

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015**

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**HOUSE BILL 949*
Committee Substitute Favorable 6/7/16**

Short Title: Occupational Licensing Board Contact Info. (Public)

Sponsors:

Referred to:

April 26, 2016

A BILL TO BE ENTITLED

1 AN ACT TO REQUIRE OCCUPATIONAL LICENSING BOARDS TO PROVIDE AND
2 UPDATE CONTACT INFORMATION, AS RECOMMENDED BY THE JOINT
3 LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE AND TO
4 CONFORM THE NAME OF THE GENERAL ASSEMBLY'S LEGISLATIVE ANALYSIS
5 DIVISION.
6

7 The General Assembly of North Carolina enacts:

8 **SECTION 1.** G.S. 93B-2 is amended by adding a new subsection to read:

9 "(c1) Each occupational licensing board shall provide the Joint Legislative Administrative
10 Procedure Oversight Committee with the name and contact information of the individual
11 responsible for filing the reports required by this section. Each occupational licensing board shall
12 keep this information current and notify the Committee within 30 days of any changes in this
13 information."

14 **SECTION 2.** G.S. 20-79.3A(c) reads as rewritten:

15 "(c) Report to General Assembly. – On or before March 15 of each year, the Division shall
16 submit to the Chairs of the House and Senate Transportation Committees, the Chairs of the House
17 and Senate Finance Committees, and the ~~Research~~ Legislative Analysis Division of the General
18 Assembly a report that identifies each applicant that has applied for a special registration plate to
19 be authorized in the legislative session being held that year and indicates whether the applicant
20 met the requirements of this section. If an applicant meets the requirements of this section, then a
21 bill may be considered during the legislative session being held that year to authorize a special
22 registration plate for the applicant that submitted the application."

23 **SECTION 3.** G.S. 90-413.3A(b) reads as rewritten:

24 "(b) Any hospital, as defined in G.S. 131E-76(3) that has an electronic health record system
25 shall connect to the HIE Network and submit individual patient demographic and clinical data on
26 services paid for with Medicaid funds, based upon the findings set forth in subsection (a) of this
27 section and notwithstanding the voluntary nature of the NC HIE under G.S. 90-413.2. The NC
28 HIE shall give the Department of Health and Human Services real-time access to data and
29 information disclosed through the HIE Network. At the request of the Director of the Fiscal
30 Research, Bill Drafting, ~~Research~~ Legislative Analysis, or Program Evaluation Divisions of the
31 General Assembly, the NC HIE shall provide the professional staff of these Divisions with data
32 and information responsive to the Director's request. Prior to providing the General Assembly's
33 staff with any data or information disclosed through the HIE Network pursuant to this subsection,
34 the NC HIE shall redact any personal identifying information in a manner consistent with the
35 standards specified for de-identification of health information under the HIPAA Privacy Rule, 45
36 C.F.R. 164.15, as amended."



1 **SECTION 4.** G.S. 90-414.5(b) reads as rewritten:

2 "(b) At the written request of the Director of the Fiscal Research, Bill Drafting,
3 ~~Research, Legislative Analysis,~~ or Program Evaluation Division of the General Assembly for an
4 aggregate analysis of the data and information disclosed through the HIE Network, the Authority
5 shall provide the professional staff of these Divisions with such aggregated analysis responsive to
6 the Director's request. Prior to providing the Director or General Assembly's staff with any
7 aggregate data or information submitted through the HIE Network or with any analysis of this
8 aggregate data or information, the Authority shall redact any personal identifying information in a
9 manner consistent with the standards specified for de-identification of health information under
10 the HIPAA Privacy Rule, 45 C.F.R. § 164.514, as amended."

11 **SECTION 5.** G.S. 120-32 reads as rewritten:

12 **"§ 120-32. Commission duties.**

13 The Legislative Services Commission is authorized to:

- 14 (1) Determine the number, titles, classification, functions, compensation, and other
15 conditions of employment of the joint legislative service employees of the
16 General Assembly, including but not limited to the following departments:
- 17 a. Legislative Services Officer and personnel.
 - 18 b. Electronic document writing system.
 - 19 c. Proofreaders.
 - 20 d. Legislative printing.
 - 21 e. Enrolling clerk and personnel.
 - 22 f. Library.
 - 23 g. ~~Research-Legislative analysis~~ and bill drafting.
 - 24 h. Printed bills.
 - 25 i. Disbursing and supply.
 - 26 j. Program evaluation.

27 Temporary employees of the General Assembly are exempt from the provisions
28 of G.S. 135-3(8)c., as to compensation earned in that status.

29 "

30 **SECTION 6.** G.S. 120-32.01 reads as rewritten:

31 **"§ 120-32.01. Information to be supplied.**

32 (a) Every State department, State agency, or State institution shall furnish the Legislative
33 Services Office and the ~~Research, Legislative Analysis,~~ Fiscal Research, Program Evaluation, and
34 Bill Drafting Divisions any information or records requested by them and access to any facilities
35 and personnel requested by them. Except when accessibility is prohibited by a federal statute,
36 federal regulation, or State statute, every State department, State agency, or State institution shall
37 give the Legislative Services Office and these divisions access to any data base or stored
38 information maintained by computer, telecommunications, or other electronic data processing
39 equipment, whether stored on tape, disk, or otherwise, and regardless of the medium for storage or
40 transmission.

41 (b) Notwithstanding subsection (a) of this section, access to the BEACON/HR payroll
42 system by the ~~Research-Legislative Analysis~~ and Bill Drafting Divisions shall only be through the
43 Fiscal Research Division and access to the system by the Program Evaluation Division shall only
44 be through the Division Director and two employees of the Division designated by the Division
45 Director.

46 "

47 **SECTION 7.** G.S. 120-30.49(a) reads as rewritten:

48 **"§ 120-30.49. Compiling federal mandates; annual report.**

49 (a) The Fiscal Research Division shall, in consultation with the appropriate staff of the
50 ~~Research-Legislative Analysis~~ and Bill Drafting Divisions, make an annual report to the General
51 Assembly pertaining to the fiscal effect of federal mandates on, or federal law on which is

1 conditioned the receipt of federal funds by the State and units of local government. The annual
2 report on federal mandates shall include the following:

- 3 (1) A listing of federal laws that require the State and any unit of local government,
4 including a county, city, school administrative unit, or other local entity funded
5 by or through a unit of local government to carry out additional or modified
6 responsibilities;
- 7 (2) An estimate of the amount of any increase or decrease in the costs to the State
8 and units of local government in providing or delivering public services
9 required by federal law that are funded in whole or in part by the State or units
10 of local government; and
- 11 (3) A listing of any other federal actions directly affecting the expenditures or
12 revenues of the State and units of local government."

13 **SECTION 8.** G.S. 120-36.6 reads as rewritten:

14 **"§ 120-36.6. Legislative Fiscal Research staff participation.**

15 The Legislative Services Officer shall designate a member of the Fiscal Research staff, and a
16 member of the ~~General Research~~Legislative Analysis or Bill Drafting staff who may attend all
17 meetings of the Council of State, unless the Council has voted to exclude them from the specific
18 meeting, provided that no final action may be taken while they are so excluded. The Legislative
19 Services Officer and the Director of Fiscal Research shall be notified of all such meetings,
20 hearings and trips in the same manner and at the same time as notice is given to members of the
21 Council. The Legislative Services Officer and the Director of Fiscal Research shall be provided
22 with a copy of all reports, memoranda, and other informational material which are distributed to
23 the members of the Council; these reports, memoranda and materials shall be delivered to the
24 Legislative Services Officer and the Director of Fiscal Research at the same time that they are
25 distributed to the members of the Council."

26 **SECTION 9.** Article 7B of Chapter 120 of the General Statutes reads as rewritten:

27 "Article 7B.

28 "~~Research~~Legislative Analysis Division.

29 **"§ 120-36.8. Certification of legislation required by federal law.**

30 (a) Every bill and resolution introduced in the General Assembly proposing any change in
31 the law which purports to implement federal law or to be required or necessary for compliance
32 with federal law, or on which is conditioned the receipt of federal funds shall have attached to it at
33 the time of its consideration by the General Assembly a certification prepared by the
34 ~~Research~~Legislative Analysis Division, in consultation with the Bill Drafting and Fiscal Research
35 Divisions, identifying the federal law requiring passage of the bill or resolution. The certification
36 shall contain a statement setting forth the reasons why the bill or resolution is required by federal
37 law. If the bill or resolution is not required by federal law or exceeds the requirements of federal
38 law, then the certification shall state the reasons for that opinion. No comment or opinion shall be
39 included in the certification with regard to the merits of the measure for which the certification is
40 prepared. However, technical and mechanical defects may be noted.

41 (b) The sponsor of each bill or resolution to which this section applies shall present a copy
42 of the bill or resolution with the request for certification to the ~~Research~~Legislative Analysis
43 Division. Upon receipt of the request and the copy of the bill or resolution, the ~~Research~~
44 Legislative Analysis Division shall consult with the Bill Drafting and Fiscal Research Divisions,
45 and may consult with the Office of State Budget and Management or any State agency on
46 preparation of the certification as promptly as possible. The ~~Research~~Legislative Analysis
47 Division shall prepare the certification and transmit it to the sponsor within two weeks after the
48 request is made, unless the sponsor agrees to an extension of time.

49 (c) This certification shall be attached to the original of each proposed bill or resolution
50 that is reported favorably by any committee of the General Assembly, but shall be separate from
51 the bill or resolution and shall be clearly designated as a certification. A certification attached to a

1 bill or resolution pursuant to this section is not a part of the bill or resolution and is not an
2 expression of legislative intent proposed by the bill or resolution.

3 (d) If a committee of the General Assembly reports favorably a proposed bill or resolution
4 with an amendment proposing any change in the law which purports to implement federal law or
5 to be required or necessary for compliance with federal law, the chair of the committee shall
6 obtain from the ~~Research~~Legislative Analysis Division and attach to the amended bill or
7 resolution a certification as provided in this section."

8 **SECTION 10.** This act is effective when it becomes law.