A BILL TO BE ENTITLED
AN ACT TO PROVIDE FOR STUDIES BY THE HOUSE OF REPRESENTATIVES AND
THE SENATE, STATUTORY OVERSIGHT COMMITTEES AND COMMISSIONS,
AND OTHER AGENCIES, COMMITTEES, AND COMMISSIONS.
The General Assembly of North Carolina enacts:

PART I. TITLE
SECTION 1.1. This act shall be known as "The Studies Act of 2011."

PART II. LEGISLATIVE RESEARCH COMMISSION
SECTION 2.1. The Legislative Research Commission may study the topics listed
below. When applicable, the bill or resolution that originally proposed the issue or study and
the name of the sponsor are listed. Unless otherwise specified, the listed bill or resolution refers
to the measure introduced in the 2011 General Assembly. The Commission may consider the
original bill or resolution in determining the nature, scope, and aspects of the study.
SECTION 2.2. Uranium Mining (S.J.R. 430 – D. Berger, Jones) – The
Commission may study the impacts on North Carolina were the Virginia General Assembly to
lift the state's current moratorium on uranium mining in Virginia. The Legislative Research
Commission may specifically consider the impacts on the Roanoke River Basin. In its study,
the Commission may consider all of the following:

(1) The potential impacts of a uranium mining operation in Virginia on North
Carolina's economy, including whether any benefits would inure to North
Carolina or would all benefits be confined to Virginia; whether any potential
economic burdens would result for North Carolina's tourism industry, our
other industries, and our property values; and whether any new industries or
development would be reluctant to locate in North Carolina downstream and
downwind of the proposed uranium mining site in Virginia.

(2) The potential impacts of a uranium mining operation in Virginia on North
Carolina's environment: our drinking water supplies, our surface waters, our
groundwater, and our air quality; especially the potential impacts of the
uranium mill tailings and other radioactive material flooding into the
Roanoke River system and polluting Kerr Lake, Lake Gaston, and the
remainder of the lower Roanoke River Basin extending to Albemarle Sound.

(3) The potential impacts of a uranium mining operation in Virginia on North
Carolina's agriculture activities, including farming, forestry, and aquaculture,
and on its commercial fishing industry and on recreational fishing and hunting.

(4) The potential impacts of a uranium mining operation in Virginia on the health, safety, and well-being of North Carolina citizens, especially any health effects associated with the radioactive mill tailings that result from uranium mining.

(5) Any other issues the Commission considers relevant to this topic.

**SECTION 2.3.** State Leased Space (S.B. 612 – Daniel) – The Commission may study space leased by State agencies. Specifically, the Commission may examine at least the following:

(1) The amount, cost, and nature of space currently leased by State agencies.

(2) The procedure by which real property is leased by and allocated among State agencies.

(3) Laws relating to the lease of real property by State agencies.

(4) Whether the current manner of leasing real property is cost-effective and whether or not more cost-effective alternatives are available in certain cases.

(5) Whether or not the current amount of space leased by the State could be reduced by more efficiently utilizing State-owned facilities.

**SECTION 2.4.** North Carolina Alcoholic Beverage Control System (Apodaca) – The Commission may study the following aspects of the current State and local alcoholic beverage control (ABC) in North Carolina:

(1) Whether the involvement in the distribution and sale of spirituous liquor is a core government function of State and local government.

(2) The privatization and divestiture of the ABC system, including potential recurring and nonrecurring revenue from the divestiture of the ABC system's current assets.

(3) A comparison of the North Carolina ABC system with other similarly situated states that have recently privatized or studied the privatization of their ABC systems, including the states of Ohio and Virginia.

(4) The impact that privatizing the wholesale and retail components of the distribution of spirituous liquor would have on:
   a. State and local revenues used for providing core services;
   b. Mental health and substance abuse services;
   c. Underage drinking;
   d. Consumer access to spirituous liquor in both urban and rural areas; and
   e. Product availability.

(5) The potential for phasing out of local governments from the operation of the retail distribution of spirituous liquor.

(6) An analysis of local ABC Boards and local governments that may benefit from divestiture of the ABC system.

(7) A comparison of the current excise taxes and bailment fees applied to spirituous liquor in North Carolina versus other states.

**SECTION 2.5.** North Carolina's Workers' Compensation Act (Goolsby) – The Commission may study issues related to North Carolina's Workers' Compensation Act, including the need for an adjustment of the benefit for permanent injury to an important bodily organ.

**SECTION 2.6.** Mechanics' Lien and Bond Laws (H.B. 489 – Pridgen) – The Commission may study North Carolina's mechanics' lien and bond laws and may make recommendations on ways to modernize and improve those laws.
SECTION 2.7. Records Preservation (S.B. 572 – Davis) – The Commission may study issues related to records preservation standards, procedures, and techniques.

SECTION 2.8. Wind Demonstration Project (S.B. 665 – Hise; H.B. 694 – Frye, Gillespie) – The Commission may study issues relating to the joint development and implementation of a wind demonstration project by and between Appalachian State University and the holder of a permit for a wind energy facility in Mitchell County that has been issued by the Department of Environment and Natural Resources.

SECTION 2.9. Consolidation of Domestic Violence Commission/Council for Women (H.B. 757 – Cook) – The Commission may study the issues involved in consolidating the North Carolina Council for Women and the Domestic Violence Commission into one commission to improve services to victims of domestic violence and sexual assault and services to displaced homemakers. If the Legislative Research Commission determines that consolidating the North Carolina Council for Women and the Domestic Violence Commission into one commission would improve services to domestic violence and sexual assault victims and to displaced homemakers, then the Legislative Research Commission may further consider the composition and duties of the new consolidated commission and the statutory changes necessary to achieve consolidation. In its study, the Legislative Research Commission may consider the matters contained in the First Edition of House Bill 757 of the 2011 Regular Session of the General Assembly, including whether to consolidate funds for domestic violence, sexual assault, and displaced homemakers and authorize the board of county commissioners in each county to use the funds to make quarterly grants to any of the following:

1. A center for victims of domestic violence.
2. A center for victims of sexual assault or rape crisis.
3. A center for displaced homemakers.
4. A center providing any combination of services as described in subdivisions (1) through (3) of this section.


SECTION 2.11. Efficiencies in State Government (Hise) – The Commission may study additional uses of analytics to increase efficiencies across all areas of State government, including performance management; waste, fraud, and abuse; outcome management; and outsourcing.

SECTION 2.12. Relocation of Power Lines (H.B. 749 – McComas) – The Commission may study the cost and feasibility of burying or raising the power lines that currently extend across the Cape Fear River from Progress Energy's Brunswick Nuclear Plant toward Castle Hayne so as to allow oceangoing vessels to travel past the point that the power lines cross the river. In conducting the study, the Commission may consider methods to help Progress Energy move the power lines in a manner that maximizes the use of the Cape Fear River for commerce, including, but not limited to, grants to Progress Energy using the proceeds from the sale of unused State Ports Authority land. In conducting the study, the Commission may compare the costs of moving the power lines to the economic benefit to the State from increased shipping up the Cape Fear River. The costs of the study may be paid by the North Carolina State Ports Authority.

SECTION 2.13. Business Opportunity and Franchise Sales (H.B. 462 – McCormick) – The Commission may study the adequacy of current consumer protections for business opportunity and franchise sales in this State. In conducting the study, the Commission may consider the proposed reforms found in House Bill 2036 of the 2010 Regular Session of the 2009 General Assembly.

SECTION 2.14. Automatic Renewal Credit Card Contracts (H.B. 450 – Starnes) – The Commission may study automatic renewal provisions in contracts that provide credit card
or other payment system processing for merchants. The Commission is authorized to review current practices in the formation of these contracts, determine whether the current practices should be amended by law, and examine any other issue the Commission deems relevant to this study.

SECTION 2.15. County Public-Private Partnerships (H.B. 592 – Collins, Howard, Tolson, Carney) – The Commission may study whether to allow counties to have general authority to enter into public private partnerships and whether to allow counties to provide through a public private partnership a wired or wireless network for the provision of communications services.

SECTION 2.16. Incapacity to Proceed (H.J.R. 612 – Randleman, Hurley) – The Commission may study the adequacy of the involuntary commitment process for a criminal defendant who lacks the capacity to proceed to trial. In its study, the Commission may consider the impact of current law on the limited resources of local law enforcement, hospitals, mental health facilities, and the State’s court system while balancing the rights of the accused, victims, and the safety and the general welfare of the public. The Commission may also consider options for determining whether a defendant is likely to attain the capacity to proceed to trial in the foreseeable future and at what point in the process that determination should be made. The Commission may evaluate the statutory option of taking dismissals in these types of cases for defendants who are charged with nonviolent crimes and for defendants who are charged with violent crimes, how often that option is used, and at what point and under what circumstances that option should be used. In addition, the Commission may consider all of the following: issues related to transportation, including the frequency, distance, and cost associated with the required psychiatric evaluations; duration of involuntary commitment for defendants found incapable of proceeding to trial pursuant to Article 56 of Chapter 15A of the General Statutes and involuntarily committed pursuant to Part 7 of Article 5 of Chapter 122C of the General Statutes; and any other issues the Commission considers relevant to this topic.

SECTION 2.17. Inmate Labor (H.J.R. 728 – Bordsen) – The Commission may study the feasibility of using inmate labor to rehabilitate unused State owned buildings and to salvage historical properties that have fallen into disrepair. As part of the study, the Commission may develop an inventory of eligible facilities for rehabilitation and those buildings plotted on a State map. The Commission may look at issues, including, but not limited to, the State purposes to be served by such expanded use of inmate labor, the value to inmate reentry when sentences are complete, the means by which inmates can qualify for such work, the logistics of using inmate labor for such projects, the role of the Community College System in training inmates for such projects, and the skills that can be taught and utilized and their overall usefulness to former inmates after the Department of Correction supervision ends. The Commission may also consider whether such expanded use of inmate labor should have a 10 year sunset for purposes of reviewing the State benefit and the state of the economy at that time.

SECTION 2.18. Duties of the Human Relations Commission and the Civil Rights Division of the Office of Administrative Hearings (H.J.R. 745 – Floyd) – The Commission may study the duties and services of the North Carolina Human Relations Commission and the Civil Rights Division of the Office of Administrative Hearings to determine whether there is unnecessary overlap and duplication of services.

SECTION 2.19. Methamphetamine Labs (H.J.R. 835 – Horn; H.B. 825 – Glazier, Floyd, Carney, Weiss) – The Commission may study the proliferation of meth labs in this State and the dangers and hazards posed by meth labs to the safety and health of children who are exposed to the manufacture of methamphetamine in those labs. In its study, the Commission may consider causes for the increase in meth labs, how people are getting around the legislation enacted in recent years restricting the sale of pseudoephedrine, the manufacturing methods currently used to make methamphetamine, and the many situations and circumstances in which
a child's health and safety is threatened by the child's proximity to the lab or association with
individuals manufacturing methamphetamine.

SECTION 2.20. Protection of Masonboro Island (H.B. 901 – McComas) – The
Commission may study the protection of Masonboro Island, an undeveloped barrier island
owned by the State and located off the coast of North Carolina between Wrightsville and
Carolina Beaches, in order to assure that the ecological systems of the island are maintained
and preserved and to assure that the public retains access to the island. In conducting its study,
the Commission may do all of the following:

(1) Determine what protections Masonboro Island currently receives with
respect to its ecological systems and access to it by the public as an area that
is included in the Coastal Reserve Program under Part 5 of Article 7 of
Chapter 113A of the General Statutes.
(2) Determine the current and appropriate roles of the Division of Coastal
Management of the Department of Environment and Natural Resources, the
Coastal Resources Commission, and New Hanover County regarding these
protections of Masonboro Island under subdivision (1) of this section.
(3) Consider what administrative rules and local government rules apply to the
external protection of Masonboro Island or to its use by the public.
(4) Consider the specific changes to the rules under subdivision (3) of this
section that are being considered or discussed by the Department of
Environment and Natural Resources, the Coastal Resources Commission, or
New Hanover County that could result in limiting public access to
Masonboro Island or closing Masonboro Island to the public completely,
what specific incidents and the location of these incidents that prompted
such possible rule changes, and the costs to the Department, the Coastal
Resources Commission, New Hanover County, and the public of adopting
such possible rule changes.
(5) Determine how to balance the interests of protecting the ecology of
Masonboro Island and making Masonboro Island available to citizens who
enjoy its natural beauty and wish to participate in the protection of the sea
turtles and other native species from natural predators.
(6) Consider whether Part 5 of Article 7 of Chapter 113A of the General
Statutes or any administrative rules adopted pursuant to Part 5 should be
amended to achieve the appropriate balance of interests as determined under
subdivision (5) of this section.
(7) Consider whether adding Masonboro Island to the State Parks System would
result in achieving the appropriate balance of interests as determined under
subdivision (5) of this section.
(8) Any other issue the Commission considers relevant to its study.

SECTION 2.21. Third-Party Sale of Electricity (H.B. 906 – Samuelson, Avila) –
The Commission may study the feasibility and the desirability of authorizing sales of electricity
by any third party that owns or operates the equipment of a renewable energy facility with two
megawatts or less capacity when the renewable energy facility is located on a customer's
property. This study may focus on the obstacles that currently prevent these third party sales of
electricity from renewable energy resources and the possible solutions that address these
obstacles. One major obstacle the Commission may consider is whether the third party that
owns or operates the equipment of a renewable energy facility is subject to being regulated as a
public utility under Chapter 62 of the General Statutes unless legislation is enacted to exclude
the third party owner or operator of the onsite generating equipment from such regulation. In its
study, the Commission may consider all of the following issues:
Whether these third party sales of electricity have the potential to substantially assist North Carolina in gaining greater energy security and energy independence through the use of indigenous resources available within the State.

Whether these third party sales of electricity have the potential to sufficiently address on peak demand loads to result in lowering costs for utility customers and avoiding the need to build additional generating facilities.

Whether the development of renewable energy in the State through third party sales of electricity is likely to encourage private investment in new small scale generating facilities, thereby creating new property tax bases and creating new energy related jobs throughout the State.

Whether these third party sales of electricity would promote the development of renewable energy in North Carolina by allowing competition in markets that heretofore have been closed to competition and served exclusively by an energy supplier assigned to serve such market.

Any other issue the Commission considers relevant to its study.

SECTION 2.22. Metropolitan Sewerage/Water System (H.B. 925 – Moffitt) – The Commission may study whether requiring large cities that have a municipal water system and that are located entirely within a Metropolitan Sewerage District to convey that water system to the district will improve the efficiency of providing public services. The Commission may specifically examine House Bill 925, First Edition, 2011 Regular Session, and the following issues:

(1) Financial stability of the current independent systems on a historic basis and the anticipated financial stability of a combined system.

(2) Cost benefit analysis of a combined system, including a review of assets and liabilities; personnel needs; equipment and infrastructure replacement schedules; facilities leased and owned; and fee schedules.

(3) Debt obligation.

(4) Taxpayer investments in the systems.

(5) Audit of current financials.

(6) Comparative analysis of the current system to existing public and private systems.

(7) Conservation and water efficiency practices.

(8) Best management practices.

(9) The disposition of property in Article 12 of Chapter 160A of the General Statutes as it relates to a conveyance of a water system.

(10) The transfer of permits when a water system is conveyed.

(11) Any local acts applicable to the city or metropolitan sewerage district.

(12) Other items the Commission deems relevant to the study.


SECTION 2.24. Establishing a Property Owners Protection Act (H.B. 652 – Moffitt, Brubaker, Brawley, McComas) – The Commission may study the establishment of a property owners protection act that would favor the free use of land. In conducting the study, the Commission may examine the award of attorneys' fees incurred by a property owner in an action challenging land-use regulations and prohibiting the enforcement of penalties against a property owner for an act not actually committed by the property owner. As a part of its study,
the Commission may review the issues raised by the First Edition of House Bill 652, 2011 Regular Session.

SECTION 2.25. Designating the Director of the Administrative Office of the Courts as a Custodian of Court Records and Making Court Records Public Records and Available to Third Parties Upon Request and Payment of Reproduction Costs (H.B. 859 – Boles; S.B. 577 – Hartsell) – The Commission may study the issue of making the Director of the Administrative Office of the Courts a custodian of court records for public records purposes and making court records public records and available to third parties upon request and payment of the reproduction costs. As a part of its study, the Commission may review the issues raised by the First Editions of House Bill 859/Senate Bill 577, 2011 Regular Session.

SECTION 2.26. Deeds of Trust Given to Manufactured Home Retailers or Residential Building Contractors (Stam, Collins) – The Commission may study whether a deed of trust given by an individual to a manufactured home retailer or residential building contractor to secure the individual's contractual obligation to purchase a residence is a "residential mortgage loan" requiring the retailer or contractor to be licensed as a mortgage lender or mortgage loan originator under the NC SAFE Act.


SECTION 2.28. Ignition Interlock Requirement for First-Time DWI Offenders (H.B. 591 – Ingle, Faircloth, Stevens) – The Commission may study issues associated with authorizing a limited driving privilege with an ignition interlock requirement for first-time DWI offenders with a refusal revocation and may study the proposed law change found in the First and Second Editions of House Bill 591 of the 2011 Regular Session.

SECTION 2.29. Admission Ticket Reform (H.B. 308 – LaRoque, Guice, Tolson, and Glazier) – The Commission may study reforming the process of ticketing, selling, and reselling admission tickets, including the proposed statutory changes found in the First Edition of House Bill 308 of the 2011 Regular Session.

SECTION 2.30. Health Plan Benefit Co-Payments for Chiropractic Services (H.B. 496 – T. Moore, McLawhorn) – The Commission may study health plan benefit co-payments for chiropractic services and may study the proposed statutory changes found in the First Edition of House Bill 496 of the 2011 Regular Session.

SECTION 2.31. Dentistry Management Arrangement Limits (H.B. 698 – Dockham, T. Moore, Gillespie; S.B. 655 – Pate, Allran) – The Commission may study dentistry management arrangement limits and may study the proposed statutory changes found in the First Edition of House Bill 698 of the 2011 Regular Session.

SECTION 2.32. Legal Services Offered by Nonprofit Corporations (H.B. 714 – Torbett; S.B. 706 – Tucker) – The Commission may study the benefits to business, trade, and agricultural association members that legal advice provided by the association would provide, how current North Carolina State Bar rules would apply to attorneys employed by and providing member legal services for these associations, disclosure requirements that may be needed for members, whether other states allow nonprofits to offer legal services, and the rate of compliance with the Rules of Professional Conduct in association practice as compared to law firms.

SECTION 2.33. Make Manufacture of Any Article or Product While Using Stolen or Misappropriated Information Technology an Unfair Act (H.B. 672 – Steen, T. Moore, Wilkins) – The Commission may study making the manufacture of any article or product while using stolen or misappropriated information technology an unfair act. The Commission may examine the following:

(1) The use of unfair practice laws.
The use of stolen information technology by businesses that offer products for sale in the State of North Carolina.

The effects on law-abiding businesses forced to compete with such companies.

The proposed statutory changes found in the First Edition of House Bill 672 of the 2011 Regular Session.

**SECTION 2.34.** Organization and Administration of the North Carolina Department of Justice (Daughtry, Hager) – The Commission may study the organization and administration of the North Carolina Department of Justice.

**SECTION 2.35.** Elections Issues (Lewis) – The Commission may study issues concerning elections, including the election laws of the State and the administration of those laws.

**SECTION 2.36.** Judicial Appointments (Rhyne, Daughtry, Stam, Murry) – The Commission may study issues concerning judicial appointment, election, selection, and retention.

**SECTION 2.37.** Underground Damage Prevention – The Commission may review the effectiveness of current provisions in Article 8 of Chapter 87 of the North Carolina General Statutes in preventing third-party damage to underground utility facilities. Upon completion of the review, the Commission may recommend statutory changes to make Article 8 of Chapter 87 of the General Statutes more effective, addressing the following:

1. Improved definitions for greater clarity.
2. Clear assignment of responsibility for enforcement.
3. Effective financial penalties to discourage noncompliance.
4. Mandatory membership in 811 "One Call" for all utility operators of underground facilities.
5. Eliminating or minimizing exemptions in the statute.
6. Implementing a 360 degree Positive Response System to improve communications regarding underground facility locate requests.
7. Maintaining an appropriate "tolerance zone" for use of mechanized and nonmechanized equipment in excavations around existing facilities.
8. Clearly defining scope of facilities covered by a single locate ticket, such as length and maximum number of customer service connections.
9. Clearly defining response times and period of effectiveness for locate requests.
10. Limiting local ordinances that purport to preempt provisions of Article 8 of Chapter 87 of the General Statutes.
11. Requiring that all underground facilities installed after a specific date be locatable by electronic means.
12. Implementing a statewide damage prevention training program for underground facility operators and excavators.
14. Consistency with recently adopted underground damage prevention legislation in South Carolina.

**SECTION 2.38.** Legacy Costs (Folwell) – The Commission may study the long-term effects of legacy costs to the State from, for example, pensions, the State Health Plan, and the Employment Security Commission.

**SECTION 2.39.** Certificate of Need Process and Related Hospital Issues (H.B. 743 – Steen, Current, Glazier, Torbett; H.B. 812 – Torbett) – The Commission may study the law and process for issuing a Certificate of Need (CON) for new construction, expansion, or renovation of health care facilities and related issues involving hospital expansion. The
Commission may specifically examine House Bill 743, First Edition, 2011 Regular Session; House Bill 812, First Edition, 2011 Regular Session; and the following:

1. The legal requirements and process governing Department of Health and Human Services determinations on applications for CON, including an analysis of exceptions granted under policy AC-3 of the State Medical Facilities Plan as implemented by the Department of Health and Human Services.

2. Issues relating to publicly owned hospitals, including determining the appropriate role of State-owned hospitals and the appropriate manner for public hospital authorities created under G.S. 131E-17 to operate beyond the boundaries of the local government that created the authority.

3. Whether a hospital operating under a Certificate of Public Advantage should be required to comply with the same rules, policies, and limitations to each county in which it operates.

4. The extent to which a publicly owned hospital should engage in business with an entity having a Certificate of Public Advantage or operating under an exemption under the CON laws of the State.

5. Any other matter reasonably related to subdivisions (1) through (4) of this section, in the discretion of the Commission.

SECTION 2.40. E-Procurement System (Barnhart) – The Commission may study the costs and effectiveness of the State’s e-procurement system.

SECTION 2.41. Locksmith Licensing Act (H.B. 889 – Collins) – The Commission may study the potential changes to the Locksmith Licensing Act, including the proposed statutory changes found in House Bill 889, First Edition, 2011 Regular Session.

SECTION 2.42. Homeowners Association Foreclosures (H.B. 183 – R. Moore, Bryant, Hamilton, Gill) – The Committee may study the issue of foreclosure of property by homeowners associations for unpaid assessments liens based on unpaid homeowners association dues or related fees and charges. The Committee may examine alternatives to homeowners association assessment lien foreclosure as a part of its study. The Committee may also study issues related to foreclosure of property based on liens for homeowners association assessments, fees, and charges.

PART III. JOINT LEGISLATIVE HEALTH AND HUMAN SERVICES OVERSIGHT COMMITTEE

SECTION 3.1. The Joint Legislative Health and Human Services Oversight Committee may study the topics listed in this Part and report its findings, together with any recommended legislation, to the 2012 Regular Session of the 2011 General Assembly upon its convening.

SECTION 3.2. Tanning Beds and Adolescents (Forrester, Pate, Tucker) – The Committee may study the health impacts of tanning beds specifically as it relates to adolescents. In conducting the study, the Committee may:

1. Include the testimony and participation of owners, manufacturers, and operators of tanning salons in all of the Committee's discussions and deliberations that concern tanning beds.

2. Request that the State Health Director review the scientific literature concerning tanning beds and skin cancer as well as the scientific research concerning the effectiveness of regulation and other strategies to prevent adolescents from using tanning beds.

3. Request that the State Health Director summarize his findings in subdivision (2) of this section in testimony before the Committee.
(4) Review the availability and safety of tanning products available as alternatives to tanning beds for adolescents.

(5) Review other states' regulations regarding tanning beds and their effectiveness in educating parents and their impact on the use of tanning beds by adolescents.

(6) Consider the economic impact of current and potential regulation of tanning beds.

(7) Other issues the Committee deems relevant.

SECTION 3.3. In-Home and Community-Based Mental Health Services for Youth (Hartsell) – The Committee may study the development and implementation of a demonstration program for mental health providers providing in-home and community-based services to youth up to age 20 under the State Medicaid program, the purpose of which is to establish reimbursement and regulatory flexibility for providers that demonstrate beneficial outcomes for Medicaid recipients served.

SECTION 3.4. Radiologist Assistant Licensure (H.B. 878 – Wainwright; S.B. 672 – Purcell) – The Committee may do the following:

(1) Determine the number of individuals who may qualify for licensure as radiologist assistants who perform medical imaging examinations and procedures for patients in this State.

(2) Determine the need for the licensure and regulation of radiologist assistants who perform medical imaging examinations and procedures to protect the citizens of North Carolina from unnecessary radiation and improper medical care related to medical imaging procedures.

(3) Determine appropriate levels of supervision and practice parameters for the radiologist assistant.

(4) Develop cost estimates for the establishment of a committee of the North Carolina Medical Board that will develop rules and issue licenses to radiologist assistants.

(5) Develop draft legislation to present to the 2012 Regular Session of the 2011 General Assembly.

(6) Consider any other matters the Committee finds relevant to its charge.

PART IV. JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE

SECTION 4.1. The Joint Legislative Transportation Oversight Committee may study the topics listed in this Part and report its findings, together with any recommended legislation, to the 2012 Regular Session of the 2011 General Assembly upon its convening.

SECTION 4.2. Liquid Salt Brine for Snow Removal (Hise) – The Committee may study the impact, including damage to automobiles, cost, and effectiveness, of using the liquid salt brine and salt types for inclement weather snow removal in Western North Carolina.

SECTION 4.3. Retitling of Manufactured Homes Removed from Property (Goolsby) – The Committee may study ways to clarify the retitling of a manufactured home that is removed from real property after the original title has been cancelled.

SECTION 4.4. Moped Registration and Liability Insurance (H.B. 389 – Committee on Rules, Calendar, and Operations of the House) – The Committee shall study the need for a moped registration program. If the Committee finds that requiring motor vehicle registration for mopeds is a desirable public policy, then it should recommend the method of registering mopeds, the process for identifying the mopeds to be registered, the administrative agency responsible for registering mopeds, the need for financial responsibility for operation and registration, the need for safety and emissions inspections, and any other issues that relate to the administration of the moped registration, inspection, and insurance process.
SECTION 4.5. Federal and Local Funding for Local Mass Transit – The Committee may study issues related to the utilization of federal and local funding sources for local mass transit projects and the elimination of State funding for such projects.

SECTION 4.6. Passenger Rail Fare Subsidy (H.B. 865 – Steen) – The Committee may study whether to eliminate the passenger rail fare subsidy. In its study, the Committee may study the proposed changes found in the First Edition of House Bill 865 of the 2011 Regular Session.

SECTION 4.7. Life Cycle Cost Analysis (Murry) – The Committee shall study when the Department of Transportation shall implement revised policies on life cycle cost analysis, including material cost indexing, open bidding for alternative pavement designs for all TIP projects that exceed five hundred thousand dollars ($500,000) in pavement costs, and the 30-year design periods and 45-year analysis periods based upon actual historic schedules and costs.

PART V. JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE

SECTION 5.1. The Joint Legislative Education Oversight Committee may study the topics listed in this Part and report its findings, together with any recommended legislation, to the 2012 Regular Session of the 2011 General Assembly upon its convening.

SECTION 5.2. Education Reform in North Carolina – (Tillman, Preston, Soucek) – It is the intent of the General Assembly that the children of North Carolina are ready to succeed when they start school, learn the appropriate foundational education in the early grades, are prepared for a career or higher education upon graduation, and have job and learning skills appropriate to the global economy. To implement this, the Joint Legislative Education Oversight Committee shall study the following and report to the 2012 Regular Session of the 2011 General Assembly with a comprehensive plan, including implementation dates and schedules, to accomplish this vision:

(1) Elementary and secondary education. – It is a priority of the General Assembly that, by the end of third grade, North Carolina children receive a foundational education in reading and mathematics upon which to build future educational achievement. Further, it is a priority that children in all grades receive quality education from high-quality teachers that are ready and able to teach and that children are promoted in an educationally appropriate manner. To that end, the Committee shall study the following:


b. Teacher pay and its relationship with student performance, including the following:
   1. Salary supplements for employees with master's degrees and national board certification, and their relationship with student performance.

c. Strategies for reducing teacher paperwork to assist teachers in spending more time with students.

d. Kindergarten as a transition year between pre-K and elementary education, including the following:
   1. Kindergarten specific class size ratios.
   2. Effectiveness of teacher assistants.

e. Reducing teacher-student ratio to 1:15 in first through third grades and its relationship with student performance.

f. Specific reasons why students drop out and reasons why at-risk students decide to stay in school. In studying this, the Committee
shall review dropout prevention programs implemented across the
State to determine the effectiveness of different approaches.

- g. The effectiveness of various diagnostic tools in improving student
  performance.

- h. District size and its relationship with student performance and school
  finance.

- i. State funding formulas. In its examination and review, the
  Committee shall determine which funding formulas maximize
  district flexibility and parental choice.

- j. Course offerings, including the existence of duplicative courses of
  study in public and private secondary and postsecondary institutions
  in each local school administrative unit or county.

- k. Alternative course delivery methods, including virtual schools and
  off-site courses.

- l. Strategies to reduce the number of students that receive special
  education accommodations under the federal Individuals with
  Disabilities Education Act and its implementing regulations.

- m. The advisability, costs, and barriers to increasing public access to
  value-added assessments such as the Education Value Added
  Assessment System and local school administrative unit financial
  information.

- n. School and district accreditation and its relationship with student
  performance.

- o. The advisability, costs, and barriers to adding additional information
  to State Public School Report Cards, including productivity
  measures, compensation of personnel, and value-added scores.

- p. The amount of school district resources used for advocacy, including
  funds paid to organizations that employ lobbyists and government
  relations personnel.

- q. The advisability, costs, potential savings, and barriers to privatization
  of local school administrative unit services, including food service,
  transportation, cleaning, landscaping, and resource officers.

- r. Strategies for measuring and strengthening academic achievement in
  middle schools.

(2) Transition from high school. – It is a priority of the General Assembly that
high school graduates enter the workforce or higher education fully
prepared. To that end, the Committee shall study the following:

- a. Ways to reduce the need for remedial or developmental education in
  the State's higher education institutions so that students and the State
  do not pay repeatedly for the same education, including the
  following:

  1. Ensuring clear, rigorous secondary school standards, such as
     using college assessment tests in high school, including
     reviewing models in Florida and California, and using college
     assessment tests as entrance requirements for universities.

  2. Ways to hold high schools accountable for the higher
     education performance of their students, including requiring
     funding for developmental education to come from high
     schools.

  3. The most cost-effective way to provide remedial education in
     higher education, including funding summer term
developmental courses at community colleges based on successful course completions, focusing remediation at the community colleges, and redirecting university appropriations for remedial education to the community colleges.

b. The most efficient and effective way to provide opportunities for high school students to access higher education, including the following:

1. Models of specific instructional pathways to higher education, including the following:
   I. A Career Technical Education Pathway (CTE), leading to a certificate or diploma aligned with one or more high school Tech Prep Career Clusters.
   II. A College Transfer Pathway leading to a college transfer certificate requiring successful completion of eight college transfer courses, including English and Mathematics.
   III. A school-specific pathway, including Learn and Earn schools, the iSchool of the University of North Carolina at Greensboro, and other Cooperative and Innovative High Schools approved under Part 9 of Article 16 of Chapter 115C of the General Statutes.
   IV. Other pathways, including the Governor's Proposed Career and College Promise Program.

2. Revising statutes for high school students in higher education.

Higher education. – It is a priority of the General Assembly that the State's higher education system produce college graduates in the most efficient and effective manner possible, to improve productivity and public accountability for performance in postsecondary education, and ultimately to increase the educational level and earning potential of the State. To that end, the Committee shall study the following:

a. A revised set of accountability measures and performance standards by which to evaluate and measure student progress and student success in the North Carolina Community College System, as described in Section 8.14 of this act, including how to incorporate these measures into formula funding.

b. Ways to increase transparency in the university system's spending and revenues.

c. Other states' performance funding systems, including efforts in Ohio, Florida, and Washington.

d. Ways to increase college graduation rates by funding based on performance.

e. The impact of directing more students to the community colleges for their freshman and sophomore years of a four-year degree, including requiring a certificate of transfer from the North Carolina Community College System before transferring to The University of North Carolina System.

f. Faculty class loads at the constituent institutions of the North Carolina Community College System and The University of North Carolina.

In all cases, any program implemented needs to be structured so that ongoing, evaluable performance and outcome data is available.
SECTION 5.3. Lowering the Maximum Age of Initial Enrollment in Public Schools (H.J.R. 456 – Fisher, Cotham, Gill, Keever) – The Committee shall study whether the maximum initial age for enrollment in the public schools shall be lowered from age seven to age six.

SECTION 5.4. Home Schooled Students' Participation in Interscholastic Athletics (H.B. 253 – Dixon, Cleveland) – The Committee may study the participation of home schooled students in interscholastic athletics, including the proposed statutory changes found in the First Edition of House Bill 253 of the 2011 Regular Session.

SECTION 5.5. Public School Issues (T. Moore) – The Committee may study the following issues:

(1) Specific reasons why students drop out and reasons why at-risk students decide to stay in school. In studying this, the Committee may review dropout prevention programs implemented across the State to determine the effectiveness of different approaches.

(2) The effectiveness of various diagnostic tools in improving student performance.

(3) Size of local school administrative units and its relationship with student performance and school finance.

(4) State funding formulas. In its examination and review, the Committee may determine which funding formulas maximize district flexibility and parental choice.

(5) Course offerings, including the existence of duplicative courses in study in public and private secondary and postsecondary institutions in each local school administrative unit or county.

(6) Alternative course delivery methods, including virtual schools and off-site courses.

(7) Strategies to reduce the number of students that receive special education accommodations under the federal Individuals with Disabilities Education Act and its implementing regulations.

(8) The advisability, costs, and barriers to increasing public access to value-added assessments such as the Education Value Added Assessment System and local school administrative unit financial information.

(9) School and local school administrative unit accreditation and its relationship with student performance.

(10) The advisability, costs, and barriers to adding additional information to State Public School Report Cards, including productivity measures, compensation of personnel, and value-added scores.

(11) The amount of local school administrative unit resources used for advocacy, including funds paid to organizations that employ lobbyists and government relations personnel.

(12) The advisability, costs, potential savings, and barriers to privatization of local school administrative unit services, including food service, transportation, cleaning, landscaping, and resource officers.

(13) Strategies for measuring and strengthening academic achievement in middle schools.

SECTION 5.6. Increased Use of Advanced Placement (Holloway) – The Committee shall study the impact of the increased use of Advanced Placement (AP) on college enrollment and college retention.

SECTION 5.7. Effect of Student Mobility on Academic Performance in Urban School Districts (Folwell) – The Committee may study the effect of student mobility on academic performance in urban school districts.
SECTION 5.8. Bill of Rights for Children Who Are Deaf or Hearing Impaired
(H.B. 625 – Blackwell, Farmer-Butterfield) – The Committee shall study and develop a bill of
rights for children who are deaf or hearing impaired. In developing the bill of rights, the
Committee shall consider requirements for Individual Education Programs for children who are
deaf or hearing impaired, related services and program options for communication access, the
continuum of alternative educational placements available, the availability of appropriate,
direct, and ongoing language access to teachers of the deaf or hearing impaired, and other
matters that the Committee determines are relevant to the study.

PART VI. ENVIRONMENTAL REVIEW COMMISSION

SECTION 6.1. The Environmental Review Commission may study the topics
listed in this Part and report its findings, together with any recommended legislation, to the
2012 Regular Session of the 2011 General Assembly upon its convening.

SECTION 6.2. Consolidated Environmental Commission (S.B. 428 – Clodfelter) –
The Commission shall study the desirability and the feasibility of consolidating the State's
environmental policy-making, rule-making, and quasi-judicial functions into one
comprehensive full-time environmental commission, perhaps to be modeled after the North
Carolina Utilities Commission. As part of this study, the Environmental Review Commission
shall evaluate all issues that pertain to a consolidation of the roles and duties that the current
multiple environmental boards, commissions, and councils have. The Environmental Review
Commission shall also consider any one or more of the following issues:

(1) Whether a consolidated environmental commission should have its own
full-time staff.
(2) Whether a consolidated environmental commission would enhance the
efficiency, objectivity, or fairness of environmental policy-making and
regulation in North Carolina or reduce any unnecessary duplication.
(3) How a consolidated environmental commission would access the scientific
expertise it would need to address the broad range of environmental subjects
under its purview.
(4) What should be the number of commissioners to serve on such a
commission, their qualifications, and their term length; how such
commissioners should be appointed; and what should be the commission's
duties.
(5) How such a commission and its staff would be funded.
(6) What is a reasonable timetable for creating and phasing in such a
commission.
(7) Any other issues the Environmental Review Commission deems pertinent to
its charge under this act.

SECTION 6.3.(a) Water and Sewer Service Providers (S.B. 564 – Clodfelter; H.B.
708 – Hamilton, Keever, R. Moore) – The Commission shall study the statutory models for
establishing, operating, and financing certain organizations that provide water and sewer
services in the State. The Commission shall specifically consider the statutory models for the
following:

(1) Sanitary Districts (Part 2 of Article 2 of Chapter 130A of the General
Statutes).
(2) Water and Sewer Authorities (Article 1 of Chapter 162A of the General
Statutes).
(3) Metropolitan Water Districts (Article 4 of Chapter 162A of the General
Statutes).
(4) Metropolitan Sewerage Districts (Article 5 of Chapter 162A of the General
Statutes).
(5) County Water and Sewer Districts (Article 6 of Chapter 162A of the General Statutes).

(6) Any other similar organizations that provide water or sewer services in the State.

SECTION 6.3.(b) The Commission shall determine whether, how, and to what extent the number of statutory models should be reduced and consolidated. In making these determinations, the Commission shall consider and address any impacts such reduction and consolidation would have on the ongoing operations and financing of existing organizations for the provision of water and sewer services.

SECTION 6.4. Cleanup of Industrial Properties (H.B. 45 – Gillespie, Cook, Gibson) – The Commission, with the assistance of the Department of Environment and Natural Resources, shall study the cost of assessing and remediating inactive hazardous substance or waste disposal sites for which there is no financially viable responsible party. The Commission shall also identify potential sources of funds to address the projected need for assessment and remediation.


SECTION 6.6. Allocation of Surface Water Resources (Samuelson) – The Commission, with the assistance of the Department of Environment and Natural Resources and the Department of Commerce, may study the allocation of surface water resources and their availability and maintenance in the State, including the relationship between sufficient, reliable water supply resources and economic development. In the conduct of this study, the Environmental Review Commission may employ independent consultants as provided in G.S. 120-32.02 and G.S. 120-70.44.

PART VII. REVENUE LAWS STUDY COMMITTEE

SECTION 7.1. The Revenue Laws Study Committee may study the topics listed in this Part and report its findings, together with any recommended legislation, to the 2012 Regular Session of the 2011 General Assembly upon its convening.

SECTION 7.2. Exemptions of Pallets for Agricultural Use (Jackson) – The Committee may study matters related to the exemption of pallets for agricultural use from the sales tax.

SECTION 7.3.(a) Incentives for "Development Ready" Sites (H.B. 628 – Jeffus, Faircloth; S.B. 545 – Vaughan, Brunstetter) – The Committee may study the issue of enacting incentives, similar to tools for farmland preservation, brownfields redevelopment, historic preservation, and land conservation, to stimulate the creation of "development ready" sites. The study may include (i) discussion of property tax relief that maintains tax assessment values at agricultural value for "development ready" sites where horizontal infrastructure has been put in place so as to make a site ready for building design and (ii) discussion of income tax deductions or income tax credits for land preservation through land banking, purchase of options, or purchase of development rights; redevelopment of obsolete industrial buildings or areas; rezoning to appropriate zoning classifications; and infrastructure improvements to make sites "development ready."

SECTION 7.3.(b) In conducting the study, the Revenue Laws Study Committee cochairs are authorized to appoint an advisory subcommittee and to ask the Local Government Commission to designate an individual to participate in the subcommittee's deliberations in an ex officio, nonvoting capacity. The subcommittee may consist of no more than 18 members and may include no less than five members of the House of Representatives appointed by the Speaker of the House of Representatives, no less than five members of the Senate appointed by
the President Pro Tempore of the Senate, and individuals who are not members of the Committee or of the General Assembly, eight of whom represent the following interests:

(1) Piedmont Triad Partnership.
(2) North Carolina Economic Developers Association.
(3) Triad Real Estate & Building Industry Coalition.
(4) North Carolina Association of REALTORS.
(5) NAIOP.
(6) North Carolina Association of County Commissioners.

SECTION 7.4. Property Tax Valuation Process (H.B. 796 – Moffitt) – The Committee may study the process of property valuation for the property tax purposes. The study may include the current exemptions and deferral programs that affect property tax liability, the use of true value as a standard for valuation, current bases for altering a determined property tax value, and differences that exist or are permitted to exist between county procedures that affect property taxation. The Committee cochairs are authorized to appoint an advisory subcommittee and to ask the Local Government Commission to designate an individual to participate in the subcommittee’s deliberations in an ex officio, nonvoting capacity. The subcommittee may consist of no more than 10 members and may include no more than four individuals who are not members of the Committee or of the General Assembly.

SECTION 7.5. Click-Through Provision and a Remote Retailer’s Obligation to Collect Sales Tax Based on Affiliate Contracts with North Carolina Residents (H.B. 867 – Starnes) – The Committee may study the click-through provision and a remote retailer’s obligation to collect sales tax based on affiliate contracts with North Carolina residents.

SECTION 7.6. Allowing Individuals to Make Donations to the State of North Carolina for Governmental Services on the Income Tax Return (H.B. 877 – Stevens) – The Committee may study the issue of allowing individuals to make elections to donate all or part of their refund to the State of North Carolina for governmental services on their income tax return. As part of its study, the Committee may consider any governmental services selected by the Committee and governmental services provided by the following: the Department of Cultural Resources, the Department of Health and Human Services, the Department of Public Instruction, the Department of Public Safety, the General Fund of the State of North Carolina, and The University of North Carolina.

SECTION 7.7. Tax Amnesty Program (H.B. 830 – Moffitt) – The Committee may study the creation of a tax amnesty period for taxpayers with overdue tax debts and may study the proposed law found in the First Edition of House Bill 830 of the 2011 Regular Session.

SECTION 7.8. Study Food and Lodging Fees (McComas) – The Committee shall study the administration and financing of the State’s food, lodging, and institution sanitation programs and rules. The study must include both of the following:

(1) The fee amount necessary to cover the cost of the State program and the actual operating costs of the local health departments.
(2) The most efficient manner to set, collect, and remit the fee between the State and local health departments.

SECTION 7.9. Tax Modernization (H.B. 248 – Rhyne) – The Committee may do the following:

(1) Review the existing State tax code to determine whether the existing tax system will be sufficient to keep pace with the operating and infrastructure needs of an effective and efficient public sector.
(2) Examine current income tax rates to determine whether the rate is negatively impacting our competitive position.
(3) Examine the tax bases to determine whether these bases should be broadened, allowing for a revenue-neutral modernization that produces more stable revenues during times of economic hardship.

(4) Evaluate the State's current system of economic incentives to ensure that each economic incentive in the State's current portfolio is providing a good return on investment and is effectively recruiting high-value jobs to the State.

(5) Study and recommend a permanent financing strategy considering the foregoing goals and the realities of the present-day economy.

SECTION 7.10. Tax Reform (H.B. 902 – Jones, Collins, Murry, Folwell) – The Committee may study the State tax system and may identify potential methods of eliminating the State income tax while enacting other taxes and tax systems that fairly distribute the tax burden and generate sufficient revenue to continue to pay for supplying vital services to the residents of North Carolina.

PART VIII. JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON JUSTICE AND PUBLIC SAFETY

SECTION 8.1. The Joint Legislative Oversight Committee on Justice and Public Safety may study the topics listed in this Part and report its findings, together with any recommended legislation, to the 2012 Regular Session of the 2011 General Assembly upon its convening.

SECTION 8.2. Expunction Statutes (H.B. 273 – Bryant, Guice, Pierce; S.B. 218 – Hartsell, Dannelly, Jones) – The Committee may review current expunction statutes relating to dismissals and findings of not guilty and make recommendations for expunction procedures so that these types of judicial outcomes are not unfairly prejudicial.

SECTION 8.3. The Committee may study issues related to reintegration of offenders following incarceration. Specifically, the Committee may study how North Carolina and other states address barriers facing ex-offenders in accessing jobs, housing, education, training, and services and determine best practices that reduce recidivism. In connection with this study, the Committee may consider and report on all of the following:

(1) The definition, accuracy, sale, and regulation of criminal records.

(2) Systemic and legal barriers to employment, housing, education, training, and services.

(3) The availability and coordination of needed services and programs for successful reentry.

(4) Best practices for reducing recidivism.

(5) Transitional services for ex-offenders with high and complex needs.

(6) Use and expansion of drug and mental health courts to divert from prison people who need treatment.

(7) A comprehensive review of the collateral consequences for conviction of criminal offenses, and where appropriate, the clarity, consistency, and reduction of such consequences along with notice to offenders and court officials of these consequences.

(8) The capacity, effectiveness, and replicability of statewide and community-based programs to meet the risks and needs of both the supervised and unsupervised population returning from prison.

(9) Status of recommendations from the StreetSafe Task Force, Justice Reinvestment Project, and the Joint Select Committee on Ex-Offender Reintegration Into Society that was established January 22, 2010.

(10) Best practices to address and reduce the disproportionate representation of people of color in the offender population.
SECTION 8.4. Pretrial Release (East) – The Committee may study methods for achieving increased efficiencies and outcomes in the pretrial release process and procedures.

SECTION 8.5. The Committee may study the State Bureau of Investigation, the SBI Crime Laboratory, and all other operations of the North Carolina Attorney General's Office.

SECTION 8.6. Criminal Record Expunctions (H.J.R. 760 – Committee on Rules, Calendar, and Operations of the House) – The Commission may study whether current law strikes an appropriate balance between an employer's need for access to accurate criminal history information about potential employees and the need for a person who committed a relatively minor offense in the distant past to obtain employment in spite of the person's criminal history. If the Legislative Research Commission finds that it may be possible to achieve a better balance between these interests, then the Legislative Research Commission may further consider what type of expunction procedure may be developed and implemented that addresses the interests and concerns of employers, but also affords some appropriate relief to persons with a relatively minor past criminal conviction. In its study, the Commission may consider all of the following:

(1) The effect of a person's criminal record with regard to a person's ability to obtain employment.
(2) The reasons that an employer may need to know about a potential employee's criminal record.
(3) What types of criminal records may or may not be relevant with regard to certain types of employment.
(4) What criminal offenses, if any, it may be reasonable to allow to be expunged from a person's record, the time period or other criteria that should be used to determine whether it is appropriate to allow the expunction, and whether the offense should be completely erased from the criminal record so that the person has no criminal record, or retained but limit the accessibility of the record only for certain purposes.
(5) Any other issues the Commission considers relevant to this topic.

PART IX. JOINT LEGISLATIVE COMMITTEE ON LOCAL GOVERNMENT

SECTION 9.1. The Joint Legislative Committee on Local Government may study the topics listed in this Part and report its findings, together with any recommended legislation, to the 2012 Regular Session of the 2011 General Assembly upon its convening.

SECTION 9.2. Reuse of Existing Commercial Buildings (McCormick) – The Committee may study adaptive reuse of existing commercial buildings by focusing on cost-effective solutions to allow reuse while not jeopardizing life safety concerns.

SECTION 9.3. Procedure for Incorporating Municipalities (S.B. 515 – Hartsell) – The Commission may study the procedure for incorporating municipalities, including the adequacy of the current procedure as provided in Article 20 of Chapter 120 of the General Statutes.

PART X. JOINT REGULATORY REFORM COMMITTEE

SECTION 10.1. The Joint Regulatory Reform Committee may study the topics listed in this Part and report its findings, together with any recommended legislation, to the 2012 Regular Session of the 2011 General Assembly upon its convening.

SECTION 10.2. Auto Safety Glass Repair (S.B. 678 – Rouzer, Bingham) – The Committee may study the reform of auto safety glass repair and the role of steering by third-party administrators.

SECTION 10.3. Occupational Licensing (H.B. 587 – Bradley, H. Warren, Torbett, Hastings) – The Commission may:
Identify outdated and unnecessary occupational licensing laws that should be repealed.

Identify existing occupations that are regulated that do not require licensing.

Study alternatives to occupational licensing laws that would work effectively.

Study to what extent occupational licensing laws create barriers for individuals, including low-income individuals, from entering into new occupations.

Study any other matters that the Commission deems relevant.

PART XI. JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE

SECTION 11.1. The Joint Legislative Program Evaluation Oversight Committee may direct the Program Evaluation Division of the North Carolina General Assembly to study the topics listed in this Part and report its findings, together with any recommended legislation, to the 2012 Regular Session of the 2011 General Assembly upon its convening.

SECTION 11.2. Motor Fleet Management (S.B. 158 – Bingham) – The Committee shall include in the 2011-2012 Work Plan for the Program Evaluation Division of the General Assembly a study to evaluate the State’s motor fleet management program in the Department of Administration to determine if any cost savings can be effected by changing current operating procedures and to develop any plans or practices that, if implemented, would result in increased operating efficiency of the State’s motor fleet management program.

SECTION 11.3. Community College Administration (S.B. 408 – Hartsell, Clary, Clodfelter) – The Committee shall include in the 2010-2011 Work Plan for the Program Evaluation Division of the General Assembly a study of the most efficient and effective way to administer the local community colleges system. In the course of the study, the Program Evaluation Division shall consider the advisability of consolidating community college administration and strategies for ensuring access for students.


SECTION 11.5. License Plate Agency Contracts (S.B. 661 – Bingham) – The Committee shall include in the 2011-2012 Work Plan for the Program Evaluation Division of the General Assembly a study and evaluation of the Division of Motor Vehicles’ Commission Contract for the Issuance of Plates and Certificates program, authorized in G.S. 20-63(h), to determine the cost-effectiveness and savings that can be effected by changing or maintaining the current operating procedures and to develop any plans or practices that, if implemented, would result in increased operating efficiency of the Division of Motor Vehicles’ Commission Contract program.

SECTION 11.6. Consolidation of Administrative Functions Among County Departments of Social Services (S.B. 410 – Hartsell, Clary, Clodfelter) – The Committee shall include in the 2011-2012 Work Plan for the Program Evaluation Division of the General Assembly a study of the consolidation of administrative functions among county departments of social services. In conducting the study, the Program Evaluation Division shall identify opportunities for functional consolidation, affected administrative functions, estimated cost savings, and requisite policy changes, if applicable, to accommodate the consolidation of administrative functions among county departments of social services. The Department of
Health and Human Services, Division of Social Services, shall not consolidate these administrative functions except as directed by an act of the General Assembly.


SECTION 11.8. Transportation Process and Funding (H.B. 811 – Torbett) – The Committee shall direct the Program Evaluation Division to assess the Department of Transportation’s road construction processes, from project inception to project completion, including design and engineering, median placement process, and maintenance and repair projects, to determine if any cost savings can be effected by changing current operating procedures, by modifying the purchasing of building materials, including quantity and quality, by evaluating land purchases or condemnations and the laws, rules, and regulations for land acquisition for easements or setbacks, by evaluating the current and future financing factors associated with transportation projects, by evaluating the selection of transportation projects and vendors for the build process, by evaluating the environmental study process, by evaluating the process for time calculations from project start to finish, including the contracting process, and the development of any other plans or practices that, if implemented, would result in increased operating efficiency of the Department of Transportation’s road construction process, including the maintenance and repairs program.


PART XII. JOINT LEGISLATIVE ELECTIONS OVERSIGHT COMMITTEE

SECTION 12.1. The Joint Legislative Elections Oversight Committee may study the topics listed in this Part and report its findings, together with any recommended legislation, to the 2012 Regular Session of the 2011 General Assembly upon its convening.

SECTION 12.2. Feasibility of Requiring Certain Reports to Be Filed Electronically (H.B. 346 – Randleman) – The Committee shall study the feasibility and applicability of requiring electronic filing of all reports required to be filed with the State Board of Elections under G.S. 163-278.9, regardless of the amount.

PART XIII. JOINT LEGISLATIVE COMMISSION ON GOVERNMENTAL OPERATIONS

SECTION 13.1. The Joint Legislative Commission on Governmental Operations may study the topics listed in this Part and report its findings, together with any recommended legislation, to the 2012 Regular Session of the 2011 General Assembly upon its convening.

SECTION 13.2. Nonprofit Corporations (H.B. 100 – L. Brown, Cleveland; S.B. 460 – Brock) – The Commission may study and recommend the criteria for awarding grants to non-State entities that are nonprofit corporations. At a minimum, the Commission may consider the following in its study:

(1) That at least thirty-five percent (35%) of the funding for a nonprofit corporation receiving State funds should come from private sources.

(2) That the administrative expenses of a nonprofit corporation receiving State funds do not exceed fifteen percent (15%) of the total budget or receipts for the nonprofit corporation.
(3) Possible sanctions for nonprofits receiving State funds that fail to meet the
criteria established by the State.

(4) Any other matters the Committee deems appropriate.

SECTION 13.3. Compensation of State Boards and Commissions Employees
(H.B. 836 – McElraft) – The Commission may examine the compensation of the employees
serving various State boards and commissions created by the General Statutes to determine the
need to modify any of those compensation schemes in order to maximize the efficiency and
effectiveness of State government. This examination may include, but is not limited to,
reviewing the compensation and benefits of employees of the Lottery Commission, the
Banking Commission, and the Credit Union Commission. Specifically, the Commission may
study all of the following with respect to the compensation of State board and commission
employees:

(1) Pay, benefits, classification, and banding plans afforded those employees
compared to (i) the compensation of other State employees and (ii) the
compensation of similar positions and persons in other states.

(2) Factors affecting how State boards and commissions make employee
compensation decisions, including justifications for any salaries and benefits
that appear to be excessive or unwarranted.

(3) Costs and effects of differing, alternative, or special compensation systems
established by boards and commissions upon State government as a whole.

(4) Any other matters the Committee finds appropriate.

PART XIV. NORTH CAROLINA COURTS COMMISSION

SECTION 14.1. The North Carolina Courts Commission may study the topics
listed in this Part and report its findings, together with any recommended legislation, to the
2012 Regular Session of the 2011 General Assembly upon its convening.

SECTION 14.2. Organization of the General Court of Justice (H.B. 900 – Haire) –
The Commission shall study the current state of the General Court of Justice, focusing on the
sentencing laws, workloads, case backlogs, and other issues relevant to the effective and
efficient administration of justice and determine whether the current organization and operation
of the State court system is in need of revision or adjustment in order to better serve the
interests of justice. In conducting its study, the Courts Commission shall consult with the
North Carolina Sentencing and Policy Advisory Commission, the National Center for State
Courts, and any other agencies or entities the Commission deems appropriate to the conduct of
its study.

PART XV. DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES,
DIVISION OF WATER QUALITY TO STUDY RECLAIMED WATER ISSUES (S.B.
606 – Stein, Stevens, Hunt)

SECTION 15.1. The Division of Water Quality in the Department of Environment
and Natural Resources shall study issues regarding the use of reclaimed water, the current
permitting requirements for the discharge of wastewater and reclaimed water, and possible
revisions to the permitting system that shall help to accommodate and encourage the beneficial
use of reclaimed water while protecting against any potential threat to the environment or
public health resulting from the use, overflow, or discharge of reclaimed water. The Division
shall also consider other issues it considers relevant to this study. The Division of Water
Quality shall conduct the study in conjunction with those persons and entities that the Division
of Water Quality, in its discretion, deems to be stakeholders on these issues and shall provide
the stakeholders an opportunity to express their concerns, comments, and suggestions regarding
the issues and possible resolutions for those issues.
SECTION 15.2. The Division of Water Quality shall report its findings and recommendations, including any legislative recommendations, to the Environmental Review Commission by December 31, 2011.

PART XVI. DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO STUDY OIL AND GAS EXPLORATION IN THE STATE (S.B. 615 – Atwater, Blake)

SECTION 16.1. The Department of Environment and Natural Resources shall study the issue of oil and gas exploration in the State. The Department shall report its findings and recommendations, including specific legislative proposals, to the Environmental Review Commission no later than October 1, 2011. At a minimum, the study shall include information on the following:

1. Oil and gas reserves present in the Triassic Basin and in any other areas of the State.
2. Methods of exploration and extraction of oil and gas, including hydraulic fracturing.
3. Environmental impacts that shall result from exploration or extraction of oil and gas, and regulatory requirements advisable to address potential environmental impacts. In examining this issue, the Department shall gather information on regulatory programs in other states where oil and gas exploration or extraction is occurring, particularly with regard to the use of hydraulic fracturing for that purpose.
4. Information on possible sources of revenue that could accrue to the benefit of the State in the event that drilling exploration for oil or natural gas were to take place in the State, including what taxes, fees, royalties, bonds, or assessments shall be appropriate in connection with the activity.

PART XVII. DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO REPORT ON EFFECTS ON GROUND WATER QUALITY WHEN ALKALINE HYDROLYSIS IS USED AS A MEANS OF DISPOSAL OF HUMAN REMAINS (H.B. 703 – K. Alexander)

SECTION 17.1. The Department of Environment and Natural Resources (Department) is directed to prepare a report of the effects on ground water quality when alkaline hydrolysis is used as a means of disposal of human remains, with emphasis on any changes in pH and lipids generated by discharge into municipal stormwater systems or private systems or directly into surface waters. The Department shall report its findings to the North Carolina Board of Funeral Service and the House of Representatives Environment Committee no later than February 1, 2012. No person shall use alkaline hydrolysis as a means of disposal of human remains in this State until the study conducted pursuant to this section is completed and the Department has adopted rules for the use of the process.

PART XVIII. DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO STUDY THE ISSUE OF OIL AND GAS EXPLORATION IN THE STATE AND THE USE OF DIRECTIONAL AND HORIZONTAL DRILLING AND HYDRAULIC FRACTURING (H.B. 242 – Stone, Gillespie)

SECTION 18.1. The Department of Environment and Natural Resources shall study the issue of oil and gas exploration in the State and the use of directional and horizontal drilling and hydraulic fracturing for that purpose. The Department shall report its findings and recommendations, including specific legislative proposals, to the Environmental Review Commission no later than May 1, 2012. At a minimum, the study shall include information on the following:
(1) Oil and gas reserves present in the Triassic Basins and in any other areas of the State.

(2) Methods of exploration and extraction of oil and gas, including directional and horizontal drilling and hydraulic fracturing.

(3) Potential impacts on infrastructure, including roads, pipelines, and water and wastewater services. In analyzing potential impacts, the Department shall specifically examine the expected water usage from hydraulic fracturing, water resources in the area in which drilling shall occur, as well as existing water users in the area that shall be impacted by increased consumption of water for use in hydraulic fracturing.

(4) Potential environmental impacts, including constituents or contaminants that shall be present in the fluid used in the hydraulic fracturing process; the potential for the contamination of nearby wells and groundwater, as well as the options for disposal and reuse of the wastewater produced; stormwater management; the potential for emission of toxic air pollutants; impacts on wildlife; management and reclamation of drilling sites, including orphaned sites; management of naturally occurring radioactive materials (NORM) generated by the drilling and production of natural gas; and the potential for seismic activity in the area in which drilling shall occur. In examining this issue, the Department shall formulate regulatory requirements advisable to address potential environmental impacts and in doing so shall gather information on regulatory programs in other states where oil and gas exploration or extraction is occurring, particularly with regard to the use of hydraulic fracturing for that purpose.

(5) Potential economic impacts, including possible sources of revenue that could accrue to the benefit of the State in the event that drilling for oil or natural gas were to take place in the State. In examining this issue, the Department shall gather information on (i) the number of jobs that shall be expected as a result from drilling activities in the State and (ii) what severance taxes, fees, royalties, bonds, or assessments shall be appropriate in connection with the activity. For any sources of revenue that shall be anticipated, the Department shall evaluate use of the revenue for the following purposes: funds necessary to implement an oil and gas regulatory program; funds dedicated to the conservation and preservation of land and water resources; funds dedicated to remediation of environmental contamination such as the Inactive Hazardous Sites Cleanup Fund; and funds dedicated to improving water and wastewater infrastructure across the State.

(6) Potential social impacts, including impacts of drilling operations on nearby communities and quality of life within those communities, recreational activities, and commercial and residential development.

(7) Potential oversight and administrative issues associated with an oil and gas regulatory program, including statutory authority necessary for implementation of such a program; funding requirements necessary to implement a stable and effective program; criteria for permit issuance or denial; frequency and scope of inspections; compliance and enforcement procedures; coordination of agency involvement to ensure efficient permitting and clear delineation of compliance responsibilities; opportunities for public participation; and data management.

(8) Consumer protection and legal issues relevant to oil and gas exploration in the State, including matters of contract law, mineral leases, and landowner rights.
Any other pertinent issues that the Department deems relevant to oil and gas exploration in the State and the use of hydraulic fracturing for that purpose.

PART XIX. DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO STUDY THE FEASIBILITY AND DESIRABILITY OF COUNTIES HAVING INPUT IN THE PROCESS OF REGULATING THE LAND APPLICATION OF BIOSOLIDS

(Gillespie)

SECTION 19.1. The Department of Environment and Natural Resources shall study the feasibility and desirability of counties having input in the process of any regulating the land application of biosolids or sludge as defined in G.S. 130A-290 resulting from the operation of a wastewater treatment facility. In conducting this study and in determining to what extent counties are able to have a role in this process, the Department shall examine the requirement under G.S. 143-215.1(a)(9), which requires a person to obtain a permit from the Environmental Management Commission prior to disposing of sludge resulting from the operation of a treatment works, including the removal of in-place sewage sludge from one location and its deposit at another location, consistent with the requirements of the federal Resource Conservation and Recovery Act. The Department shall also examine any requirements regarding the regulation of biosolids or sludge application activities under rules adopted pursuant to G.S. 143-215.1 or any other administrative rules that apply to the regulation of the land application of biosolids or sludge. This study will identify any federal or State law, federal regulation, or North Carolina administrative rules that currently prevent or limit county participation or oversight in the regulation of the land application of biosolids or sludge resulting from the operation of a wastewater treatment facility. No later than March 1, 2012, the Department of Environment and Natural Resources shall report its findings and any recommendations and legislative or administrative proposals to the Fiscal Research Division and to the Environmental Review Commission.

PART XX. DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO STUDY IMPLEMENTATION OF STATE AND FEDERAL RULES RELATED TO EMISSIONS OF TOXIC AIR POLLUTANTS (McElraft)

SECTION 20.1. The Department of Environment and Natural Resources shall study implementation of State and federal rules related to emissions of toxic air pollutants. The study shall include:

1. Identification of the permitted sources in North Carolina that emit toxic air pollutants as identified in rules adopted by the Environmental Management Commission and the permitted sources that emit hazardous air pollutants regulated under federal rules set out in 40 C.F.R. Parts 61 and 63 as amended.

2. An explanation of the scope of the federal program regulating hazardous air pollutants as compared to the State air toxics program, including any differences in the sources and pollutants regulated under each program.

3. A comparison of how the State and federal programs take public health impacts into consideration.

4. An analysis of any co-benefits of installing pollution control equipment required to comply with federal rules in reducing emissions of toxic air pollutants regulated under the state air toxics program.

5. A description of the additional pollution controls, operating conditions, modeling, or other measures required as a result of applying State air toxics rules to a source regulated under 40 C.F.R. Parts 61 and 63 as amended, including the incremental costs and benefits of those additional controls, measures, or modeling.
Any other information relevant to an evaluation of the State air toxics program as applied to sources regulated under 40 C.F.R. Parts 61 and 63 as amended.

SECTION 20.2. In conducting the study, the Department shall request input from industries and utilities that have permitted sources of air pollutants regulated under 40 C.F.R. Parts 61 and 63 as amended or under State air toxics rules; local government; and individuals or agencies with expertise in the environmental and public health effects of those pollutants. The Department shall report the results of its study, including any recommendations for legislation, to the Environmental Review Commission of the General Assembly no later than May 1, 2012.

PART XXI. RESERVED

PART XXII. DEPARTMENT OF HEALTH AND HUMAN SERVICES TO STUDY A REVISED PROCESS FOR COLLECTING DATA TO DEVELOP A WAITING LIST OF PERSONS WITH INTELLECTUAL OR DEVELOPMENTAL DISABILITIES (S.B. 333 – Nesbitt)

SECTION 22.1. By September 1, 2011, the Department of Health and Human Services (Department) shall study and submit a report to the Joint Legislative Oversight Committee on Mental Health, Developmental Disabilities, and Substance Abuse Services on a revised process for collecting data to develop a waiting list of persons with intellectual or developmental disabilities who are waiting for specific services. The revised process shall ensure all of the following:

(1) A simple, nonduplicated count of children and adults with intellectual or developmental disabilities across the State who are waiting for federally and State-funded services.

(2) A research-based waiting list supported by data that accurately reflects the number of individuals waiting for categories of services currently available in this State.

(3) Data showing the number of individuals who are potentially eligible to receive services under the CAP-MR/DD Waiver.

SECTION 22.2. Beginning September 30, 2012, and annually thereafter, the Department shall submit a report to the Joint Legislative Oversight Committee on Mental Health, Developmental Disabilities, and Substance Abuse Services on the waiting list data collected from each local management entity. The report shall include (i) an analysis of any service gaps revealed by the data, broken down by geographic location, age, and disability, and (ii) plans to address these service gaps.

PART XXIII. DEPARTMENT OF HEALTH AND HUMAN SERVICES TO STUDY RECOMMENDATION 3.1 FROM THE NORTH CAROLINA INSTITUTE OF MEDICINE TASK FORCE ON THE CO-LOCATION OF DIFFERENT POPULATIONS IN ADULT CARE HOMES (S.B. 422 – Bingham)

SECTION 23.1. The Department of Health and Human Services shall study Recommendation 3.1 from the North Carolina Institute of Medicine Task Force on the Co-Location of Different Populations in Adult Care Homes. The recommendation suggests that the Department develop a pilot program to evaluate the costs, quality, consumer satisfaction, and patient outcomes of a program that supports individuals who are in an adult or family care home and who want to move back into independent supported housing. The Department shall, but is not limited to, evaluate and report on the elements below that are contained in the recommendation:

(1) The feasibility, fiscal implication, and appropriate timing of the submission of a Medicaid 1915(i) State plan amendment or 1915(c) Home and
Community-Based Services waiver to support individuals living in adult or family care homes for 90 or more days who would like to move back to more independent living arrangements.

(2) The feasibility and cost of developing and implementing a process to evaluate residents of adult care homes to determine whether they can live independently in the community with services, supports, counseling, and transition services.

(3) The policy implications, impact on current programs, and cost of developing and implementing an additional Special Assistance program option that would be similar to the existing Special Assistance in-home program but exempt from the limits established in S.L. 2007-323. The Department should explore whether this program could be targeted to address concerns the Task Force raised on co-location.

(4) A time line for implementing the pilot with all of the above elements in place or a time line for phased implementation of the pilot. This time line shall include evaluation of the pilot as described in the Task Force recommendation.

(5) The fiscal requirements necessary to provide technical assistance to adult care homes interested in creating financially viable models to support people living more independently as recommended by the Task Force.

(6) The existence of statutory and regulatory barriers to independent living for people with disabilities.

(7) The goal and intended outcome of this pilot program.

SECTION 23.2. On or before October 1, 2012, the Department shall report on the elements outlined in this section to the North Carolina Study Commission on Aging and the Joint Legislative Oversight Committee on Mental Health, Developmental Disabilities, and Substance Abuse Services.

PART XXIV. DEPARTMENT OF HEALTH AND HUMAN SERVICES TO STUDY RECOMMENDATION 3.1 FROM THE NORTH CAROLINA INSTITUTE OF MEDICINE TASK FORCE ON THE CO-LOCATION OF DIFFERENT POPULATIONS IN ADULT CARE HOMES (H.B. 108 – Farmer-Butterfield, Weiss, Earle, Hurley)

SECTION 24.1. The Department of Health and Human Services shall study Recommendation 3.1 from the North Carolina Institute of Medicine Task Force on the Co-Location of Different Populations in Adult Care Homes. The recommendation suggests that the Department develop a pilot program to evaluate the costs, quality, consumer satisfaction, and patient outcomes of a program that supports individuals who are in an adult or family care home and who want to move back into independent supported housing. The Department shall, but is not limited to, evaluate and report on the elements below that are contained in the recommendation:

(1) The feasibility, fiscal implication, and appropriate timing of the submission of a Medicaid 1915(i) State plan amendment or 1915(c) Home and Community-Based Services waiver to support individuals living in adult or family care homes for 90 or more days who would like to move back to more independent living arrangements.

(2) The feasibility and cost of developing and implementing a process to evaluate residents of adult care homes to determine whether they can live independently in the community with services, supports, counseling, and transition services.
(3) The policy implications, impact on current programs, and cost of developing and implementing an additional Special Assistance program option that would be similar to the existing Special Assistance in-home program but exempt from the limits established in S.L. 2007-323. The Department should explore whether this program could be targeted to address concerns the Task Force raised on co-location.

(4) A time line for implementing the pilot with all of the above elements in place or a time line for phased implementation of the pilot. This time line shall include evaluation of the pilot as described in the Task Force recommendation.

(5) The fiscal requirements necessary to provide technical assistance to adult care homes interested in creating financially viable models to support people living more independently as recommended by the Task Force.

(6) The existence of statutory and regulatory barriers to independent living for people with disabilities.

(7) The goal and intended outcome of this pilot program.

SECTION 24.2. On or before October 1, 2012, the Department shall report on the elements outlined in this section to the North Carolina Study Commission on Aging and the Joint Legislative Oversight Committee on Mental Health, Developmental Disabilities, and Substance Abuse Services.

PART XXV. DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF PUBLIC HEALTH, TO ASSESS CHRONIC DISEASE MANAGEMENT OF STROKE PREVENTION IN ATRIAL FIBRILLATION (H.B. 697 – L. Brown)

SECTION 25.1. The Department of Health and Human Services, Division of Public Health, shall, within available appropriations, assess chronic disease management of stroke prevention in atrial fibrillation. The Department shall report its findings and recommendations to the 2012 Regular Session of the 2011 General Assembly upon its convening.

PART XXVI. DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF PUBLIC HEALTH, TO STUDY THE BENEFITS AND RISKS ASSOCIATED WITH ALLOWING LICENSED HEALTH CARE PRACTITIONERS TO USE ALTERNATIVE MEDICINE IN TREATING PATIENTS (H.B. 412 – Farmer-Butterfield, Parmon, Hall)

SECTION 26.1. The Department of Health and Human Services, Division of Public Health, in consultation with the North Carolina Medical Board, shall study whether health care practitioners licensed in this State should be allowed to use alternative medicine in treating patients. As part of this study, the Department shall (i) analyze the benefits and risks of alternative medicine, (ii) examine the experience of other states that currently allow licensed health care practitioners to use alternative medicine in treating patients, (iii) make recommendations about which licensed health care practitioners, if any, should be allowed to use alternative medicine in treating patients, and (iv) make recommendations about a process for approving specific types of alternative medicine that shall be used by health care practitioners in treating patients. The Department shall report its findings to the General Assembly by December 31, 2011. As used in this section, "alternative medicine" means a group of diverse medical and health care interventions, practices, products, or disciplines that are not generally considered part of conventional medicine.

PART XXVII. DEPARTMENT OF HEALTH AND HUMAN SERVICES TO STUDY A REVISED PROCESS FOR COLLECTING DATA TO DEVELOP A WAITING LIST
FOR PERSONS WITH INTELLECTUAL OR DEVELOPMENTAL DISABILITIES
(H.B. 76 – Earle, Farmer-Butterfield, M. Alexander, Brisson; S.B. 333 – Nesbitt)

SECTION 27.1. By September 1, 2011, the Department of Health and Human Services (Department) shall study and submit a report to the Joint Legislative Oversight Committee on Mental Health, Developmental Disabilities, and Substance Abuse Services on a revised process for collecting data to develop a waiting list of persons with intellectual or developmental disabilities who are waiting for specific services. The revised process shall ensure all of the following:

1. A simple, nonduplicated count of children and adults with intellectual or developmental disabilities across the State who are waiting for federally and State-funded services.
2. A research-based waiting list supported by data that accurately reflects the number of individuals waiting for categories of services currently available in this State.
3. Data showing the number of individuals who are potentially eligible to receive services under the CAP-MR/DD Waiver.

SECTION 27.2. Beginning September 30, 2012, and annually thereafter, the Department shall submit a report to the Joint Legislative Oversight Committee on Mental Health, Developmental Disabilities, and Substance Abuse Services on the waiting list data collected from each local management entity. The report shall include (i) an analysis of any service gaps revealed by the data, broken down by geographic location, age, and disability, and (ii) plans to address these service gaps.

PART XXVIII. RESERVED

PART XXIX. RESERVED

PART XXX. DEPARTMENT OF HEALTH AND HUMAN SERVICES TO STUDY SHORT- AND INTERMEDIATE-TERM OPTIONS FOR IMPROVING ECONOMIES AND EFFICIENCIES IN THE PROVISION OF AID AND SERVICES UNDER THE STATE MEDICAID PLAN (Burr)

SECTION 30.1. The Department of Health and Human Services shall evaluate and describe short- and intermediate-term options for improving economies and efficiencies in the provision of aid and services under the Medicaid plan with respect to services for Medicaid beneficiaries requiring long-term care services, including beneficiaries who are aged, blind, and disabled, and those dually eligible for Medicaid and Medicare. By January 2012, the Department shall present to the House and Senate Appropriations Committees models from other states that employ strategies not currently utilized in North Carolina, including fully capitated Medicaid programs. In describing the models, the Department shall discuss expected or documented savings, the level of community placements compared with institutional care, and other performance measures. States to be included in the analysis, at a minimum, are Arizona, New Mexico, Tennessee, and Texas.

PART XXXI. ADVISORY COMMITTEE ON CANCER COORDINATION AND CONTROL IN THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO STUDY ORAL CANCER THERAPY PARITY

SECTION 31.1.(a) The Advisory Committee on Cancer Coordination and Control (Committee) shall study the issue of oral cancer therapy parity and specifically review the issues specified in Section 31.2 of this act.

SECTION 31.1.(b) The Committee shall establish committees for the purpose of making special studies pursuant to its duties and shall appoint nonmembers to serve on each
committee as resource persons. Resource persons shall be voting members of the committees and shall receive subsistence and travel expenses to the extent that funds are made available in accordance with G.S. 130-3.1, 138-5, and 138-6, as applicable. Committees shall meet with the frequency needed to accomplish the purposes of this Part.

**SECTION 31.2.** The Committee shall study the following issues related to oral cancer treatment parity:

1. Review current insurance coverage practices in North Carolina for oral cancer therapies and IV/injected therapies including:
   a. Identify out of pocket costs to plan enrollees for oral cancer therapies and IV/injected cancer therapies.
   b. Identify all medical systems involved and total costs for each in the delivery of oral and IV/injected cancer therapies.
   c. Consider patient transportation costs and loss of earnings due to employment absences that shall result from IV/injected cancer therapies.
   d. Examine the impact of out-of-pocket costs on the plan enrollee and any impact out of pocket costs shall have on the patient's or physician's choice of therapy.
   e. Identify impact and consequences, if any, of categorizing oral cancer chemotherapy as a cancer treatment versus categorization as a prescriptive drug/medication.

2. Examine and identify the limitations of existing North Carolina laws, regulations, programs, or services with regard to insurance coverage and awareness issues for oral cancer therapies.

3. Review other states' initiatives to ensure insurance coverage for oral cancer therapies and IV/injected cancer therapies are equal and do not limit access.

4. Determine the advantages and disadvantages of oral cancer therapies and IV/injected cancer therapies.

5. Identify out-of-pocket cost disparities for oral versus IV/injected cancer therapies.

6. Determine the impact out-of-pocket costs shall have on therapy decisions by enrollees and physicians.

**SECTION 31.3.** The Committee shall recommend solutions to ensure out of pocket costs to enrollees do not negatively impact access to desired therapies.

**SECTION 31.4.** The Committee shall submit a report on its findings to the Joint Legislative Health and Human Services Oversight Committee no later than May 1, 2012.

**PART XXXII. WILDLIFE RESOURCES COMMISSION TO STUDY FOX AND COYOTE POPULATIONS (H.B. 755 – House Committee on Agriculture)**

**SECTION 32.1.** The Wildlife Resources Commission shall undertake a study of fox and coyote populations in the State and recommend management methods and controls designed to ensure statewide conservation of fox populations while managing adverse effects of coyote populations. In conducting the study, the Wildlife Resources Commission shall solicit input from interested stakeholders, including hunters, trappers, controlled hunting preserve operators, public health authorities, local governments, the North Carolina Department of Agriculture and Consumer Services, and private landowners. The Wildlife Resources Commission shall complete its study by April 1, 2012, and submit a report, including any proposed legislation, to the Speaker of the House of Representatives and the President Pro Tempore of the Senate, the Chairs of the House Committee on Agriculture, and the Chairs of the Senate Committee on Agriculture, Environment, and Natural Resources. The Wildlife Resources Commission shall conduct the study within existing funds.
PART XXXIII. DEPARTMENT OF AGRICULTURE AND DEPARTMENT OF INSURANCE TO STUDY OPTIONS FOR AGRICULTURAL CONTRACT GROWERS TO PROTECT THEMSELVES AGAINST FINANCIAL LOSSES DUE TO WEATHER, NATURAL DISASTERS, OR OTHER ACTS OF GOD (H.B. 774 – Committee on Rules, Calendar, and Operations of the House)

SECTION 33.1. The Commissioner of Insurance, with the assistance of the Commissioner of Agriculture, shall study the availability and need for insurance products or statutory contractual requirements that will enable agricultural contract growers to protect themselves from financial loss resulting from loss of the contracted animals due to weather, natural disaster, or other act of God. The Commission shall address, at a minimum, the following issues:

(1) The current availability of and need for insurance products to protect contract growers who have a financial investment in the animals they tend, even if they do not own the animals.

(2) Standard contract language and terms in common use in the agricultural contract growing industry, and whether statutory protections or requirements are necessary to protect agricultural contract growers in the State from ruinous financial loss due to weather, natural disasters, or other acts of God.

The Commissioners shall submit an interim report to the 2012 Regular Session of the 2011 General Assembly and shall submit a final report of their findings and recommendations, including any legislative proposals, to the 2013 General Assembly.

PART XXXIV. DEPARTMENT OF TRANSPORTATION TO STUDY THE NC HIGHWAY 54 CORRIDOR IN WAKE COUNTY FROM NC 540 TO NORTHWEST SHALLNARD ROAD (H.B. 589 – Murry, Dollar, Weiss)

SECTION 34.1. The Department of Transportation, in conjunction with any affected Metropolitan Planning Organization or Rural Planning Organization, shall study NC Highway 54 in Wake County from NC 540 to Northwest Shallnard Road. The study shall include roadway widening, intersection improvements, potential road relocation outside railroad rights-of-way, and potential railroad grade separations.

SECTION 34.2. The Department shall report the initial findings of the study required by this act to the Joint Legislative Transportation Oversight Committee no later than October 1, 2012. The Department shall continue to report annually on May 1 until such time as the study is complete and final recommendations can be made to the Joint Legislative Transportation Oversight Committee on the master plan and any legislative changes needed to implement the plan.

PART XXXV. DEPARTMENT OF TRANSPORTATION TO STUDY DEVELOPMENT OF PAVEMENT DESIGN AND CONSTRUCTION STANDARDS FOR SECONDARY ROADS, LOCAL ROADS, AND MUNICIPAL STREETS (Harrington, Frye)

SECTION 35.1. The Department of Transportation shall study the development of pavement design and construction standards specific to secondary roads, local roads, and municipal streets. These standards shall be applicable to both rigid and flexible pavement types.

SECTION 35.2. The Department shall report its findings and recommendations to the Joint Legislative Transportation Oversight Committee no later than March 31, 2012.

PART XXXVI. DEPARTMENT OF CORRECTION TO STUDY CONTRACTING FOR MAINTENANCE SERVICES AT PRISON FACILITIES (H.B. 335 – Guice, Horn, Burr, Daughtry)
SECTION 36.1. The Department of Correction shall study the potential benefits and costs of contracting for maintenance services at prison facilities and report its findings to the 2013 Session of the General Assembly. The Department shall not expand private maintenance contracts to additional prison facilities unless authorized by the 2013 Regular Session of the General Assembly.

PART XXXVII. ADMINISTRATIVE OFFICE OF THE COURTS TO STUDY ISSUES RELATED TO THE SALE OF COURT RECORDS AND TO MAKE RECOMMENDATIONS ON DEFINING THE TERM "CRIMINAL RECORD" BY STATE LAW (H.B. 272 – Bryant, Guice, Frye, and Pierce; S.B. 223 – Hartsell, Dannelly, Jones)

SECTION 37.1. The Administrative Office of the Courts shall (i) study issues related to the sale of court records and how best to ensure the accuracy of the information available to the customer and to protect a citizen's right to have his or her record expunged and (ii) review the State's statutes relating to a person's "criminal record" and make recommendations on defining the term "criminal record" by statute. The Administrative Office of the Courts shall report its findings and recommendations to the General Assembly no later than upon the convening of the 2012 Regular Session of the 2011 General Assembly.

PART XXXVIII. ADMINISTRATIVE OFFICE OF THE COURTS TO STUDY METHODS OF APPOINTING MAGISTRATES (H.B. 517 – Stevens, Sager)

SECTION 38.1. The Administrative Office of the Courts, in consultation with the Conference of Superior Court Judges, the Conference of District Court Judges, the Conference of Clerks of Superior Court, and the North Carolina Magistrates Association, shall study the issue of whether the State constitutional provision that the senior resident superior court judge shall appoint magistrates from nominations by the Clerk of Superior Court should continue as the method for appointment of magistrates, or whether an amendment to the State Constitution to provide for a different method would be both practical in light of the current responsibilities of officers of the court and lead to better efficiencies in the administration of justice. The Administrative Office of the Courts shall submit a report of its findings and recommendations, including any legislative recommendations, to the 2012 Regular Session of the 2011 General Assembly upon its convening.

PART XXXIX. SENTENCING AND POLICY ADVISORY COMMISSION TO STUDY THE ISSUES SURROUNDING CHILDREN OF INCARCERATED PARENTS (H.B. 699 – Bordsen)

SECTION 39.1. The North Carolina Sentencing and Policy Advisory Commission shall study the issues relating to children of incarcerated parents. In conducting its study, the Commission shall examine the immediate and long-term effects of parental incarceration on the care, education, health, and life outcomes of children, look at what is currently being done in North Carolina to assist these children and their parents, determine if other measures are needed, and review any other matters as the Committee deems relevant to this study.

SECTION 39.2. The Commission shall report to the General Assembly no later than 30 days before the convening of the 2012 Regular Session of the 2011 General Assembly.

PART XL. GENERAL STATUTES COMMISSION TO STUDY AND RECOMMEND CHANGES TO THE GENERAL STATUTES TO PROVIDE FOR THE ORDERLY AND EXPEDITIOUS REMOVAL BY A LANDLORD OF THE PERSONAL PROPERTY OF A DECEASED PERSON (H.B. 493 – Howard, Blust, Randleman)

SECTION 40.1. The General Statutes Commission shall study and recommend to the 2012 Regular Session of the 2011 General Assembly changes to the General Statutes to
provide for the orderly and expeditious removal by a landlord of the personal property of a
deceased tenant where the heirs are not readily identifiable or available to take possession of
that personal property.

PART XLI. BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH
CAROLINA TO STUDY THE ENROLLMENT CHANGE FUNDING FORMULA
CURRENTLY USED BY THE UNIVERSITY SYSTEM TO PREDICT ITS
ENROLLMENT GROWTH AND ESTIMATE ITS FUNDING NEEDS (H.B. 252 –
Crawford; S.B. 255 – Hartsell)

SECTION 41.1.(a) The Board of Governors of The University of North Carolina,
with the assistance of General Administration, shall study and thoroughly examine the
enrollment change funding formula currently used by The University System to predict its
enrollment growth and estimate its funding needs. The purpose of the study is to consider and
evaluate possible modifications to the formula that would simplify and standardize the
enrollment projection process and yield more accurate funding requests.

As part of its study, the Board of Governors shall do all of the following:
(1) Consider the recommendations set out in the final report to the Joint
Legislative Program Evaluation Oversight Committee (Report Number
2010-05), dated November 17, 2010, regarding modification of The
University of North Carolina enrollment change funding formula.
(2) Consider simplifying and standardizing the enrollment projection process for
the enrollment change funding formula.
(3) Reexamine and justify funding factors for libraries and general institutional
support.
(4) Consider whether to adopt the weighted cost per student credit hour (SCH)
as recommended by the Program Evaluation Division of the General
Assembly or develop an approach that achieves the aim of retaining the
formula granularity but reduces projection error.
(5) Consider what modifications shall be made to the formula to improve the
ability of each campus to analyze the accuracy of its enrollment projections,
correct errors in those projections at an earlier date, and adjust funding
requests before the requests are included in the campus’s base operating
budget, which is used as a component by the Board of Governors in
developing and preparing the budget request for The University of North
Carolina that is submitted to the Governor and the General Assembly
pursuant to G.S. 116-11(9).

SECTION 41.1.(b) Based on its study and evaluations conducted pursuant to this
Part, the Board of Governors shall develop a revised enrollment change funding model,
including enrollment projection process, revised cost factors, and resulting weighted cost per
student credit hour (SCH) or similar approach, and present that revised enrollment change
funding model by June 30, 2011, to the General Assembly for its consideration.

PART XLII. DEPARTMENT OF JUSTICE, CONSUMER PROTECTION DIVISION
TO COORDINATE A TASK FORCE ON FRAUD AGAINST OLDER ADULTS (H.B.
110 – Farmer-Butterfield, Weiss, Pierce, Hurley; S.B. 449 – Bingham)

SECTION 42.1.(a) The Consumer Protection Division, Department of Justice,
shall coordinate a Task Force on Fraud Against Older Adults. The Task Force shall include
representatives from the Consumer Protection Division, Department of Justice; Division of
Aging and Adult Services, Department of Health and Human Services; North Carolina Senior
Consumer Fraud Task Force; North Carolina Association of County Directors of Social
General Assembly Of North Carolina

Services; the Banking Commission; and other associations as approved by the Consumer Protection Division.

SECTION 42.1.(b) The Task Force shall include, but should not be limited to, examination of the following issues:

1. Identifying, clarifying, and strengthening laws to provide older adults a broader system of protection against abuse and fraud.
2. Establishing a statewide system to enable reporting on incidents of fraud and mistreatment of older adults.
3. Identifying opportunities for partnership among the Banking Commission, the financial management industry, and law enforcement agencies to prevent fraud against older adults.
4. Granting the Attorney General authority to initiate prosecutions for fraud against older adults.

SECTION 42.1.(c) The Task Force shall make an interim report to the North Carolina Study Commission on Aging on or before November 1, 2011, and a final report, including findings, recommendations, and draft legislation, on or before October 1, 2012.

PART XLIII. DIVISION OF MOTOR VEHICLES TO STUDY THE DESIRABILITY OF REQUIRING DRIVER EDUCATION FOR ALL DRIVERS (H.B. 665 – Boles)

SECTION 43.1. The Division of Motor Vehicles, in collaboration with the North Carolina State Highway Patrol and the Governor’s Highway Safety Program, shall study the desirability of requiring all drivers to complete an approved driver education course before being issued a North Carolina drivers license. The study shall also consider how the requirement would apply to a person moving into this State with a valid drivers license issued by another state. The Division shall submit a report of its findings and recommendations to the General Assembly no later than March 1, 2012.

PART XLIV. DEPARTMENT OF COMMERCE, IN CONJUNCTION WITH NORTH CAROLINA UTILITIES COMMISSION AND NORTH CAROLINA SOLAR CENTER, TO STUDY THE PROMOTION OF OFFSHORE WIND ENERGY GENERATION OFF THE COAST OF NORTH CAROLINA (McCormick)

SECTION 44.1. The Department of Commerce, in conjunction with the North Carolina Utilities Commission and the North Carolina Solar Center, shall jointly study the desirability and feasibility of promoting offshore wind energy generation off the coast of North Carolina in order to encourage and foster economic and job development in the State. The Department of Commerce shall act as the lead agency for this study. The study shall address the potential for job creation and business recruitment related to equipment manufacturing, construction, and the operation of offshore wind generation projects in addition to any other matters that are deemed appropriate in conducting this study. The study shall also consider the competitive nature of the potential for offshore wind energy on the eastern coast of the United States.

SECTION 44.2. The Department of Commerce, the Utilities Commission, and the North Carolina Solar Center shall jointly submit a final report that includes findings and any recommendations to the Joint Legislative Utility Review Committee and the Environmental Resources Commission on or before December 1, 2011.

PART XLV. JOINT LEGISLATIVE STUDY COMMISSION ON PROPERTY INSURANCE RATE MAKING (S.B. 716 – Brown)

SECTION 45.1. There is created the Joint Legislative Study Commission on Property Insurance Rate Making. The purpose of the Commission is to study the adequacy of
citizen input in property insurance rate making and the manner in which property insurance rates are proposed, reviewed, approved, and appealed.

**SECTION 45.2.** The Commission shall consist of 14 members appointed as follows:

1. The Commissioner of Insurance or his or her designee, serving ex officio.
2. A representative of the North Carolina Rate Bureau.
4. Three members appointed by the Governor, to include one member of the general public who resides in the coastal area or beach areas of the State. For purposes of this subdivision, "coastal area" and "beach area" shall have the definitions specified by G.S. 58-45-5.
5. Four members appointed by the Speaker of the House of Representatives, to include three members of the House of Representatives and one member who is a qualified independent casualty actuary.
6. Four members appointed by the President Pro Tempore of the Senate, to include three members of the Senate and one person who represents the interests of insurance agents.

Vacancies on the Commission shall be filled by the appointing authority. A quorum of the Commission shall consist of eight members.

The Speaker of the House of Representatives and the President Pro Tempore of the Senate shall each appoint a cochair for the Commission. The Commission may meet at any time upon the joint call of the cochairs.

The Commission, while in the discharge of its official duties, may exercise all the powers provided under the provisions of G.S. 120-19 through G.S. 120-19.4, including the power to request all officers, agents, agencies, and departments of the State to provide any information, data, or documents within their possession, ascertainable from the records, or otherwise available to them, and the power to subpoena witnesses.

The Commission may contract for professional, clerical, or consultant services as provided by G.S. 120-32.02.

**SECTION 45.3.** Purpose. – The Commission shall study the following:

1. The feasibility and advisability of replacing the North Carolina Rate Bureau with a market-based rate-setting system or with a regulatory commission similar to the North Carolina Utilities Commission.
2. The adequacy under current law of legislative oversight of the Rate Bureau, the North Carolina Joint Underwriting Association, and the North Carolina Insurance Underwriting Association.
3. The adequacy under current law of Commissioner of Insurance duties pertaining to protection of policyholders and the public against the adverse effects of excessive, inadequate, or unfairly discriminatory rates.
4. Whether North Carolina citizens and policyholders should be given a voice in rate appeals under G.S. 58-2-80 through creation of a board or office independent of the Commissioner with standing to advocate on behalf of citizens and policyholders.
5. The adequacy of the review process afforded by G.S. 58-36-1(2) to persons affected by a rate or loss costs made by the Rate Bureau.
6. Whether information provided to the public by the Commissioner and the Rate Bureau is adequate to allow reasoned review by interested citizens of the assumptions, modeling, and processes used in setting rates.
7. Study any other matters pertaining to statewide property insurance rates that the Commission deems relevant.
SECTION 45.4. Staff. – Upon approval of the Legislative Services Commission, the Legislative Services Officer shall assign professional and clerical staff to assist in the work of the Commission. Clerical staff shall be furnished to the Commission through the offices of the House of Representatives and Senate Supervisors of Clerks.

SECTION 45.5. Meeting location. – The Commission may meet in the Legislative Building or Legislative Office Building upon the approval of the Legislative Services Commission.

SECTION 45.6. Expenses of members. – Members of the Commission shall receive per diem, subsistence, and travel allowances at the rate established in G.S. 120-3.1.

SECTION 45.7. Report. – The Commission shall submit an interim report to the 2012 Regular Session of the 2011 General Assembly prior to its reconvening and shall make a final report to the 2013 Regular Session of the General Assembly prior to its convening. The report shall contain the Commission's findings, recommendations, legislative proposals, and cost analyses. The Commission shall terminate upon filing its final report or upon the convening of the 2013 General Assembly, whichever is earlier.

PART XLVI. SPECIAL COMMISSION TO STUDY RETIREMENT AND HEALTH BENEFITS FOR TEACHERS AND STATE EMPLOYEES (S.B. 687 – Apodaca, Brunstetter)

SECTION 46.1. There is established the Special Commission to Study Retirement and Health Benefits for Teachers and State Employees.

SECTION 46.2. The Commission shall be composed of 14 members as follows:

(1) The State Treasurer or the State Treasurer's designee.

(2) The Executive Administrator of the State Health Plan for Teachers and State Employees.

(3) Four members appointed by the President Pro Tempore of the Senate.

(4) Four members appointed by the Speaker of the House of Representatives.

(5) Four members appointed by the Governor.

Vacancies on the Commission shall be filled by the appointing authority. The Commission shall choose from among its membership a chair and two vice-chairs. A quorum of the Commission shall be nine members.

The Commission, while in the discharge of its official duties, may exercise all powers provided for under G.S. 120-19 and G.S. 120-19.1 through G.S. 120-19.4, including the power to request all officers, agents, agencies, and departments of the State to provide any information, data, or documents within their possession, ascertainable from their records, or otherwise available to them, and the power to subpoena witnesses.

The Commission may meet at any time upon call of the chairs. The Commission may meet in the Legislative Building or the Legislative Office Building. The Commission may contract for professional, clerical, or consultant services as provided by G.S. 120-32.02.

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

SECTION 46.3. The initial meeting of the Commission shall be called by the State Treasurer or the State Treasurer's designee.

SECTION 46.4. The Commission shall study retirement and health benefits for teachers and State employees. As a part of its study, the Commission may examine issues related to:
(1) Whether the changing demographics among State employees require changes to the current defined benefit plan and the health plan.

(2) Whether there is a need to establish a normal retirement age when retirement and health benefits are to begin.

(3) Whether the retirement plan should have a defined contribution component.

(4) Whether the current benefits plan serves the need to recruit and retain the best teachers and State employees.

(5) Any other issues the Commission deems relevant to improvement of the retirement systems and the State Health Plan.

(6) The relationship between the State Health Plan, the Teachers’ and State Employees’ Retirement System, and the Disability Income Plan.

SECTION 46.5. The Commission shall make an interim report to the 2011 Regular Session of the General Assembly prior to its reconvening in 2012 and shall make a final report to the 2013 Regular Session of the General Assembly prior to its convening. The report shall include any proposed legislation. The Commission shall terminate upon filing its final report or upon the convening of the 2013 General Assembly, whichever is earlier.

PART XLVII. MUNICIPAL POWER AGENCY RELIEF LEGISLATIVE STUDY

COMMITTEE (S.B. 587 – Newton)

SECTION 47.1. Committee created. – There is created the Municipal Power Agency Relief Legislative Study Committee (Committee). The Committee shall consist of six members as follows:

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

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

SECTION 47.2. The Committee shall:

(1) Study potential options to provide relief to customers of the joint municipal power agencies from high electric rates, including:
   a. The feasibility of refinancing or restructuring the debt of the power agencies.
   b. The feasibility of selling assets of the municipalities or the power agencies to lower electric rates or the total amount of debt.

(2) Study any other matters that the Committee deems relevant.

(3) Make a final report to the 2012 Regular Session of the 2011 General Assembly that includes findings, recommendations, and legislative proposals relating to its study.

SECTION 47.3. The Commission shall terminate upon filing its final report or upon the convening of the 2013 General Assembly, whichever is earlier.

SECTION 47.4. Vacancies on the Committee shall be filled by the appointing authority. The Committee shall choose from among its membership a chair and two vice-chairs. A quorum of the Committee shall be nine members.

The Committee, while in the discharge of its official duties, may exercise all powers provided for under G.S. 120-19 and G.S. 120-19.1 through G.S. 120-19.4, including the power to request all officers, agents, agencies, and departments of the State to provide any information, data, or documents within their possession, ascertainable from their records, or otherwise available to them, and the power to subpoena witnesses.

The Committee may meet at any time upon call of the chairs. The Committee may meet in the Legislative Building or the Legislative Office Building. The Committee may contract for professional, clerical, or consultant services as provided by G.S. 120-32.02.
The Legislative Services Commission, through the Legislative Services Officer, shall assign professional staff to assist the Committee in its work. The House of Representatives' and Senate's Directors of Legislative Assistants shall assign clerical staff to the Committee, and the expenses relating to the clerical employees shall be borne by the Committee. Members of the Committee shall receive subsistence and travel expenses at the rates set forth in G.S. 120-3.1, 138-5, or 138-6, as appropriate.

**PART XLVIII. MARINE FISHERIES LEGISLATIVE STUDY COMMITTEE (H.B. 353 – McCormick, Glazier, Ingle, Samuelson)**

**SECTION 48.1.** Committee created. – There is created the Marine Fisheries Legislative Study Committee (Committee). The Committee shall consist of eight members as follows:

1. Four members of the Senate, appointed by the President Pro Tempore of the Senate.
2. Four members of the House of Representatives, appointed by the Speaker of the House of Representatives.

**SECTION 48.2.** The Committee may study the following:

1. The potential impact to both the State's fisheries resources and the State's economy related to the designation of Red Drum (Sciaenops ocellatus), Spotted Sea Trout (Cynoscion nebulosus), and Striped Bass (Morone saxatilis) as coastal game fish.
2. Changes to the appointment process and qualification for membership on the North Carolina Marine Fisheries Commission.
3. Creation of a hook and line commercial fishery.
4. Elimination of the trawl boat fishery in North Carolina.
5. Entering into reciprocal agreements with other jurisdictions with regard to the conservation of marine and estuarine resources; and regulating placement of nets and other sports or commercial fishing apparatus in coastal fishing waters with regard to navigational and recreational safety as well as from a conservation standpoint.
6. Entering into agreements regarding the delegation of law enforcement powers from the National Marine Fisheries Service over matters within the jurisdiction of the Service.
8. Whether Marine Fisheries should be a division of the Coastal Resources Commission or the Wildlife Resources Commission.
9. Other findings that promote the allocation of the State's resources to the optimum use.
10. Any other matters the Committee deems relevant.

**SECTION 48.3.** The Committee may make a final report to the 2012 Regular Session of the 2011 General Assembly that includes findings, recommendations, and legislative proposals relating to its study. The Committee shall terminate upon filing its final report or upon the convening of the 2013 Regular Session of the General Assembly, whichever is earlier.

**SECTION 48.4.** Vacancies on the Committee shall be filled by the appointing authority. The Committee shall choose from among its membership a chair and a vice-chair. A quorum of the Committee shall be five members.

**SECTION 48.5.** The Committee, while in the discharge of its official duties, may exercise all powers provided for under G.S. 120-19 and G.S. 120-19.1 through G.S. 120-19.4, including the power to request all officers, agents, agencies, and departments of the State to provide any information, data, or documents within their possession, ascertainable from their records, or otherwise available to them, and the power to subpoena witnesses.
The Committee may meet at any time upon call of the chairs. The Committee may meet in the Legislative Building or the Legislative Office Building. The Committee may contract for professional, clerical, or consultant services as provided by G.S. 120-32.02.

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

PART XLIX. REESTABLISH LEGISLATIVE STUDY COMMISSION ON PUBLIC-PRIVATE PARTNERSHIPS (S.B. 278 – Jenkins)

SECTION 49.1. There is established the Legislative Study Commission on Public-Private Partnerships.

SECTION 49.2. The Commission shall be composed of 16 members, as follows:

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

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

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

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

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

SECTION 49.3. The Commission shall study issues related to Public-Private Partnerships (PPPs), including examination of the appropriate authority for State, regional, and local government units to engage in PPPs for public capital projects through a regulatory framework. As part of its study, the Commission may study infrastructure banks and any other relevant issues it deems appropriate.

SECTION 49.4. The Commission may report its recommendations and legislative proposals to the 2012 Regular Session of the 2011 General Assembly on or before its
convening. The Commission shall terminate upon filing its final report or upon the convening
of the 2013 General Assembly, whichever is earlier.

PART L. EXPAND DUTIES OF REVENUE LAWS STUDY COMMITTEE TO
INCLUDE ANALYZING AND ASSESSING STATE ECONOMIC DEVELOPMENT
PROGRAMS (S.B. 489 – Rucho)

SECTION 50.1. G.S. 120-70.106 reads as rewritten:

"§ 120-70.106. Purpose and powers of Committee.
(a) The Revenue Laws Study Committee may:
(1) Study the revenue laws of North Carolina and the administration of those
laws.
(2) Review the State's revenue laws to determine which laws need clarification,
technical amendment, repeal, or other change to make the laws concise,
intelligible, easy to administer, and equitable.
(3) Call upon the Department of Revenue to cooperate with it in the study of the
revenue laws.
(4) Analyze the economic development programs supported by the State and the
effectiveness of those programs.
(5) Assess the performance of economic development programs, according to
criteria established by the Committee, and the entities that implement those
programs.
(6) Report to the General Assembly at the beginning of each regular session
concerning its determinations of needed changes in the State's revenue
laws and economic development programs.

These powers, which are enumerated by way of illustration, shall be liberally construed to
provide for the maximum review by the Committee of all revenue law and economic
development matters in this State.

(b) The Committee may make interim reports to the General Assembly on matters for
which it may report to a regular session of the General Assembly. A report to the General
Assembly may contain any legislation needed to implement a recommendation of the
Committee. When a recommendation of the Committee, if enacted, would result in an increase
or decrease in State revenues, the report of the Committee must include an estimate of the
amount of the increase or decrease.

(c) The Revenue Laws Study Committee must review the effect Article 42 of Chapter
66 of the General Statutes, as enacted by S.L. 2006-151, has on the issues listed in this section
to determine if any changes to the law are needed:
(1) Competition in video programming services.
(2) The number of cable service subscribers, the price of cable service by
service tier, and the technology used to deliver the service.
(3) The deployment of broadband in the State.

The Committee must review the impact of this Article on these issues every two years and
report its findings to the North Carolina General Assembly. The Committee must make its first
report to the 2008 Session of the North Carolina General Assembly."

SECTION 50.2. G.S. 120-70.107 reads as rewritten:

"§ 120-70.107. Organization of Committee.
(a) The President Pro Tempore of the Senate and the Speaker of the House of
Representatives shall each designate a cochair of the Revenue Laws Study Committee. The
Committee shall meet upon the joint call of the cochairs.
(b) A quorum of the Committee is nine members. No action may be taken except by
a majority vote at a meeting at which a quorum is present. While in the discharge of its official
duties, the Committee has the powers of a joint committee under G.S. 120-19 and
(c) The Committee shall be funded by the Legislative Services Commission from
appropriations made to the General Assembly for that purpose. Members of the Committee
receive subsistence and travel expenses as provided in G.S. 120-3.1 and G.S. 138-5. The
Committee may contract for consultants or hire employees in accordance with G.S. 120-32.02.
Upon approval of the Legislative Services Commission, the Legislative Services Officer shall
assign professional staff to assist the Committee in its work. Upon the direction of the
Legislative Services Commission, the Supervisors of Clerks of the Senate and of the House of
Representatives shall assign clerical staff to the Committee. The expenses for clerical
employees shall be borne by the Committee."

PART LI. JOINT LEGISLATIVE EFFICIENCY AND COST-SAVINGS IN STATE
GOVERNMENT STUDY COMMISSION (H.B. 627 – Blackwell, Crawford)
SECTION 51.1. There is established the Joint Legislative Efficiency and
Cost-Savings in State Government Study Commission.
SECTION 51.2. The Commission shall be composed of 10 members appointed as
follows:
(1) Five senators appointed by the President Pro Tempore of the Senate.
(2) Five representatives appointed by the Speaker of the House of
Representatives.
Vacancies on the Commission shall be filled by the appointing authority. The
President Pro Tempore of the Senate and the Speaker of the House of Representatives shall
each designate a cochair. A quorum of the Commission shall be a majority of its members.
The Commission may meet at any time upon call of the chairs. The Commission
may meet in the Legislative Building or the Legislative Office Building. The Commission may
contract for professional, clerical, or consultant services as provided by G.S. 120-32.02.
The Commission, while in the discharge of its official duties, may exercise all
powers provided for under G.S. 120-19 and G.S. 120-19.1 through G.S. 120-19.4, including the
power to request all officers, agents, agencies, and departments of the State to provide any
information, data, or documents within their possession, ascertainable from their records, or
otherwise available to them, and the power to subpoena witnesses and documents.
The Director of the Fiscal Research Division shall provide staff support to assist the
Commission in its work. The Director of the Program Evaluation Division shall advise the
Commission. The Legislative Services Commission, through the Legislative Services Officer,
shall assign other professional staff to assist the Commission in its work. The House of
Representatives' and Senate's Directors of Legislative Assistants shall assign clerical staff to the
Commission, and the expenses relating to the clerical employees shall be borne by the
Commission. Members of the Commission shall receive subsistence and travel expenses at the
rates set forth in G.S. 120-3.1, 138-5, or 138-6, as appropriate.
SECTION 51.3. The Commission shall use a zero-based budgeting review process
to study whether there are obsolete programs, cost-reduction opportunities in State government,
and any cases where existing funds can be redirected to meet new and changing demands for
public services. At its first meeting, the Commission shall determine which agency or agencies
to review. The Commission may require any agency under review to submit written
information in a form specified by the Commission by a specified time. The Commission may
accept or reject any or part of any information submitted and require revision or resubmission.
The Commission may require information as follows:
(1) Identification of decision units. – The agency shall identify decision units
representing any group of services with a common set of objectives or
comprising an agency program or administrative support unit.
(2) Impact of discontinuing each decision unit. – The agency shall provide a quantitative estimate of any adverse impacts that could reasonably be expected should the State discontinue a decision unit, together with a full description of the methods by which the adverse impact is estimated.

(3) Division of decision units into decision packages. – The agency shall divide each decision unit into the following four discrete decision packages:

a. Minimum. – A quantitative estimate of any adverse impacts that could reasonably be expected and an itemized account of expenditures that would be required to maintain the activity at the minimum level of service required by any statutory authorization and below which would effectively eliminate all services, together with a concise statement of the resulting quantity and quality of services. This service level shall be below the level described by sub-subdivision b. of this subdivision.

b. Reduced. – A quantitative estimate of any adverse impacts that could reasonably be expected and an itemized account of expenditures that would be required if funding were reduced by the percentage or amount specified by the Commission below the current level as defined by sub-subdivision c. of this subdivision and a concise statement of the resulting quantity and quality of services.

c. Current. – A quantitative description of benefits from and an itemized account of expenditures that would be required to maintain the activity at the current level of service, together with a full description of the methods by which the current level is determined and a concise statement of the resulting quantity and quality of services.

d. Enhanced. – A quantitative estimate of benefits that could reasonably be expected and an itemized account of expenditures that would be required to increase the current level of service, together with a full description of the methods by which the enhanced level is estimated and a concise statement of the resulting quantity and quality of services.

(4) Service delivery alternatives. – For each decision package, a description of alternative methods for delivering services which may include, but not be limited to, shedding one or more services and relying upon the free market for delivery, delegation to another level of government, using Requests for Information or competitive selection to outsource to private for-profit or nonprofit organizations, in whole or in part, including franchising, assisting or providing incubator arrangements for current State employees to form non-State organizations to compete for outsourcing opportunities, or through methods used by other states or nations.

(5) Ranking. – As instructed by the Commission, a ranking of all decision packages compared with each other without ties.

SECTION 51.4. The Commission shall make an interim report to the 2012 Regular Session of the 2011 General Assembly and shall make a final report to the 2013 General Assembly. The report shall include any proposed legislation. The Commission shall terminate upon filing its final report or upon the convening of the 2013 General Assembly, whichever is earlier.
PART LII. LEGISLATIVE STUDY COMMISSION ON ENERGY INDEPENDENCE AND ALTERNATIVE FUEL FOR VEHICLES (H.B. 704 – Hager, Steen, Stone, Collins; H.B. 585 – Pridgen, Hastings, Jones)

SECTION 52.1. There is established the Legislative Study Commission on Energy Independence and Alternative Fuel for Vehicles to study the State's future energy needs. The study shall focus on the possible use of compressed natural gas, liquid propane, and biofuels as fuel sources for vehicles and shall study the development of natural gas, oil, wind, solar, and other energy sources capable of energy production for the purposes of North Carolina becoming more self-reliant as to its energy supplies; becoming more independent of foreign energy markets, which are volatile and steeply fluctuating due to current energy and political crises; and avoiding the potential of being completely cut off from foreign fuel due to political unrest and instability in the Middle East.

SECTION 52.2. The Commission shall be composed of eight members, as follows:

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

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

(3) Two public members appointed by the Speaker of the House of Representatives, one of which shall be an individual with experience in the alternative fuel industry and one of which shall be an individual employed in academia with expertise in alternative fuels for vehicles.

(4) Two public members appointed by the President Pro Tempore of the Senate, one of which shall be an individual with experience in the alternative fuel industry and one of which shall be an individual employed in academia with expertise in alternative fuels for vehicles.

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

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

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

SECTION 52.3. As part of its study, the Commission may examine the following:

(1) Infrastructure changes needed to facilitate the use of alternative fuel vehicles, including integration with gas distribution lines.

(2) Incentives for alternative fuels for vehicles, including tax incentives.

(3) Feasibility of using alternative fuel vehicles for the State fleet.

(4) Impact of alternative fuel vehicles on fuel supply.

(5) The potential for job creation and market growth as a result of the use of compressed natural gas and biofuels as fuel sources for vehicles.

(6) The environmental impact of the alternative fuels.
(7) Any other relevant issues relating to the use of compressed natural gas and biofuels as fuel sources for vehicles.

(8) The identification of prospective energy companies that explore for and produce energy from natural gas, oil, wind, solar, or other energy sources capable of energy production and their availability to present the General Assembly with specific proposals for the production of energy in North Carolina.

(9) Actions that would promote the development of natural gas, oil, wind, solar, and other energy sources capable of energy production in North Carolina. The Commission shall specifically consider the use of incentives, including tax credits and other financial incentives, and changes to State law to reduce the regulatory burden on energy development and production in North Carolina.

SECTION 52.4. The Commission may report its recommendations and legislative proposals to the 2012 Regular Session of the 2011 General Assembly on or before its convening. The Commission shall terminate upon filing its report or upon the convening of the 2013 General Assembly, whichever is earlier.

PART LIII. COMMERCIAL POULTRY HOUSE FIRE CODE LEGISLATIVE STUDY COMMISSION (H.B. 759 – Committee on Rules, Calendar, and Operations of the House)

SECTION 53.1. Commission Created. – There is created the Commercial Poultry House Fire Code Legislative Study Commission (Commission). The Commission shall consist of 12 voting members appointed as follows:

(1) Four members appointed by the Governor, to include:
   a. One person who is a farmer engaged in the production of chickens.
   b. One person who is a representative of the State Building Codes Council.
   c. Two members of the general public.

(2) Four members appointed by the President Pro Tempore of the Senate, to include:
   a. Three members of the Senate.
   b. One member of the general public.

(3) Four members appointed by the Speaker of the House of Representatives, to include:
   a. Three members of the House of Representatives.
   b. One member of the general public.

SECTION 53.2.(a) Purposes. – The Commission shall do the following:


(2) Study any other matters that the Commission deems relevant.

(3) Make an interim report to the General Assembly by the convening of the 2012 Regular Session of the 2011 General Assembly.

(4) Make a final report to the 2013 General Assembly that includes findings, recommendations, and legislative proposals relating to fire codes for commercial poultry houses.

SECTION 53.2.(b) Termination. – The Commission shall terminate upon filing its final report or upon the convening of the 2013 General Assembly, whichever is earlier.
SECTION 53.2.(c) Commission Operations. – The Speaker of the House of Representatives and the President Pro Tempore of the Senate shall each appoint a cochair for the Commission. The Commission may contract for consultant services as provided by G.S. 120-32.02. Upon approval of the Legislative Services Commission, the Legislative Services Officer shall assign professional and clerical staff to assist in the work of the Commission. Clerical staff shall be furnished to the Commission through the offices of the House of Representatives' and Senate's Directors of Legislative Assistants. The Commission may meet in the Legislative Building or the Legislative Office Building upon the approval of the Legislative Services Commission. Members of the Commission shall receive per diem, subsistence, and travel allowances at the rate established in G.S. 120-3.1. The appointing authority shall fill vacancies. The Commission, while in the discharge of its official duties, may exercise all the powers provided under the provisions of G.S. 120-19 through G.S. 120-19.4, including the power to request all officers, agents, agencies, and departments of the State to provide any information, data, or documents within their possession, ascertainable from their records, or otherwise available to them and the power to subpoena witnesses.

PART LIV. JOINT LEGISLATIVE STUDY COMMITTEE ON FEDERAL SEX OFFENDER REGISTRATION AND NOTIFICATION ACT (SORNA) COMPLIANCE (H.B. 772 – House Judiciary Committee)

SECTION 54.1.(a) Committee Established. – There is created the Joint Legislative Study Committee on Federal Sex Offender Registration and Notification Act (SORNA) Compliance. The Committee shall consist of 10 members to be appointed as follows:
(1) Five members of the House of Representatives appointed by the Speaker of the House of Representatives.
(2) Five members of the Senate appointed by the President Pro Tempore of the Senate.

The Speaker of the House of Representatives shall designate one representative as cochair, and the President Pro Tempore of the Senate shall designate one senator as cochair. Vacancies on the Committee shall be filled by the same appointing authority making the initial appointment.

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

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

SECTION 54.1.(b) Duties. – The Committee shall study and make recommendations on the following:
(1) The requirements of SORNA and the changes required in State law to bring the State into compliance with those requirements.
(2) The potential cost to State and local agencies to implement the requirements of SORNA compared to the potential loss of grant funding for failure to comply.
(3) Whether the current State registration requirements are meeting the needs of the State and providing adequate public safety.
Whether the State should comply with the requirements of SORNA, and if so, make specific recommendations for the implementation of SORNA.

SECTION 54.1.(c) Report. – The Committee may make a final report, including any proposed legislation, to the 2012 General Assembly upon its convening. The Committee shall terminate upon filing its final report or upon the convening of the 2012 General Assembly, whichever is earlier.

PART LV. JOINT LEGISLATIVE STUDY COMMISSION ON COASTAL PROPERTY INSURANCE RATES (H.B. 820 – McElraft, Hamilton, Justice, Rapp)

SECTION 55.1. There is created the Joint Legislative Study Commission on Coastal Property Insurance Rates. The Commission shall consist of 14 members appointed as follows:

(1) The Commissioner of Insurance or his designee, serving ex officio.
(2) A representative of the North Carolina Rate Bureau.
(3) A representative of the North Carolina Insurance Underwriting Association.
(4) Three members appointed by the Governor, to include one member of the general public who resides in the coastal area of the State, one member of the general public who resides in the beach area of the State, and one member of the general public who resides outside the beach and coastal areas of the State. For purposes of this subdivision, "coastal area" and "beach area" shall have the definitions specified by G.S. 58-45.5.
(5) Four members appointed by the Speaker of the House of Representatives, to include three members of the House of Representatives and one member to represent the interests of companies writing property insurance policies in the State.
(6) Four members appointed by the President Pro Tempore of the Senate, to include three members of the Senate and one person who represents the interests of insurance agents.

Vacancies on the Commission shall be filled by the appointing authority. A quorum of the Commission shall consist of eight members. The Speaker of the House of Representatives and the President Pro Tempore of the Senate shall each appoint a cochair for the Commission. The Commission may meet at any time upon the joint call of the cochairs.

The Commission, while in the discharge of its official duties, may exercise all the powers provided under the provisions of G.S. 120-19 through G.S. 120-19.4, including the power to request all officers, agents, agencies, and departments of the State to provide any information, data, or documents within their possession, ascertainable from the records, or otherwise available to them, and the power to subpoena witnesses.

The Commission may contract for professional, clerical, or consultant services as provided by G.S. 120-32.02.

SECTION 55.2. Purpose. – The Commission shall study the following:

(1) The feasibility and advisability of replacing the North Carolina Insurance Underwriting Association and the North Carolina Joint Underwriting Association with a statewide catastrophic fund which pools the risks to North Carolina policyholders from all types of natural disasters.
(2) Whether coastal insurance rates on policies ceded to the North Carolina Insurance Underwriting Association, the composition of the Association's Board of Directors, and the Association's plan of operations are efficient, economical, fair, and nondiscriminatory in protecting the interests of beach and coastal areas of the State, compared to other coastal states.
Whether the data and methodologies used by the North Carolina Insurance Underwriting Association in estimating probable maximum loss accurately model insurable risks for property located in the beach and coastal areas of the State.

The feasibility and advisability of offering coastal and beach area property owners the option of self-insuring by declining wind and hail coverage in situations where no third party has an insurable interest in the property.

The adequacy of accounting and oversight of the North Carolina Insurance Underwriting Association's accumulated surplus.

Whether the mitigation credits provided by the North Carolina Insurance Underwriting Association pursuant to G.S. 58-45-45(e) are fair and nondiscriminatory and whether the schedule of credits, when compared to the cost of mitigation measures provides adequate incentive for beach and coastal area property owners to invest in such measures.

SECTION 55.3. Staff. – Upon approval of the Legislative Services Commission, the Legislative Services Officer shall assign professional and clerical staff to assist in the work of the Commission. Clerical staff shall be furnished to the Commission through the offices of the House of Representatives and Senate Supervisors of Clerks.

SECTION 55.4. Meeting location. – The Commission may meet in the Legislative Building or Legislative Office Building upon the approval of the Legislative Services Commission.

SECTION 55.5. Expenses of members. – Members of the Commission shall receive per diem, subsistence, and travel allowances at the rate established in G.S. 120-3.1.

SECTION 55.6. Report. – The Commission shall submit an interim report to the 2012 Regular Session of the 2011 General Assembly prior to its reconvening and shall make a final report to the 2013 Regular Session of the General Assembly prior to its convening. The report shall contain the Commission's findings, recommendations, legislative proposals, and cost analyses. The Commission shall terminate upon filing its final report or upon the convening of the 2013 General Assembly, whichever is earlier.

PART LVI. JOINT LEGISLATIVE STUDY COMMITTEE ON GLOBAL ENGAGEMENT (H.B. 23 – Carney, Dollar, L. Brown, Wilkins; S.B. 15 – Brunstetter, Stein)

SECTION 56.1. Committee established. – There is created the Joint Legislative Study Committee on Global Engagement. The Committee shall consist of 14 members to be appointed as follows:

(1) Seven members of the House of Representatives appointed by the Speaker of the House of Representatives.

(2) Seven members of the Senate appointed by the President Pro Tempore of the Senate.

The Speaker of the House of Representatives shall designate one representative as cochair, and the President Pro Tempore of the Senate shall designate one senator as cochair. Vacancies on the Committee shall be filled by the same appointing authority making the initial appointment.

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

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

SECTION 56.2. Duties. – The Committee shall continue the work of the Joint Select Committee on Global Engagement created pursuant to G.S. 120-19.6(a1), Rule 31 of the Rules of the Senate of the 2009 General Assembly, and Rule 26(a) of the House of Representatives of the 2009 General Assembly, by continuing to work toward promoting economic growth and stimulating job creation in the global economy. To that end, the Committee may work in conjunction with the Center for International Understanding to develop a Statewide Strategic Plan for Global Engagement. The Committee may study the following:

1. North Carolina's current international activity in the business, State government, and education sectors.
2. Barriers to international trade that may be addressed by legislation.
3. Ways to increase coordination, synchronization, and intercommunication between State and local governmental entities.
5. Representation options for North Carolina responsible for soliciting, targeting, educating, and recruiting international businesses to North Carolina.
6. Incentives designed to encourage small businesses to export goods and service solutions.
8. Means to increase foreign direct investment in North Carolina.

SECTION 56.3. Report. – The Committee may make a final report, including any proposed legislation, to the 2012 Session of the 2011 General Assembly upon its convening. The Committee shall terminate upon filing its final report or upon the convening of the 2012 Session of the 2011 General Assembly, whichever is earlier.
an organization that provides ex-offender services, and one shall be a public member who is a successful ex-offender. Of the eight members appointed by the President Pro Tempore of the Senate, one shall be a public member who is an employee of an organization that provides ex-offender services, and one shall be a public member who is a successful ex-offender.

The Speaker of the House of Representatives and the President Pro Tempore of the Senate each shall appoint a cochair for the Committee. The Committee may meet at any time upon the joint call of the cochairs. A cochair or other member of the committee shall continue to serve until a successor is appointed. Vacancies on the Committee shall be filled by the same appointing authority as made the initial appointment.

**SECTION 57.3.** The Committee, while in the discharge of its official duties, may exercise all powers provided for under G.S. 120-19 and G.S. 120-19.1 through G.S. 120-19.4. The Committee may contract for professional, clerical, or consultant services as provided by G.S. 120-32.02.

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

**SECTION 57.4.** The Committee shall study issues related to reintegration of offenders following incarceration. Specifically, the Committee shall study how North Carolina and other states address barriers facing ex-offenders in accessing jobs, housing, education, training, and services and determine best practices that reduce recidivism. There have been recommendations regarding these issues from a similar committee during the 2010-2011 Session and from the StreetSafe Task Force and the Justice Reinvestment Project; however, major areas remain to be addressed. In connection with this study, the Committee may consider and report on all of the following:

1. The definition, accuracy, sale, and regulation of criminal records.
2. Systemic and legal barriers to employment, housing, education, training, and services.
3. The availability and coordination of needed services and programs for successful reentry.
4. Best practices for reducing recidivism.
5. Transitional services for ex-offenders with high and complex needs.
6. Use and expansion of drug and mental health courts to divert from prison people who need treatment.
7. A comprehensive review of the collateral consequences for conviction of criminal offenses, and where appropriate, the clarity, consistency, and reduction of such consequences along with notice to offenders and court officials of these consequences.
8. The capacity, effectiveness, and replicability of statewide and community-based programs to meet the risks and needs of both the supervised and unsupervised population returning from prison.
10. Best practices to address and reduce the disproportionate representation of people of color in the offender population.
SECTION 57.5. The Committee may submit an interim report of its findings and recommendations, including any legislative recommendations, to the 2012 Regular Session of the 2011 General Assembly upon its convening and shall submit a final report of its findings and recommendations, including any legislative recommendations, to the 2013 General Assembly upon its convening. The Committee shall terminate on the convening of the 2013 General Assembly.

PART LVIII. REESTABLISH HOUSE STUDY COMMITTEE TO PRESERVE THE CULTURE AND CUSTOMS OF INDIAN CHILDREN (H.B. 680 – Graham, Pierce; H.B. 681 – Graham, Pierce, Brandon)

SECTION 58.1. The House Select Committee on the Preservation of Culture and Customs of Indian Children, authorized by Section 2.12 of S.L. 2009-574, is reestablished. The Committee shall consist of nine members appointed by the Speaker of the House of Representatives as follows:

(1) Four members from the House of Representatives, one of which shall be a Native American.

(2) One member from the State Commission on Indian Affairs.

(3) One member from the Child Welfare Services Section of the Division of Social Services, Department of Health and Human Services.

(4) One member to be selected by the American Indian Mothers, Inc.

(5) One member from the Cherokee tribe.

(6) One member from a State-recognized tribe.

The Speaker of the House of Representatives shall designate one representative as chair. Vacancies of the Committee shall be filled by the same appointing authority that made the initial appointment. The Committee shall meet on the call of the chair. A quorum of the Committee shall be a majority of its members.

SECTION 58.2. The Committee shall examine any issues or matters which would impact the preservation of the customs and culture of Indian children who are not covered under the ICWA and who are the subject of legal proceedings in State courts, including, but not limited to, adoption, custody, and visitation. The House Select Committee may continue to study the following:

(1) Current State laws applicable to family-related legal proceedings and their impact on retention of the cultural heritage of child members of Indian tribes.

(2) Guidelines for local departments of social service agencies that would implement the same or similar policies and practices that are applicable to Indian children under federal law.

(3) The creation of a State council or commission, to include members of Indian tribes, State and local social services agencies, the judiciary, and other appropriate officials to recommend policies and procedures to the General Assembly.

(4) The impact of American Indian sports mascots and logos at the public schools and current policies and procedures on their use.

(5) Any other matter that is relevant to promoting the preservation of the customs and culture of Indian children who are the subject of legal proceedings in State courts.

SECTION 58.3. While in the discharge of its official duties, the Committee may exercise all powers provided for under G.S. 120-19 and G.S. 120-19.1 through G.S. 120-19.4. Members of the Committee shall receive per diem, subsistence, and travel allowance as provided in G.S. 120-3.1, 138-5, or 138-6, as appropriate. With the prior approval of the Legislative Services Commission, the Legislative Services Officer shall assign professional and
clerical staff to assist the Committee in its work. The House of Representatives shall assign
clerical staff to the Committee. The Committee may contract for professional, clerical, or
consultant services as provided by G.S. 120-32.02. The Committee may meet in the
Legislative Building or Legislative Office Building and may meet at various locations around
the State in order to promote greater public participation in its deliberations.

SECTION 58.4. The Committee shall submit a final report to the 2012 Regular
Session of the 2011 General Assembly and may submit interim reports as it deems necessary.
The Committee shall terminate upon filing its final report or upon the convening of the 2012
Regular Session of the 2011 General Assembly, whichever comes first.

PART LIX. REESTABLISH JOINT LEGISLATIVE STUDY COMMISSION ON
PUBLIC-PRIVATE PARTNERSHIPS (H.B. 320 – McGee, Ross, McComas, Carney; S.B.
278 – Jenkins)

SECTION 59.1. There is established the Legislative Study Commission on
Public-Private Partnerships.

SECTION 59.2. The Commission shall be composed of 16 members, as follows:
(1) Five members of the Senate, appointed by the President Pro Tempore of the
Senate.
(2) Five members of the House of Representatives, appointed by the Speaker of
the House of Representatives.
(3) Three public members, appointed by the Speaker of the House of
Representatives.
(4) Three public members, appointed by the President Pro Tempore of the
Senate.

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

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

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

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

SECTION 59.3. The Commission shall study issues related to Public-Private
Partnerships (PPPs), including examination of the appropriate authority for State, regional, and
local government units to engage in PPPs for public capital projects through a regulatory
framework. As part of its study, the Commission may study infrastructure banks and any other
relevant issues it deems appropriate.

SECTION 59.4. The Commission may report its recommendations and legislative
proposals to the 2012 Regular Session of the 2011 General Assembly on or before its
convening. The Commission shall terminate upon filing its report or upon the convening of the 2013 General Assembly, whichever is earlier.

PART LX. LEGISLATIVE STUDY COMMISSION ON IMPROVEMENT IN SMALL-DOLLAR LENDING (H.B. 810 – Steen, Brubaker, Owens, K. Alexander)

SECTION 60.1. There is created the North Carolina Legislative Study Commission on Improvement in Small-Dollar Lending. The purpose of the Commission is to determine what measures the General Assembly may undertake to appropriately update G.S. 53-173 of the North Carolina Consumer Finance Act.

SECTION 60.2. The Commission shall consist of the following 16 members:

(1) Five members of the House of Representatives appointed by the Speaker of the House of Representatives.
(2) Five members of the Senate appointed by the President Pro Tempore of the Senate.
(3) One member of the consumer finance industry, one member of a consumer advocacy organization, and one member representing a State-chartered bank, each appointed by the Speaker of the House of Representatives.
(4) One member of the consumer finance industry, one member of a consumer advocacy organization, and one member representing a State-chartered credit union, each appointed by the President Pro Tempore of the Senate.

SECTION 60.3. The Speaker of the House of Representatives shall designate one representative as co-chair, and the President Pro Tempore of the Senate shall designate one senator as co-chair. The Commission shall meet upon the call of the co-chairs. Vacancies on the Commission shall be filled by the same appointing authority as made the initial appointment. A quorum of the Commission shall be a majority of its members.

SECTION 60.4. The Commission shall study the following issues related to designating appropriate features for a small-dollar loan product and the economic requirements for market sustainability and availability for loans made under G.S. 53-173 of the North Carolina Consumer Finance Act:

(1) Appropriate features of small-dollar installment loans for consumer safety and accountability; that is, transparency, fairness, transaction structure, and sustainability for individuals borrowing funds under this section.
(2) The costs of operations and economic sustainability for the consumer finance industry and its impact on the availability and delivery of small-dollar loan products under this section, with specific emphasis on loans under three thousand dollars ($3,000).
(3) Appropriate ceiling of the maximum dollar amount to be lent to an individual consumer under this section.
(4) What, if any, are appropriate restrictions on pricing or transaction fees under this section to encourage safety, responsibility, competition, and availability.
(5) Any other matters the Commission considers necessary in furtherance of the purpose for which it is established.

SECTION 60.5. Members of the Commission shall receive per diem, subsistence, and travel allowances in accordance with G.S. 120-3.1, 138-5, or 138-6, as appropriate. The Commission, while in the discharge of its official duties, may exercise all powers provided for under G.S. 120-19 and G.S. 120-19.1 through G.S. 120-19.4. The Commission may meet in the Legislative Building or the Legislative Office Building.

With approval of the Legislative Services Commission, the Legislative Services Officer shall assign professional staff to assist the Commission in its work. The House of Representatives' and the Senate's Directors of Legislative Assistants shall assign clerical staff to the Commission, and the expenses relating to the clerical employees shall be borne by the
General Assembly Of North Carolina  Session 2011

Commission. The Commission may contract for professional, clerical, or consultant services as
provided by G.S. 120-32.02. If the Commission hires a consultant, the consultant shall not be a
State employee or a person currently under contract with the State to provide services.

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

SECTION 60.6. The Commission shall report the results of its study and its
recommendations, including any proposed legislative changes, to the 2012 Regular Session of
the 2011 General Assembly. The Commission shall terminate on May 1, 2012, or upon the
filing of its final report, whichever occurs first.

PART LXI. AUTOMOBILE INSURANCE MODERNIZATION STUDY COMMISSION
(H.B. 834 – Rhyne; S.B. 477 – Apodaca; S.B. 490 – Rucho)

SECTION 61.1. There is created the Automobile Insurance Modernization Study
Commission. The Commission shall consist of 17 members as follows:

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

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

(3) The Commissioner of Insurance or the Commissioner's designee.

(4) One representative of an automobile insurance company appointed by the
Speaker of the House of Representatives.

(5) One representative of an automobile insurance company appointed by the
President Pro Tempore of the Senate.

(6) One independent insurance agent appointed by the Speaker of the House of
Representatives.

(7) One exclusive insurance agent appointed by the President Pro Tempore of
the Senate.

(8) One representative of an academic institution of higher learning located in
the State of North Carolina knowledgeable in insurance and insurance
regulation appointed by the Speaker of the House of Representatives.

(9) One representative of a research or academic institution familiar with
automobile insurance regulatory systems in other states appointed by the
President Pro Tempore of the Senate.

SECTION 61.2. The Commission shall study issues related to the method and
manner of establishing automobile insurance rates in North Carolina, to ensure consumers are
receiving the fullest possible benefit from marketplace competition among insurers on pricing,
product, and coverage options. The study shall include, but is not limited to, review of the
insurance regulatory systems in other states; model laws and recommendations of the National
Association of Insurance Commissioners and the National Conference of Insurance Legislators,
the North Carolina Rate Bureau, the North Carolina Reinsurance Facility, and the Safe Driver
Incentive Program; current and proposed restrictions and regulations on automobile insurance
pricing, underwriting, and related issues; the method and effectiveness of assuring voluntary
and involuntary automobile insurance markets; and the effect of modernizing the automobile
insurance regulatory system upon the revenues, expenses, and operations of the Department of
Insurance and the State of North Carolina.

SECTION 61.3. The Speaker of the House of Representatives and the President
Pro Tempore of the Senate shall each appoint a co-chair for the Commission. The Commission
may contract for consultant services as provided by G.S. 120-32.02. Upon approval of the
Legislative Services Commission, the Legislative Services Officer shall assign professional and
clerical staff to assist in the work of the Commission. Clerical staff shall be furnished to the
Commission through the offices of the House of Representatives and Senate Directors of
Legislative Assistants. The Commission may meet in the Legislative Building or the Legislative Office Building or other facilities of the State of North Carolina upon the approval of the Legislative Services Commission. The Commission, while in discharge of its official duties, may exercise all the powers provided under the provisions of G.S. 120-19 through G.S. 120-19.4, including the power to request all officers, agents, agencies, and departments of the State to provide any information, data, or documents within their possession, ascertainable from their records, or otherwise available to them, and the power to subpoena witnesses. Members of the Commission shall receive per diem, subsistence, and travel allowances at the rate established in G.S. 120-3.1, 138-5, or 138-6, as appropriate. The appointing authority shall fill any vacancies.

SECTION 61.4. The Commission shall submit a final report, including all recommended legislation, to the 2012 Regular Session of the 2011 General Assembly. The Commission shall terminate upon the filing of its final report or upon the convening of the 2012 Regular Session of the 2011 General Assembly, whichever is earlier.

SECTION 61.5. From the funds available to the General Assembly, the Legislative Services Commission may allocate monies to fund the work of the Commission.

PART LXII. BLUE RIBBON COMMISSION TO STUDY THE NEED FOR TORT REFORM (H.B. 732 – Blust, Daughtry)

SECTION 62.1. Commission Established. – There is established in the General Assembly a Blue Ribbon Commission to study the need for reform of the laws governing tort claims.

SECTION 62.2. Membership. – The Commission shall be composed of 25 members as follows:
(1) Four members of the House of Representatives appointed by the Speaker of the House of Representatives.
(2) Four members of the Senate appointed by the President Pro Tempore of the Senate.
(3) Four persons appointed by the Governor.
(4) Two persons representing the defense bar, appointed by the North Carolina Association of Defense Attorneys.
(5) Two persons representing liability insurers, appointed by the North Carolina Insurance Federation.
(6) Two persons representing the plaintiff’s trial bar, appointed by the North Carolina Advocates for Justice.
(7) Three persons appointed by the North Carolina Bar Association, to include at least one Professor of Torts from a law school in North Carolina.
(8) Four judges of the General Court of Justice appointed by the Chief Justice of the North Carolina Supreme Court.

SECTION 62.3. Duties of Commission. – The Commission shall study the following subjects relating to reform of North Carolina law of tort:
(1) The adoption of comparative negligence in lieu of contributory negligence.
(2) The adoption of several liability in lieu of joint and several liability in tort.
(3) The economic impact of any proposals for tort reform considered by the Commission, including the impact on accident victims, businesses, insurers, and State and local government.
(4) Any other subjects relating to tort law reform that the Commission determines to be in the public interest to study.
(5) The issues of nonattorney ownership of professional corporation law firms.
As a part of its study, the Commission shall review the issues raised by the first edition of House Bill 832, 2011 General Assembly.
SECTION 62.4. Vacancies. – Any vacancy on the Commission shall be filled by the appointing authority.

SECTION 62.5. Cochairs. – Cochairs of the Commission shall be designated by the Speaker of the House of Representatives and the President Pro Tempore of the Senate from among their respective appointees. The Commission shall meet upon the call of the chairs. A quorum of the Commission shall be 13 members.

SECTION 62.6. Expenses of Members. – Members of the Commission shall receive per diem, subsistence, and travel allowances in accordance with G.S. 120-3.1, 138-5, or 138-6, as appropriate.

SECTION 62.7. Staff. – Adequate staff shall be provided to the Commission by the Legislative Services Office.

SECTION 62.8. Consultants. – The Commission may hire consultants to assist with the study. Before expending any funds for a consultant, the Commission shall report to the Joint Legislative Commission on Governmental Operations on the consultant selected, the work products to be provided by the consultant, and the cost of the contract, including an itemization of the cost components.

SECTION 62.9. Cooperation. – The Commission may call upon any department, agency, institution, or officer of the State or any political subdivision thereof for facilities, data, or other assistance.

SECTION 62.10. Meetings During Legislative Session. – The Commission may meet during a regular or extra session of the General Assembly, subject to approval of the Speaker of the House of Representatives and the President Pro Tempore of the Senate.

SECTION 62.11. Meeting Location. – The Legislative Services Commission shall grant adequate meeting space to the Commission in the State Legislative Building or the Legislative Office Building.

SECTION 62.12. Report. – The Commission shall make an interim report of its findings and recommendations to the 2012 Regular Session of the 2011 General Assembly and shall make a final report of its findings and recommendations to the 2013 General Assembly. The Commission shall submit copies of the reports to the Governor. The Commission shall terminate upon filing its report or upon the convening of the 2013 General Assembly, whichever is earlier.

PART LXIII. HOUSE SELECT COMMITTEE ON EXTRATERRITORIAL JURISDICTION (H.B. 281 – LaRoque)

SECTION 63.1. The House Select Committee on Extraterritorial Jurisdiction is hereby established. The Committee shall consist of eight members appointed by the Speaker of the House of Representatives and the President Pro Tempore of the Senate as follows:

(1) Four members from the House of Representatives.

(2) Four members from the Senate.

The Speaker of the House of Representatives shall designate one representative as cochair. The President Pro Tempore shall designate one senator as cochair. Vacancies of the Committee shall be filled by the same appointing authority that made the initial appointment. The Committee shall meet on the call of the cochairs. A quorum of the Committee shall be a majority of its members.

SECTION 63.2. The Committee shall examine any issues or matters which would impact the exercise of extraterritorial jurisdiction by cities and the impact of such jurisdiction on counties, property owners, and residents. The House Select Committee may continue to study the following:

(1) Current State laws applicable to extraterritorial jurisdiction.

(2) Issues addressed by House Bill 281, 2011 Regular Session.
(3) Any other matter that is relevant to the exercise of extraterritorial jurisdiction by cities in this State.

SECTION 63.3. While in the discharge of its official duties, the Committee may exercise all powers provided for under G.S. 120-19 and G.S. 120-19.1 through G.S. 120-19.4. Members of the Committee shall receive per diem, subsistence, and travel allowance as provided in G.S. 120-3.1, 138-5, or 138-6, as appropriate. With the prior approval of the Legislative Services Commission, the Legislative Services Officer shall assign professional and clerical staff to assist the Committee in its work. The Senate and House of Representatives shall assign clerical staff to the Committee. The Committee may contract for professional, clerical, or consultant services as provided by G.S. 120-32.02. The Committee may meet in the Legislative Building or Legislative Office Building and may meet at various locations around the State in order to promote greater public participation in its deliberations.

SECTION 63.4. The Committee shall submit a final report to the 2012 Regular Session of the 2011 General Assembly and may submit interim reports as it deems necessary. The Committee shall terminate upon filing its final report or upon the convening of the 2012 Regular Session of the 2011 General Assembly, whichever comes first.

PART LXIV. OUT-OF-STATE TRAVEL

SECTION 64.1. For legislative studies authorized by this act, out-of-state travel must be authorized by the President Pro Tempore of the Senate or the Speaker of the House of Representatives, as appropriate.

PART LXV. BILL AND RESOLUTION REFERENCES

SECTION 65.1. The listing of the original bill or resolution in this act is for reference purposes only and may not be deemed to have incorporated by reference any of the substantive provisions contained in the original bill or resolution.

PART LXVI. EFFECTIVE DATE AND APPLICABILITY

SECTION 66.1. Except as otherwise specifically provided, this act is effective when it becomes law. If a study is authorized both in this act and in the Current Operations and Capital Improvements Appropriations Act of 2011, the study shall be implemented in accordance with the Current Operations and Capital Improvements Appropriations Act of 2011 as ratified.