or agency of the State
12 government from accountability for equipment, materials, supplies and
13 tangible personal property under its control.

14 (5) To make provision for or to contract for all State printing, including all
15 printing, binding, paper stock and supplies or materials in connection
16 with the same.

17 (6) To make available to nonprofit corporations operating charitable
18 hospitals, to local nonprofit community sheltered workshops or centers
19 that meet standards established by the Division of Vocational
20 Rehabilitation of the Department of Human Resources, to private
21 nonprofit agencies licensed or approved by the Department of Human
22 Resources as child placing agencies or residential child-care facilities,
23 and to counties, cities, towns, governmental entities and other
24 subdivisions of the State and public agencies thereof in the expenditure
25 of public funds, the services of the Department of Administration in
26 the purchase of materials, supplies and equipment under such rules,
27 regulations and procedures as the Secretary of Administration may
28 adopt. In adopting rules and regulations any or all provisions of this
29 Article may be made applicable to such purchases and contracts made
30 through the Department of Administration, and in addition the rules
31 and regulations shall contain a requirement that payment for all such
32 purchases be made in accordance with the terms of the contract. Prior
33 to adopting rules and regulations under this subdivision, the Secretary
34 of Administration may consult with the Advisory Budget
35 Commission."

36 Sec. 3.2. The General Assembly finds that the Division of Purchase and
37 Contract of the Department of Administration needs information on commodities
38 purchased by State departments and agencies on the open market and under term
39 contract so that the Division can (i) determine expected volume of purchases by line
40 items for new term contract solicitations, and (ii) oversee the use of term contracts and
41 open-market purchases; therefore, the Office of State Controller shall give high priority
42 to a management information system on purchase activity by State departments and
43 agencies when it plans for the implementation of a new accounting system. Until the
44 State Controller has such a system in operation, the Division of Purchase and Contract

1 of the Department of Administration shall direct all State departments and agencies to
2 report to it on commodities purchased on the open market and under term contract, in
3 accordance with G.S. 143-49(3a), and all State departments and agencies shall report as
4 directed by the Division of Purchase and Contract.

5 Sec. 3.3. The Secretary of Administration shall evaluate the need to reassign
6 standards engineers within the Division of Purchase and Contract and shall make the
7 reassignments as deemed appropriate.

8 Sec. 3.4. Five authorized personnel positions for buyers in the Purchasing
9 Section of the Division of Purchase and Contract of the Department of Administration
10 are hereby redirected within the Department, at the direction of the Secretary of
11 Administration, to assist the Department in carrying out the following duties:

- 12 (1) Providing for the development and implementation of a management
13 information system for oversight of purchase activity by State
14 departments and agencies;
- 15 (2) Assessing the efficiency of the Division of Purchase and Contract and
16 providing planning for the Division;
- 17 (3) Improving the program under which specification standards are
18 developed for commodities purchased by the State;
- 19 (4) Monitoring of innovative inventory strategies and inventory levels;
- 20 (5) Enhancing communications and relationships between the Division of
21 Purchase and Contract and the vendor and service provider
22 communities.

23 Sec. 3.5. Prior to March 15, 1994, the Office of State Budget and
24 Management shall develop and propose to the General Assembly a policy and a
25 program for contracting out to the private sector services traditionally performed by
26 State employees. The policy shall define the goals and objectives of a program for
27 contracting out to the private sector, identify a strategy for implementation of the
28 program, and assign responsibility for administration of the program to the Office of
29 State Budget and Management.

30 The program to implement the policy shall consist of the following
31 components:

- 32 (1) The identification of the current functions and activities performed by
33 the State that have the greatest potential to benefit from contracting
34 out. In making this determination, the Office of State Budget and
35 Management shall consider whether (i) the service is available in the
36 private sector, (ii) the demand for the service is increasing, decreasing,
37 or remaining constant, (iii) management of the proposal can ensure
38 quality, and (iv) outside cost is less expensive.
- 39 (2) A framework for determining whether the identified functions should
40 be contracted out. This framework shall provide for (i) a study of the
41 identified function by a task force made up of at least one
42 representative of the Division of Purchase and Contract and one
43 representative of each agency that will be using the service, (ii) the
44 identification of direct service costs, overhead costs, and general

1 administrative costs of the function being performed, (iii) the
 2 identification of the annual, one-time, and other costs to the State of
 3 contracting out, (iv) the disposition of any State assets used in the
 4 current process, and (v) the determination of whether contracting out
 5 of the function would be financially beneficial.

6 The Office of State Budget and Management shall not implement the policy
 7 or any new program without the approval of the General Assembly.

9 PART IV—ECONOMIC DEVELOPMENT

11 Sec. 4. The General Assembly finds that:

- 12 (1) The Department of Administration is not a key player in economic
 13 development, yet it has the North Carolina Board of Science and
 14 Technology.
 15 (2) The North Carolina Board of Science and Technology and its attendant
 16 funding should be transferred to the Department of Commerce, whose
 17 major role is economic development.

18 Sec. 4.1. The statutory authority, powers, duties, and functions, records,
 19 personnel, property, and unexpended balances of appropriations, allocations, or other
 20 funds of the North Carolina Board of Science and Technology are transferred from the
 21 Department of Administration to the Department of Commerce.

22 The transfer directed by this section shall include eight certified positions
 23 under General Fund program code 14100-1871 in the Department of Administration as
 24 well as all positions certified for the Board under Special Fund program code 24100-
 25 2873 in the Department of Administration. The Office of State Budget and
 26 Management shall ensure that the transfer directed by this section is carried out.

27 Sec. 4.2. Part 27 of Article 9 of Chapter 143B of the General Statutes, which
 28 consists of G.S. 143B-426.1, is recodified as Part 6A of Article 10 of Chapter 143B of
 29 the General Statutes, to consist of G.S. 143B-445.1.

30 Sec. 4.3. G.S. 143B-445.1, as redesignated by Section 4.2 of this act, reads as
 31 rewritten:

32 **"§ 143B-445.1. North Carolina Board of Science and ~~Technology; membership;~~**
 33 **~~organization; compensation; staff services.~~ Technology.**

34 (a) The North Carolina Board of Science and Technology consists of the
 35 Governor, the Science Advisor to the Governor, and 17 members appointed as follows:
 36 the Governor shall appoint one member from the University of North Carolina at
 37 Chapel Hill, one member from North Carolina State University at Raleigh, and two
 38 members from other components of the University of North Carolina, all nominated by
 39 the President of the University of North Carolina; one member from Duke University,
 40 nominated by the President of Duke University; one member from a private college or
 41 university, other than Duke University, in North Carolina, nominated by the President
 42 of the Association of Private Colleges and Universities; one member from the Research
 43 Triangle Institute, nominated by the executive committee of the board of that institute;
 44 one member from the ~~Microelectronics~~ MCNC (Microelectronics Center of North

1 ~~Carolina, Carolina~~), nominated by the executive committee of the board of that center;
2 one member from the North Carolina Biotechnology Center, nominated by the
3 executive committee of the board of that center; four members from private industry in
4 North Carolina, at least one of whom shall be a professional engineer registered
5 pursuant to Chapter 89C of the General Statutes or a person who holds at least a
6 bachelors degree in engineering from an accredited college or university; and two
7 members from public agencies in North Carolina. Two members shall be appointed by
8 the General Assembly, one shall be appointed upon the recommendation of the
9 President of the Senate, and one shall be appointed upon the recommendation of the
10 Speaker of the House of Representatives in accordance with G.S. 120-121. The
11 nominating authority for any vacancy on the Board among members appointed by the
12 Governor shall submit to the Governor two nominations for each position to be filled,
13 and the persons so nominated shall represent different disciplines.

14 (b) Members appointed to the Board by the General Assembly shall serve for
15 two-year terms beginning 1 July of odd-numbered years. Vacancies in appointments
16 made by the General Assembly shall be filled in accordance with G.S. 120-122. The
17 two members from public agencies shall serve for terms expiring at the end of the term
18 of the Governor appointing them. The other 13 members appointed to the Board by the
19 Governor shall serve for four-year terms, and until their successors are appointed and
20 qualified. Of those 13 members, six shall serve for terms that expire on 30 June of
21 years that follow by one year those years that are evenly divisible by four, and seven
22 shall serve for terms that expire on 30 June of years that follow by three years those
23 years that are evenly divisible by four. Any appointment to fill a vacancy on the Board
24 created by the resignation, dismissal, death, or disability of a member shall be for the
25 balance of the unexpired term.

26 (c) The Governor shall serve as ~~chairman of the Board. The vice chairman of the~~
27 ~~Board shall be designated by the Governor~~ chair of the Board and shall designate the vice-
28 chair from among the members of the Board. The Science Advisor to the Governor
29 shall serve as executive director of the Board. The Secretary of ~~Administration or his~~
30 ~~designee~~ Commerce or the Secretary's designee shall serve as secretary to the Board.

31 (d) The Governor may remove any member of the Board from office in
32 accordance with the provisions of G.S. 143B-16.

33 (e) Members of the Board who are employees of State agencies or institutions
34 shall receive subsistence and travel allowances authorized by G.S. 138-6. Legislative
35 members of the Board shall receive subsistence and travel allowances authorized by
36 G.S. 120-3.1.

37 (f) A majority of the Board constitutes a quorum for the transaction of business.

38 (g) The Secretary of ~~Administration~~ Commerce shall provide all clerical and other
39 services required by the Board."

40 Sec. 4.4. The General Assembly makes the following findings:

41 (1) The Department of Commerce's Business and Industry Development
42 Division (B&I) operates nine regional offices with a staff of 27
43 individuals and annual expenditures of about one million three
44 hundred fifty thousand dollars (\$1,350,000); the Department's Division

1 of Community Assistance (DCA) operates seven regional offices with
2 a staff of 29 individuals and annual expenditures of about one million
3 six hundred thousand dollars (\$1,600,000).

4 (2) The assignment of counties to regions is not consistent within B&I and
5 DCA of the Department of Commerce, and the two divisions do not
6 effectively coordinate their work.

7 (3) The current mission of the B&I offices is broad in scope and results in
8 wide variations in workloads, priorities, and strategies across regional
9 offices.

10 (4) B&I regional office staff are pursuing projects that would be more
11 effectively handled by central office staff.

12 (5) Development of resources and community needs, and the emphasis on
13 and quality of strategic planning, vary widely among regions and
14 counties.

15 (6) Some regional and community personnel perceive central office staff
16 as keeping new industry prospects to themselves and favoring certain
17 areas for location.

18 (7) Dynamic multicounty alliances are neither congruent with regional
19 office boundaries nor consistently addressed by B&I's strategy.

20 (8) The flow of information within B&I lacks strategic focus and does not
21 effectively utilize computerized data processing techniques.

22 (9) A significant aspect of the regional office operations is obtaining
23 information and services for existing and prospective industrial clients.
24 Currently each office maintains its own file of contact information and
25 deals with each request for information and service from other
26 agencies as an individual case. Many of these requests are repetitive
27 and could be handled by data system links or telephone access
28 messages. Others require personal contact that could be facilitated by
29 designation and publication of the individuals to be contacted.

30 (10) A single-source approach to answering questions about permits
31 required for construction and expansion, training resources, potential
32 financing, statutes, workplace regulations, and other subjects would
33 greatly facilitate the ombudsman function. Also, structured
34 interdepartmental techniques for following up and expediting requests
35 for action could both save staff time and improve services to the
36 citizenry.

37 Sec. 4.5. The Department of Commerce shall eliminate two regional offices
38 in the Business and Industry Division and two regional offices in the Division of
39 Community Assistance. The Department shall eliminate four staff positions in the
40 Business and Industry Division as a result of the elimination of the two regional offices.

41 Sec. 4.6. The Department of Commerce shall evaluate the present
42 configuration of regional offices and develop a plan to consolidate the nine regional
43 offices of the Business and Industry Division and the seven regional offices of the
44 Division of Community Assistance into a smaller number of larger regional offices. The

1 Department shall determine the appropriate number of offices and shall define a single
2 set of regional boundaries to carry out the responsibilities. The mission of the newly
3 consolidated regional offices shall be long range community-oriented economic
4 development, and a top priority of the offices shall be services to rural areas. Activities
5 of the Department and the regional offices shall include:

- 6 (1) Implementation of strategies for providing leadership to multicounty
7 economic alliances; such strategies might include exchange of
8 information, joint planning within transportation corridors and
9 aquifers, marketing initiatives, and coordination of services to existing
10 industries.
- 11 (2) Development of an integrated, fully automated data system to support
12 regional office functions, and design and implementation of
13 interdepartmental techniques to follow up on and expedite requests for
14 information and services.
- 15 (3) Consideration of the need for environmental engineering and other
16 technical services; services might include utilizing the staff of
17 regulatory agencies to provide technical assistance, budgeting funds
18 for consultation fees, and technical training of regional staff.

19 Sec. 4.7. The Department of Commerce shall report its findings and present a
20 plan for consolidation to the General Assembly no later than May 1, 1994.

21 22 **PART V—REVENUE**

23
24 Sec. 5. The General Assembly finds that:

- 25 (1) The Department of Revenue's ongoing functional reorganization is
26 sound and consistent with reorganizations in other states.
- 27 (2) Three other southeastern states have indicated that functional
28 organization is effective because duplication of effort is eliminated and
29 taxpayers receive better service because they have a single point of
30 contact.
- 31 (3) The success of the Department of Revenue's functional reorganization
32 will depend on its implementation of a new Integrated Tax
33 Administration System (ITAS), a computer-based, fully integrated tax
34 administration system that would support all of the essential functions
35 of tax administration for which the Department is responsible.
- 36 (4) The Department of Revenue's current information technology
37 infrastructure is so inefficient and error-prone that the mission of the
38 Department is at risk, the Department's computer hardware is old and
39 unreliable, and the current production tax application systems are
40 written in an outdated language and depend on punch cards or tape
41 which makes processing slow.
- 42 (5) The key to establishing a highly efficient and effective Department of
43 Revenue is ITAS, which has the potential, if properly designed and
44 implemented, to boost productivity and reduce staffing costs.

1 (6) Long-term collections increases and personnel and operational costs
2 savings will significantly exceed the costs of implementing and
3 operating ITAS.

4 Sec. 5.1. There is appropriated from the General Fund to the Department of
5 Revenue the sum of six million three hundred thousand dollars (\$6,300,000) for the
6 1993-94 fiscal year to implement a new Integrated Tax Administration System (ITAS),
7 a computer-based, fully integrated tax administration system that would support all of
8 the essential functions of tax administration for which the Department is responsible.

9 Sec. 5.2. As part of its functional reorganization, the Department of Revenue
10 shall implement an in-depth training program to train employees in areas outside their
11 current area of expertise and to keep them continuously updated in changes in the law.

12 Sec. 5.3. The General Assembly finds that in two of the Department of
13 Revenue's field offices, the number of auditors and revenue officers does not warrant
14 two supervisors, one for auditors and one for revenue officers.

15 Sec. 5.4. The Department of Revenue shall eliminate one supervisor position
16 from the Rockingham field office and one supervisor position from the Elizabeth City
17 field office. The Department of Revenue shall designate the remaining supervisor
18 position in each office as the supervisor of the entire office. The Department of Revenue
19 is authorized to request funding for one additional auditor or revenue officer position in
20 each of the two offices affected by this section.

21 Sec. 5.5. The decrease in personnel mandated in Section 5.4 of this act
22 should result in an annual savings to the General Fund of seventy-four thousand seven
23 hundred two dollars (\$74,702). The base budget of the Department of Revenue is
24 reduced by seventy-four thousand seven hundred two dollars (\$74,702) for the 1993-94
25 fiscal year and seventy-four thousand seven hundred two dollars (\$74,702) for the 1994-
26 95 fiscal year due to the decrease in personnel mandated in Section 2 of this act.

27 Sec. 5.6. The Department of Revenue shall develop a plan by which auditors
28 and revenue officers can be cross-trained so that the number of supervisors in field
29 offices can be reduced. The Department of Revenue shall present the plan to the Joint
30 Legislative Commission on Governmental Operations no later than December 31, 1993.

31 32 **PART VI—ORGANIZATION AND STAFFING**

33
34 Sec. 6. The General Assembly makes the following findings:

35 (1) The Office of Marine Affairs, Department of Administration, operates
36 the State's three aquariums and advises the Secretary of Administration
37 and the Governor on ocean policy.

38 (2) The Department of Administration provides most of the State's general
39 administrative services. An internal organizational unit should be
40 included within the Department of Administration only if the
41 organizational unit (i) provides a service to other State agencies and
42 does not have program responsibilities, (ii) has attributes that make
43 central provision the most economical way to deliver first-rate
44 management services, and (iii) has little policy implication.

- 1 (3) The Office of Marine Affairs does not provide administrative services
2 to State agencies, but does have both program and policy
3 responsibilities.
- 4 (4) The Department of Environment, Health, and Natural Resources
5 operates and maintains the State's zoological park, whose functions are
6 similar to those of the aquarium. In addition, both the Department of
7 Environment, Health, and Natural Resources and the Office of Marine
8 Affairs advise the Governor on environmental policy matters which
9 can result in uncoordinated and inconsistent policy direction among
10 State environmental programs. Only one department should be
11 responsible for all environment-related functions.
- 12 (5) To improve efficiency, eliminate the fragmentation of the State's
13 marine policy function, and achieve a savings for the State by
14 eliminating unnecessary administrative structures, the aquarium
15 function of the Office of Marine Affairs should be transferred to the
16 Department of Environment, Health, and Natural Resources.

17 Sec. 6.1. G.S. 143B-279.3 reads as rewritten:

18 **"§ 143B-279.3. Department of Environment, Health, and Natural Resources –**
19 **structure.**

20 (a) All functions, powers, duties, and obligations heretofore vested in the
21 following subunits of the following departments are hereby transferred to and vested in
22 the Department of Environment, Health, and Natural Resources by a Type I transfer, as
23 defined in G.S. 143A-6:

- 24 (1) Radiation Protection Section, Division of Facility Services,
25 Department of Human Resources.
- 26 (2) Division of Health Services, Department of Human Resources.
- 27 (3) State Center for Health Statistics, Department of Human Resources.
- 28 (4) Coastal Management Division, ~~Department of Natural Resources and~~
29 ~~Community Development.~~ Department of Environment, Health, and
30 Natural Resources.
- 31 (5) Environmental Management Division, ~~Department of Natural Resources~~
32 ~~and Community Development.~~ Department of Environment, Health, and
33 Natural Resources.
- 34 (6) Forest Resources Division, ~~Department of Natural Resources and~~
35 ~~Community Development.~~ Department of Environment, Health, and
36 Natural Resources.
- 37 (7) Land Resources Division, ~~Department of Natural Resources and~~
38 ~~Community Development.~~ Department of Environment, Health, and
39 Natural Resources.
- 40 (8) Marine Fisheries Division, ~~Department of Natural Resources and~~
41 ~~Community Development.~~ Department of Environment, Health, and
42 Natural Resources.

- 1 (9) Parks and Recreation Division, ~~Department of Natural Resources and~~
2 ~~Community Development.~~ Department of Environment, Health, and
3 Natural Resources.
- 4 (10) Soil and Water Conservation Division, ~~Department of Natural Resources~~
5 ~~and Community Development.~~ Department of Environment, Health, and
6 Natural Resources.
- 7 (11) Water Resources Division, ~~Department of Natural Resources and~~
8 ~~Community Development.~~ Department of Environment, Health, and
9 Natural Resources.
- 10 (12) North Carolina Zoological Park, ~~Department of Natural Resources and~~
11 ~~Community Development.~~ Department of Environment, Health, and
12 Natural Resources.
- 13 (13) Albemarle-Pamlico Study.
- 14 (14) Office of Marine Affairs, Department of Administration.
- 15 (b) All functions, powers, duties, and obligations heretofore vested in the
16 following commissions, boards, councils, and committees of the following departments
17 are hereby transferred to and vested in the Department of Environment, Health, and
18 Natural Resources by a Type II transfer, as defined in G.S. 143A-6:
- 19 (1) Governor's Waste Management Board, Department of Human
20 Resources.
- 21 (2) Radiation Protection Commission, Department of Human Resources.
- 22 (3) Commission for Health Services, Department of Human Resources.
- 23 (4) Water Treatment Facility Operators Board of Certification,
24 Department of Human Resources.
- 25 (5) Council on Sickle Cell Syndrome, Department of Human Resources.
- 26 (6) Perinatal Health Care Programs Advisory Council, Department of
27 Human Resources.
- 28 (7) Governor's Council on Physical Fitness and Health, Department of
29 Human Resources.
- 30 (8) Commission of Anatomy, Department of Human Resources.
- 31 (9) Coastal Resources Commission, ~~Department of Natural Resources and~~
32 ~~Community Development.~~ Department of Environment, Health, and
33 Natural Resources.
- 34 (10) Environmental Management Commission, ~~Department of Natural~~
35 ~~Resources and Community Development.~~ Department of Environment,
36 Health, and Natural Resources.
- 37 (11) Air Quality Council, ~~Department of Natural Resources and Community~~
38 ~~Development.~~ Department of Environment, Health, and Natural
39 Resources.
- 40 (12) Wastewater Treatment Plant Operators Certification Commission,
41 ~~Department of Natural Resources and Community Development.~~
42 Department of Environment, Health, and Natural Resources.

- 1 (13) Forestry Council, ~~Department of Natural Resources and Community~~
2 ~~Development.~~ Department of Environment, Health, and Natural
3 Resources.
- 4 (14) North Carolina Mining Commission, ~~Department of Natural Resources~~
5 ~~and Community Development.~~ Department of Environment, Health, and
6 Natural Resources.
- 7 (15) Advisory Committee on Land Records, ~~Department of Natural Resources~~
8 ~~and Community Development.~~ Department of Environment, Health, and
9 Natural Resources.
- 10 (16) Marine Fisheries Commission, ~~Department of Natural Resources and~~
11 ~~Community Development.~~ Department of Environment, Health, and
12 Natural Resources.
- 13 (17) Parks and Recreation Council, ~~Department of Natural Resources and~~
14 ~~Community Development.~~ Department of Environment, Health, and
15 Natural Resources.
- 16 (18) Board of Trustees of the Recreation and Natural Heritage Trust Fund,
17 ~~Department of Natural Resources and Community Development.~~
18 Department of Environment, Health, and Natural Resources.
- 19 (19) North Carolina Trails Committee, ~~Department of Natural Resources and~~
20 ~~Community Development.~~ Department of Environment, Health, and
21 Natural Resources.
- 22 (20) Sedimentation Control Commission, ~~Department of Natural Resources~~
23 ~~and Community Development.~~ Department of Environment, Health, and
24 Natural Resources.
- 25 (21) State Soil and Water Conservation Commission, ~~Department of Natural~~
26 ~~Resources and Community Development.~~ Department of Environment,
27 Health, and Natural Resources.
- 28 (22) North Carolina Zoological Park Council, ~~Department of Natural~~
29 ~~Resources and Community Development.~~ Department of Environment,
30 Health, and Natural Resources.
- 31 (23) North Carolina Aquariums Commission, Department of
32 Administration.
- 33 (c) (1) There is hereby created a division within the environmental
34 area of the Department of Environment, Health, and Natural
35 Resources to be named the Division of Radiation Protection. All
36 functions, powers, duties, and obligations of the Radiation Protection
37 Section of the Division of Facility Services of the Department of
38 Human Resources are transferred in their entirety to the Radiation
39 Protection Division of the Department of Environment, Health, and
40 Natural Resources.
- 41 (2) There is hereby created a division within the environmental area of the
42 Department of Environment, Health, and Natural Resources to be
43 named the Division of Solid Waste Management. All functions,
44 powers, duties, and obligations of the Solid Waste Management

1 Section of the Division of Health Services of the Department of
2 Human Resources are transferred in their entirety to the Division of
3 Solid Waste Management of the Department of Environment, Health,
4 and Natural Resources.

5 (d) The Department of Environment, Health, and Natural Resources is vested with all
6 other functions, powers, duties, and obligations as are conferred by the Constitution and
7 laws of this State."

8 Sec. 6.2. G.S. 143B-279.2 is amended by adding a new subdivision to read:

9 "(1a) To administer the State Outer Continental Shelf (OCS) Task Force and
10 coordinate State participation activities in the federal outer continental
11 shelf resource recovery programs as provided under the OCS Lands
12 Act Amendments of 1978 (43 USC §§ 1801 et seq.) and the OCS
13 Lands Act Amendments of 1986 (43 USC §§ 1331 et seq.)."

14 Sec. 6.3. Part 8A of Article 9 of Chapter 143B of the General Statutes, G.S.
15 143B-390.2 through G.S. 143B-390.4, is recodified as Part 5B of Article 7 of Chapter
16 143B of the General Statutes, G.S. 143B-289.20 through G.S. 143B-289.22.

17 Sec. 6.4. G.S. 143B-390.2, as recodified as G.S. 143B-289.20 by Section 6.3
18 of this act, reads as rewritten:

19 "**§ 143B-289.20. Office of Marine Affairs – organization; powers and duties.**

20 (a) The Office shall be organized as prescribed by the Secretary of ~~Administration~~
21 the Department of Environment, Health, and Natural Resources and exercise the
22 following powers and duties:

23 (1) Repealed by Session Laws 1991, c. 320, s. 3.

24 (1a) To establish and maintain the North Carolina Aquariums;

25 (1b) To administer the operations of the North Carolina Aquariums, such
26 administrative duties to include, but not be limited to the following:

27 a. Adopt goals and objectives for the Aquariums and review and
28 revise these goals and objectives periodically;

29 b. Review and approve requests for use of the Aquarium facilities
30 and advise the Secretary of ~~Administration~~ the Department of
31 Environment, Health, and Natural Resources on the most
32 appropriate use consistent with the goals and objectives of the
33 Aquariums;

34 c. Continually review and evaluate the types of projects and
35 programs being carried out in the Aquarium facilities and
36 determine if the operation of the facilities is in compliance with
37 the established goals and objectives;

38 d. Recommend to the Secretary of ~~Administration~~ the Department
39 of Environment, Health, and Natural Resources any policies
40 and procedures needed to assure effective staff performance and
41 proper liaison among Aquarium facilities in carrying out the
42 overall purposes of the Aquarium programs;

- 1 e. Review Aquarium budget submissions to the Secretary of
 2 ~~Administration; the Department of Environment, Health, and~~
 3 ~~Natural Resources;~~
 4 f. Recruit and recommend to the Secretary of ~~Administration~~~~the~~
 5 ~~Department of Environment, Health, and Natural Resources~~
 6 candidates for the positions of directors of the North Carolina
 7 Aquariums; and
 8 g. Create local advisory committees in accordance with the
 9 provisions of G.S. ~~143B-390.4.~~ 143B-289.22.
 10 (2) ~~Provide staff to the North Carolina Council on Ocean Affairs in~~
 11 ~~furtherance of the Council's statutory powers and duties;~~
 12 (3) ~~Advise the Secretary of Administration regarding the analysis,~~
 13 ~~planning and implementation of current and future State and federal~~
 14 ~~goals, policies and programs relating to the ocean and marine~~
 15 ~~resources of North Carolina, such duties to include, but not be limited~~
 16 ~~to, giving advice regarding:~~
 17 a. ~~Providing recommendations to other educational, informational~~
 18 ~~and policy making bodies regarding marine and ocean resource~~
 19 ~~issues;~~
 20 b. ~~Administering* the State Outer Continental Shelf (OCS) Task~~
 21 ~~Force and coordinate State participation activities in the federal~~
 22 ~~outer continental shelf resource recovery programs as provided~~
 23 ~~under the OCS Lands Act Amendments of 1978 (43 USC §§~~
 24 ~~1801 et seq.) and the OCS Lands Act Amendments of 1986 (43~~
 25 ~~USC §§ 1331 et seq.); and~~
 26 e. ~~Coordinating necessary legal or technical research to carry out~~
 27 ~~the duties set forth in this subdivision.~~
 28 (4) to (6) Repealed by Session Laws 1991, c. 320, s. 3.
 29 (7) Assume any other powers and duties assigned to it by the Secretary.
 30 (b) The Secretary may adopt any rules and procedures necessary to implement
 31 this section."

32 Sec. 6.5. G.S. 143B-390.4, as recodified as G.S. 143B-289.22 by Section 6.3
 33 of this act, reads as rewritten:

34 "**§ 143B-289.22. Local advisory committees; duties; membership.**

35 Local advisory committees created pursuant to ~~G.S. 143B-390.2(a)(1b)~~ G.S. 143B-
 36 289.20(a)(1b) shall assist each North Carolina Aquarium in its efforts to establish
 37 projects and programs and to assure adequate citizen-consumer input into those efforts.
 38 Members of these committees shall be appointed by the Secretary of ~~Administration~~~~the~~
 39 Department of Environment, Health, and Natural Resources for three-year terms from
 40 nominations made by the Director of the Office of Marine Affairs. Each committee
 41 shall select one of its members to serve as chairperson. Members of the committees
 42 shall serve without compensation for services or expenses."

43 Sec. 6.6. Part 8B of Article 9 of Chapter 143B of the General Statutes is
 44 repealed.

1 Sec. 6.7. Part 8C of Article 9 of Chapter 143B of the General Statutes, G.S.
2 143B-390.15 through G.S. 143B-390.16, is recodified as Part 28 of Article 7 of Chapter
3 143B of the General Statutes, G.S. 143B-344.16 through G.S. 143B-344.17.

4 Sec. 6.8. G.S. 143B-390.16, as recodified as G.S. 143B-344.17 by Section
5 6.7 of this act, reads as rewritten:

6 **"§ 143B-344.17. North Carolina Aquariums Commission – organization, powers,
7 and duties.**

8 (a) The Commission shall consist of 12 members appointed as follows:

9 (1) Four members appointed by the Governor, including one member
10 designated by the Governor to serve as chair of the Commission and
11 one member appointed upon recommendation of the North Carolina
12 Aquarium Society, Inc., who resides in one of the counties where the
13 North Carolina Aquariums are located: Carteret, Dare, and New
14 Hanover,

15 (2) Four members appointed by the General Assembly upon the
16 recommendation of the Speaker of the House of Representatives in
17 accordance with G.S. 120-121, including one member appointed upon
18 the recommendation of the North Carolina Aquarium Society, Inc.,
19 who resides in another of the counties where the North Carolina
20 Aquariums are located: Carteret, Dare, and New Hanover,

21 (3) Four members appointed by the General Assembly upon the
22 recommendation of the President Pro Tempore of the Senate in
23 accordance with G.S. 120-121, including one member appointed upon
24 the recommendation of the North Carolina Aquarium Society, Inc.,
25 who resides in another of the counties where the North Carolina
26 Aquariums are located: Carteret, Dare, and New Hanover.

27 (b) Commission members shall serve for terms of four years, beginning July 1,
28 1992, and may be removed at any time by the appointing authority. If a vacancy on the
29 Commission occurs, the appointing authority shall appoint a replacement to serve for
30 the unexpired term.

31 (c) The Commission shall meet upon the call of the chair.

32 (d) The Secretary of ~~Administration~~ the Department of Environment, Health, and
33 Natural Resources shall provide staff support for Commission activities and travel
34 reimbursement for Commission members.

35 (e) The Commission may recommend a schedule of uniform fees for the North
36 Carolina Aquariums to the Secretary of the Department of ~~Administration~~ Environment,
37 Health, and Natural Resources who may adopt the schedule. The schedule may be
38 revised from time to time by the same procedure.

39 (f) The North Carolina Special Aquariums Fund, hereafter 'Fund', is hereby
40 created, and shall be a special and nonreverting fund. The Fund shall be used only for
41 repair, maintenance, and educational exhibit construction at existing aquariums. The
42 Fund may also be used to match private funds that are raised for these purposes.

1 (g) All entrance fee receipts shall be credited to the Fund. The Secretary of
2 ~~Administration—the Department of Environment, Health, and Natural Resources~~ may
3 expend monies from the Fund only upon the authorization of the General Assembly."

4 Sec. 6.9. The Department of Environment, Health, and Natural Resources
5 and the Department of Cultural Resources shall study the operations, organization, and
6 staffing of State parks and State historic sites that are in close proximity to each other.
7 The study shall determine whether the properties and appurtenant facilities can be
8 managed more efficiently. The Departments shall present a joint report to the Joint
9 Legislative Commission on Governmental Operations no later than December 31, 1993.

10 Sec. 6.10. The base budget of the Department of Administration is reduced
11 by two million two hundred seventy-nine thousand seven hundred seventy-seven dollars
12 (\$2,279,777) due to the transfer of the aquarium function mandated by this act. The
13 base budget of the Department of Environment, Health, and Natural Resources is
14 increased by two million two hundred seventy-nine thousand seven hundred seventy-
15 seven dollars (\$2,279,777).

16 17 **PART VII—SUNSET REVIEW**

18
19 Sec. 7. Effective July 1, 1994, the following sections of the General Statutes
20 and Session Laws are repealed:

- 21 (1) G.S. 17C-3, G.S. 17C-6 – North Carolina Criminal Justice Education
22 and Training Standards Commission.
- 23 (2) G.S. 18B-200 – North Carolina Alcoholic Beverage Control
24 Commission.
- 25 (3) G.S. 20-305.4 – Motor Vehicles Dealers' Advisory Board.
- 26 (4) G.S. 58-50-150 – North Carolina Small Employer Health Reinsurance
27 Pool.
- 28 (5) G.S. 58-78-1, G.S. 58-78-5 – State Fire and Rescue Commission.
- 29 (6) G.S. 76A-1, G.S. 76A-2, G.S. 76A-3, G.S. 76A-4 – Cape Fear River
30 Navigation and Pilotage Commission.
- 31 (7) G.S. 76A-31, G.S. 76A-32, G.S. 76A-33, G.S. 76A-34 – Morehead
32 City Navigation and Pilotage Commission.
- 33 (8) G.S. 96-4(e) – State Employment Advisory Councils.
- 34 (9) G.S. 104F-2 – Southeast North Carolina Low-Level Radioactive
35 Waste Management Commission.
- 36 (10) G.S. 104G-5 – North Carolina Low-Level Radioactive Waste
37 Management Authority.
- 38 (11) G.S. 113-315.25 – North Carolina Seafood Industrial Park Authority.
- 39 (12) G.S. 117-1 – Rural Electrification Authority.
- 40 (13) G.S. 120-58, G.S. 120-59, G.S. 120-60, G.S. 120-61, G.S. 120-62 –
41 Commission on Children with Special Needs.
- 42 (14) G.S. 120-70.70, G.S. 120-70.72, G.S. 120-70.73, G.S. 120-70.75 –
43 Commission on the Family.

- 1 (15) G.S. 120-180, G.S. 120-182, G.S. 120-183 – North Carolina Study
2 Commission on Aging.
- 3 (16) G.S. 122C-118 – Mental Health, Developmental Disabilities, and
4 Substance Abuse, Area Authorities.
- 5 (17) G.S. 122C-431 – North Carolina Alcoholism Research Authority.
- 6 (18) Article 1A of Chapter 130A – Health Services Commission.
- 7 (19) Part 2 of Article 1B of Chapter 130A – Governor's Council on
8 Physical Fitness and Health.
- 9 (20) Part 3 of Article 1B of Chapter 130A – Minority Health Advisory
10 Council.
- 11 (21) G.S. 130A-131, G.S. 130A-131.1 – Council on Sickle Cell Syndrome.
- 12 (22) G.S. 131E-17, G.S. 131E-18, G.S. 131E-19 – Hospital Authorities.
- 13 (23) G.S. 131E-95 – Medical Review Committee.
- 14 (24) G.S. 131E-211 – North Carolina Medical Database Commission.
- 15 (25) G.S. 135-39, G.S. 135-39.2 – Board of Trustees of the Teachers' and
16 State Employees' Comprehensive Major Medical Plan.
- 17 (26) G.S. 143-135.25 – State Building Commission.
- 18 (27) Article 29 of Chapter 143 – Commission for the Study of Problems of
19 Care of the Aged and the Intellectually or Physically Handicapped.
- 20 (28) G.S. 143-283.1, G.S. 143-283.2 – Governor's Council on Employment
21 of the Handicapped.
- 22 (29) G.S. 143-436 – North Carolina Pesticide Board.
- 23 (30) G.S. 143-439 – Pesticides Advisory Committee.
- 24 (31) G.S. 143-508 – North Carolina Medical Care Commission.
- 25 (32) G.S. 143-510 – Emergency Medical Services Advisory Council.
- 26 (33) G.S. 143-573 – North Carolina Child Fatality Task Force.
- 27 (34) G.S. 143B-30.1 – Rules Review Commission.
- 28 (35) G.S. 143B-133 – Veterans' Memorial Commission.
- 29 (36) G.S. 143B-147, G.S. 143B-148 – Commission on Mental Health,
30 Developmental Disabilities, and Substance Abuse Services.
- 31 (37) G.S. 143B-150.7 – Advisory Committee on Family-Centered Services.
- 32 (38) Part 6 of Article 3 of Chapter 143B – Social Services Commission.
- 33 (39) Part 7 of Article 3 of Chapter 143B – Commission for the Blind.
- 34 (40) G.S. 143B-168.4, G.S. 143B-168.5 – Child Day-Care Commission.
- 35 (41) G.S. 143B-177, G.S. 143B-179 – Council on Developmental
36 Disabilities.
- 37 (42) G.S. 143B-180, G.S. 143B-181 – Governor's Advisory Council on
38 Aging.
- 39 (43) G.S. 143B-181.9A – Advisory Committee on Home and Community
40 Care.
- 41 (44) G.S. 143B-265 – Board of Correction.
- 42 (45) Part 3 of Article 6 of Chapter 143B – Parole Commission.
- 43 (46) G.S. 143B-285.12 – Governor's Waste Management Board.
- 44 (47) Part 2 of Article 9 of Chapter 143B – Goals and Policy Board.

- 1 (48) Part 3 of Article 9 of Chapter 143B – Capital Planning Commission.
2 (49) G.S. 143B-393, G.S. 143B-394 – Council on Women.
3 (50) G.S. 143B-403.1, G.S. 143B-403.2 – Governor's Advocacy Council
4 for Persons with Disabilities.
5 (51) G.S. 143B-414, G.S. 143B-415 – Governor's Advocacy Council on
6 Children and Youth.
7 (52) G.S. 143B-426.21(a) – Information Resource Management
8 Commission.
9 (53) Part 27 of Article 9 of Chapter 143B – Board of Science and
10 Technology.
11 (54) Part 1A of Article 10 of Chapter 143B – Housing Coordination and
12 Policy Council.
13 (55) Part 2A of Article 10 of Chapter 143B – Community Development
14 Council.
15 (56) G.S. 143B-452 – North Carolina State Ports Authority.
16 (57) G.S. 143B-472.1 – North Carolina Mutual Burial Association
17 Commission.
18 (58) G.S. 159I-4 – Solid Waste Management Capital Projects Financing
19 Agency.
20 (59) Chapter 971 of the 1991 Session Laws, 1992 Regular Session –
21 Teacher Training Task Force.
22 Sec. 7.1. Effective July 1, 1995, the following sections of the General
23 Statutes and Session Laws are repealed:
24 (1) G.S. 7A-506, G.S. 7A-507, G.S. 7A-509 – North Carolina Courts
25 Commission.
26 (2) G.S. 7A-775 – Community Penalties Board.
27 (3) G.S. 17E-3 – Sheriffs' Education and Training Standards Commission.
28 (4) G.S. 54-131, G.S. 54-134, G.S. 54-135, G.S. 54-136, G.S. 54-137 –
29 Marketing Associations.
30 (5) G.S. 58-32-1, G.S. 58-32-5 – Employees Liability Insurance
31 Commission.
32 (6) Article 2 of Chapter 62 – Utilities Commission.
33 (7) G.S. 65-49, G.S. 65-54 – North Carolina Cemetery Commission.
34 (8) G.S. 84-17, G.S. 84-18, G.S. 84-18.1, G.S. 84-19, G.S. 84-20, G.S. 84-
35 22 – State Bar Council.
36 (9) G.S. 84-24 – Board of Law Examiners.
37 (10) G.S. 85B-3 – North Carolina Auctioneers Commission.
38 (11) G.S. 86A-4, G.S. 86A-6, G.S. 86A-7 – State Board Of Barber
39 Examiners.
40 (12) G.S. 88-13, G.S. 88-14, G.S. 88-15 – State Board Of Cosmetic Art
41 Examiners.
42 (13) G.S. 89B-3, G.S. 89B-4, G.S. 89B-5 – State Board of Registration for
43 Foresters.
44 (14) G.S. 89E-4 – North Carolina Board of Licensing Geologists.

- 1 (15) G.S. 90A-21 – Water Treatment Facility Operators Board of
2 Certification.
- 3 (16) G.S. 90A-50 – State Board of Sanitarian Examiners.
- 4 (17) G.S. 90B-5 – North Carolina Certification Board for Social Work.
- 5 (18) G.S. 93-12 – Board of Certified Public Accountant Examiners.
- 6 (19) G.S. 106-2, G.S. 106-3, G.S. 106-4, G.S. 106-5 – Board of
7 Agriculture.
- 8 (20) G.S. 106-266.7 – Milk Commission.
- 9 (21) G.S. 106-269, G.S. 106-270 – Board of Crop Seed Improvement.
- 10 (22) G.S. 106-407.1 – Public Livestock Advisory Board.
- 11 (23) G.S. 106-720 – Northeastern North Carolina Farmers Market
12 Commission.
- 13 (24) G.S. 106-727 – Southeastern North Carolina Farmers Market
14 Commission.
- 15 (25) G.S. 106-750, G.S. 106-751 – North Carolina Grape Growers Council.
- 16 (26) G.S. 113-252, G.S. 113-254 – Atlantic States Marine Fisheries
17 Commission.
- 18 (27) G.S. 113-259 – South Atlantic Fisheries Management Council.
- 19 (28) G.S. 113A-105 – Coastal Resources Advisory Council.
- 20 (29) G.S. 115C-87 – Textbook Commission.
- 21 (30) G.S. 119-26 – Gasoline and Oil Inspection Board.
- 22 (31) G.S. 120-150, G.S. 120-152, G.S. 120-153 – Agriculture and Forestry
23 Awareness Study Committee.
- 24 (32) G.S. 122A-4 – North Carolina Housing Finance Agency.
- 25 (33) G.S. 122D-4 – North Carolina Agricultural Finance Authority.
- 26 (34) G.S. 126-2 – State Personnel Commission.
- 27 (35) G.S. 130A-33.30, G.S. 130A-33.31 – Commission of Anatomy.
- 28 (36) G.S. 130B-6 – North Carolina Hazardous Waste Management
29 Commission.
- 30 (37) G.S. 143-4 – Advisory Budget Commission.
- 31 (38) G.S. 143-143.10 – Manufactured Housing Board.
- 32 (39) G.S. 143-151.9, G.S. 143-151.10, G.S. 143-151.11 – Code Officials
33 Qualification Board.
- 34 (40) G.S. 143-240, G.S. 143-241, G.S. 143-242, G.S. 143-244 – Wildlife
35 Resources Commission.
- 36 (41) G.S. 143-492 – Southern Growth Policies Board.
- 37 (42) G.S. 143-548 – Business and Consumer Advisory Council.
- 38 (43) Part 6 of Article 2 of Chapter 143B – Public Librarian Certification
39 Commission.
- 40 (44) G.S. 143B-90 – State Library Commission
- 41 (45) Part 17 of Article 2 of Chapter 143B – Roanoke Island Historical
42 Association.
- 43 (46) G.S. 143B-289.3, G.S. 143B-289.5, G.S. 143B-289.6, G.S. 143B-
44 289.7 – Marine Fisheries Commission.

- 1 (47) G.S. 143B-289.8 – Board of Trustees of the Marine Fisheries
- 2 Endowment Fund of the Marine Fisheries Commission.
- 3 (48) Part 7 of Article 7 of Chapter 143B – Soil and Water Conservation
- 4 Commission.
- 5 (49) Part 8 of Article 7 of Chapter 143B – North Carolina Sedimentation
- 6 Control Commission.
- 7 (50) Part 9 of Article 7 of Chapter 143B – Water Pollution Control System
- 8 Operators Certification Commission.
- 9 (51) G.S. 143B-335, G.S. 143B-336 – North Carolina Zoological Park
- 10 Council.
- 11 (52) Part 8B of Article 9 of Chapter 143B – North Carolina Council on
- 12 Ocean Affairs.
- 13 (53) Part 13 of Article 9 of Chapter 143B – Veterans' Affairs Commission.
- 14 (54) G.S. 143B-426.25 – N.C. Farmworker Council.
- 15 (55) G.S. 143B-438.4 – State Job Training Coordinating Council.
- 16 (56) Part 7 of Article 10 of Chapter 143B – National Park, Parkway and
- 17 Forests Development Commission.
- 18 (57) G.S. 143B-469 – North Carolina Ports Railway Commission.
- 19 (58) G.S. 143B-480 – Adjunct Committees of the Governor's Crime
- 20 Commission. (Judicial Planning Committee, Juvenile Justice Planning
- 21 Committee, Law Enforcement Planning Committee, Corrections
- 22 Planning Committee, and Juvenile Code Revision Committee.)
- 23 (59) G.S. 157-66 – State Indian Housing Authority.
- 24 (60) G.S. 165-26, G.S. 165-27, G.S. 165-29, G.S. 165-30 – Veterans
- 25 Recreation Authorities.
- 26 (61) Chapter 1008 of the 1991 Session Laws, 1992 Regular Session – Inter-
- 27 agency Task Force on State Agency Oversight of Workplace Safety
- 28 and Health.
- 29 Sec. 7.2. Effective July 1, 1996, the following sections of the General
- 30 Statutes are repealed:
- 31 (1) G.S. 53-92 – State Banking Commission.
- 32 (2) G.S. 54B-53 – Savings Institutions Commission.
- 33 (3) G.S. 58-50-120 – Small Employer Carrier Committee.
- 34 (4) G.S. 74C-4 – Private Protective Services Board.
- 35 (5) G.S. 74D-4 – Alarm Systems Licensing Board.
- 36 (6) G.S. 83A-2 – North Carolina Board of Architecture.
- 37 (7) G.S. 87-2, G.S. 87-6 – State Licensing Board Of General Contractors.
- 38 (8) G.S. 87-16, G.S. 87-17, G.S. 87-18, G.S. 87-19 – State Board of
- 39 Examiners of Plumbing, Heating, and Fire Sprinkler Contractors.
- 40 (9) G.S. 87-39, G.S. 87-40, G.S. 87-41 – State Board of Examiners of
- 41 Electrical Contractors.
- 42 (10) G.S. 87-52, G.S. 87-54, G.S. 87-55 – State Board of Refrigeration
- 43 Examiners.
- 44 (11) G.S. 89A-3 – North Carolina Board of Landscape Architects.

- 1 (12) G.S. 89C-4, G.S. 89C-5, G.S. 89C-6, G.S. 89C-7, G.S. 89C-8, G.S.
2 89C-9 – State Board of Registration for Professional Engineers and
3 Land Surveyors.
- 4 (13) G.S. 89D-4 – Landscape Contractors' Registration Board.
- 5 (14) G.S. 93A-3 – North Carolina Real Estate Commission.
- 6 (15) G.S. 93A-78 – Real Estate Appraisal Board.
- 7 (16) G.S. 96-3 – Employment Security Commission.
- 8 (17) G.S. 97-77 – Industrial Commission.
- 9 (18) G.S. 104E-7, G.S. 104E-8 – North Carolina Radiation Protection
10 Commission.
- 11 (19) G.S. 105-269.2 – Tax Review Board.
- 12 (20) G.S. 106-465 – Tobacco Boards of Trade.
- 13 (21) G.S. 112-7 – State Board of Pensions.
- 14 (22) G.S. 116-243 – Board of the North Carolina Arboretum.
- 15 (23) G.S. 122C-404 – Community of Butner Planning Commission.
- 16 (24) G.S. 139-7 – Soil/Water Conservation District Board of Supervisors.
- 17 (25) G.S. 143-215.94O – Petroleum Underground Storage Tank Funds
18 Council.
- 19 (26) G.S. 143-370, G.S. 143-372 – Advisory Commission for the Museum
20 of Natural History.
- 21 (27) Part 3 of Article 2 of Chapter 143B – Art Museum Building
22 Commission.
- 23 (28) Part 4 of Article 2 of Chapter 143B – North Carolina Historical
24 Commission.
- 25 (29) G.S. 143B-71, G.S. 143B-72 – Tryon Palace Commission.
- 26 (30) G.S. 143B-73, G.S. 143B-73.1, G.S. 143B-74 – U.S.S. North Carolina
27 Battleship Commission.
- 28 (31) Part 19 of Article 2 of Chapter 143B – Edenton Historical
29 Commission.
- 30 (32) Part 20 of Article 2 of Chapter 143B – Historic Bath Commission.
- 31 (33) Part 22 of Article 2 of Chapter 143B – Historic Murfreesboro
32 Commission.
- 33 (34) Part 6 of Article 7 of Chapter 143B – North Carolina Mining
34 Commission.
- 35 (35) G.S. 143B-356, G.S. 143B-357 – Aeronautics Council.
- 36 (36) G.S. 143B-387 – State Youth Council.
- 37 (37) G.S. 143B-390.1 – Office Of Marine Affairs.
- 38 (38) Part 9 of Article 9 of Chapter 143B – Human Relations Commission.
- 39 (39) Part 18 of Article 9 of Chapter 143B – North Carolina Internship
40 Council.
- 41 (40) Part 24 of Article 9 of Chapter 143B – Governor's Management
42 Council.
- 43 (41) G.S. 143B-434 – Economic Development Board.
- 44 (42) G.S. 143B-434.1 – Travel And Tourism Board.

- 1 (43) G.S. 143B-439 – Credit Union Commission.
- 2 (44) Part 7 of Article 10 of Chapter 143B – North Carolina National Parks,
3 Parkway and Forests Development Council.
- 4 (45) G.S. 148-118.6, G.S. 148-118.7 – Grievance Resolution Board.
- 5 (46) G.S. 159-3, G.S. 159-5 – Local Government Commission.
- 6 (47) G.S. 160A-400.4 – Historic Preservation Commission.
- 7 (48) G.S. 160A-451, G.S. 160A-453, G.S. 160A-454 – Community
8 Appearance Commission.
- 9 (49) G.S. 164-12, G.S. 164-14, G.S. 164-15, G.S. 164-16, G.S. 164-18,
10 G.S. 164-19 – General Statutes Commission.
- 11 Sec. 7.3. Effective July 1, 1997, the following sections of the General
12 Statutes and Session Laws are repealed:
 - 13 (1) G.S. 15B-3 – Crime Victims Compensation Commission.
 - 14 (2) G.S. 63A-3 – Air Cargo Airport Authority.
 - 15 (3) G.S. 77-3, G.S. 77-34 – Lake Wylie Marine Commission.
 - 16 (4) G.S. 88A-5 – North Carolina Board of Electrolysis Examiners.
 - 17 (5) G.S. 90-2, G.S. 90-3, G.S. 90-4, G.S. 90-5 – Board of Medical
18 Examiners.
 - 19 (6) G.S. 90-22, G.S. 90-23, G.S. 90-24 – State Board Of Dental
20 Examiners.
 - 21 (7) G.S. 90-85.6, G.S. 90-85.7, G.S. 90-85.8, G.S. 90-85.9, G.S. 90-85.10,
22 G.S. 90-85.11 – Board of Pharmacy.
 - 23 (8) G.S. 90-116, G.S. 90-117, G.S. 90-117.1, G.S. 90-117.2, G.S. 90-
24 117.3 – Board of Examiners in Optometry.
 - 25 (9) G.S. 90-130 – Board of Osteopathic Examination and Registration.
 - 26 (10) G.S. 90-139, G.S. 90-140, G.S. 90-141 – Board of Chiropractic
27 Examiners.
 - 28 (11) G.S. 90-171.21, G.S. 90-171.22 – Board of Nursing.
 - 29 (12) G.S. 90-171.60 – Nursing Scholars Commission.
 - 30 (13) G.S. 90-171.71 – Board of Directors of the Center for Nursing.
 - 31 (14) G.S. 90-178.4 – Joint Subcommittee of Board of Medical Examiners
32 and Board of Nursing Midwifery Practice Act.
 - 33 (15) G.S. 90-182, G.S. 90-183, G.S. 90-184 – Veterinary Medical Board.
 - 34 (16) G.S. 90-202.4 – Board of Podiatry Examiners.
 - 35 (17) G.S. 90-210.18, G.S. 90-210.19, G.S. 90-210.22 – North Carolina
36 Board of Mortuary Science.
 - 37 (18) G.S. 90-238, G.S. 90-239 – Board of Opticians.
 - 38 (19) G.S. 90-270.6, G.S. 90-270.7, G.S. 90-270.8 – Board of Examiners of
39 Practicing Psychologists.
 - 40 (20) G.S. 90-270.25 – Board of Physical Therapy Examiners.
 - 41 (21) G.S. 90-270.49, G.S. 90-270.50, G.S. 90-270.51 – Marital and Family
42 Therapy Certification Board.
 - 43 (22) G.S. 90-270.68 – Board of Occupational Therapy.
 - 44 (23) G.S. 90-277 – Board of Examiners for Nursing Home Administrators.

- 1 (24) G.S. 90-303 – Board of Examiners for Speech and Language
- 2 Pathologists and Audiologists.
- 3 (25) G.S. 90-333 – Board of Registered Practicing Counselors.
- 4 (26) G.S. 90-353, G.S.90-354, G.S. 90-355 – North Carolina Board of
- 5 Dietetics/Nutrition.
- 6 (27) G.S. 90-385 – Board of Examiners of Fee-Based Practicing Pastoral
- 7 Counselors.
- 8 (28) G.S. 90C-5 – North Carolina State Board of Therapeutic Recreation
- 9 Certification.
- 10 (29) G.S. 93D-3 – Hearing Aid Dealers and Fitters Board.
- 11 (30) G.S. 106-769 – Genetic Engineering Review Board.
- 12 (31) G.S. 113A-104 – Coastal Resources Commission.
- 13 (32) G.S. 115C-64.4(c) – Public Schools Caretaker Boards.
- 14 (33) G.S. 115C-121 – Advocacy Council on Education
- 15 Services/Exceptional Child.
- 16 (34) G.S. 115C-174.1, G.S. 115C-174.2, G.S. 115C-174.3, G.S. 115C-
- 17 174.4, G.S. 115C-174.5 – Commission on Testing.
- 18 (35) G.S. 115C-210, G.S. 115C-210.1, G.S. 115C-210.2, G.S. 115C-210.3
- 19 – Advisory Council on Indian Education.
- 20 (36) G.S. 115C-325(i) – Professional Review Committee For Public School
- 21 Teachers.
- 22 (37) G.S. 115C-327, G.S. 115C-328 – Personnel Administration
- 23 Commission For Public School Employees.
- 24 (38) G.S. 115C-363.22, G.S. 115C-363.23 – Teaching Fellows
- 25 Commission.
- 26 (39) G.S. 115C-489.4 – Commission on School Facility Needs.
- 27 (40) G.S. 115D-2.1 – State Board of Community Colleges.
- 28 (41) G.S. 116-3, G.S. 116-5, G.S. 116-6, G.S. 116-6.1, G.S. 116-7, G.S.
- 29 116-8, G.S. 116-9, G.S. 116-10 – Board of Governors of The
- 30 University of North Carolina.
- 31 (42) G.S. 116-31, G.S. 116-32 – Boards Of Trustees of The University of
- 32 North Carolina.
- 33 (43) G.S. 116-203 – Education Assistance Authority.
- 34 (44) G.S. 120-70.41, G.S. 120-70.42, G.S. 120-70.45, G.S. 120-70.46 –
- 35 Environmental Review Commission.
- 36 (45) G.S. 136-17.2 – Board of Transportation.
- 37 (46) G.S. 143-136 – North Carolina State Building Code Council.
- 38 (47) G.S. 143-261, G.S. 143-262, G.S. 143-263, G.S. 143-264, G.S. 143-
- 39 265 – State Education Commission.
- 40 (48) G.S. 143B-282, G.S. 143B-283, G.S. 143B-284, G.S. 143B-285 –
- 41 Environmental Management Commission.
- 42 (49) G.S. 147-54.8 – Constitutional Amendments Publication Commission.
- 43 (50) Chapter 869 of the 1991 Session Laws, 1992 Regular Session –
- 44 Educational Leadership Task Force.

1 Sec. 7.4. The General Assembly shall, prior to the proposed expiration date,
2 evaluate each board or commission proposed for abolition by this act, and if it
3 determines that the board or commission has accomplished its mission, that board or
4 commission shall be allowed to expire. Otherwise, the General Assembly shall enact
5 legislation to retain the board, or consider merging it with another board or commission
6 or transferring the function to some executive branch official.

7 Sec. 8. The Part headings contained in this act are for reference only and they
8 in no way limit, define, or prescribe the scope or application of the text of the act.

9 Sec. 9. Sections 3.3, 3.4, 4.4, 4.5, 4.6, 4.7, 5, 5.1, 5.2, 5.3, 5.4, 5.5, 6, 6.1,
10 6.2, 6.3, 6.4, 6.5, 6.6, 6.7, 6.8, 6.9, and 6.10 of this act shall become effective July 1,
11 1993. The remainder of this act is effective upon ratification.