REPORT TO THE
2016 SESSION
of the
2015 GENERAL ASSEMBLY
OF NORTH CAROLINA

APRIL 25, 2016
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TRANSMITTAL LETTER

April 25, 2016

TO THE MEMBERS OF THE 2016 REGULAR SESSION
OF THE 2015 GENERAL ASSEMBLY

The JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON GENERAL
GOVERNMENT, respectfully submits the following report to the 2016 Regular
Session of the 2015 General Assembly.

Sen. James Davis (Co-Chair)

Rep. George Cleveland (Co-Chair)

Rep. Dennis Riddell (Co-Chair)
The Joint Legislative Oversight Committee on General Government met five (5) times after the 2015 Regular Session. The Committee's proceedings are outlined below. Detailed minutes and handouts from each meeting are available in the Legislative Library. Agendas and handouts for each meeting are available at the following link:


January 11, 2016, 9:00 a.m.
Room 544, Legislative Office Building
Rep. George Cleveland, Co-Chair, Presiding

Duties and Responsibilities of the Joint Legislative Oversight Committee on General Government
Lisa Hollowell, Fiscal Research Division

Department of Administration
Privatization of Motor Pool
Kathryn Johnston, Secretary, Department of Administration

Mandated Report on Motor Fleet
William B. Buchanan, Director, Motor Fleet Management Division, Department of Administration

Department of Military and Veterans’ Affairs
Overview
Cornell Wilson, Jr., Secretary, Department of Military and Veterans' Affairs

Department of State Treasurer
Investments Division Compensation Adjustments and Hiring Update
Kevin SigRist, Chief Investment Officer for North Carolina Retirement Systems, Department of State Treasurer

Office of State Budget and Management
State Government Initiatives from NC GEAR Recommendations
Erin Matteson, Assistant State Budget Officer, Office of State Budget and Management

February 8, 2016; 9:00 a.m.
Room 544, Legislative Office Building
Rep. Dennis Riddell, Co-Chair, Presiding

Department of Revenue
IT Project Update
David Roseberry, CIO, Department of Revenue

Office of State Human Resources
- Temporary Solutions
- Reorganization through Reduction Program
- Salary Adjustment Fund
- Performance Management System & Learning Management System
  Neal Alexander, Director Office of State Human Resources

Department of Public Safety
  Brief Overview of Division of Emergency Management
  Michael Sprayberry, Director, Division of Emergency Management, Department of Public Safety

Department of Administration
  Vendor Debarment Process
  Sam Byassee, Deputy Director, Purchasing and Contracts, Department of Administration

Department of Information Technology
- Services provided to the agencies and their costs
- Methodology for rate setting
- Impact of rate changes on General Government agencies
  Keith Werner, Secretary, Department of Information Technology

March 14, 2016, 9:00 a.m.
Room 544, Legislative Office Building
Rep. George Cleveland, Presiding

Department of Information Technology
  Keith Werner, State Chief Information Officer

Office of State Human Resources
Office of the State Auditor
  Reorganization through Reduction (RTR) Program
  Director Neal Alexander, Office of State Human Resources
  State Auditor Beth Wood, NC Office of the State Auditor

Continuation Reviews
  Department of Insurance - Rescue Squad Workers’ Relief Fund, Volunteer Rescue/EMS Grant Program, and State Fire Protection Program
  M. Benjamin Popkin, JD, MPH, Director of Government Affairs, Department of Insurance
  Rick McIntyre, CFO, MIFireE, Assistant State Fire Marshal, Senior Deputy Commissioner, Department of Insurance

Program Evaluation Division
  Purchasing and Contracts Study
  Chuck Hefren, Principal Program Evaluator, Program Evaluation Division
April 11, 2016, 9:00 a.m.
Room 544, Legislative Office Building
Sen. James Davis, Presiding

Results First Initiative
John Turcotte, Director, Program Evaluation Division

Continuation Reviews
Human Relations Commission
Emily Hunter, Executive Director, Human Relations Commission

Office of State Controller (OSC) - Beacon Funds from DOT
Robert Alford, Chief Fiscal Officer, Office of the State Controller

Office of State Controller
Background Checks for Employees
Robert Alford, Chief Fiscal Officer, Office of the State Controller

Office of State Treasurer
Able Act Implementation
Steve Toole, Director, Retirement Systems Division
Unclaimed Property Update
Brenda Williams, Deputy Treasurer
IT/Server/Storage Update
Bill Golden, Chief Information Officer
Local Governments
Greg Gaskins, Deputy Treasurer, State and Local Finance Division
Venture Capital Multiplier Fund
Anthony Solari, Director of Government Relations

Department of Administration
DOA Efforts to Address Issues Identified in Purchasing and Contracts Study by Program Evaluation Division
Kathryn Johnston, Secretary of Administration
Patti Bowers, Director of Procurement, Contracts and Grants, Department of Health and Human Services (formerly State Purchasing Officer, Department of Administration)

April 25, 2016, 4:00 p.m.
Room 544, Legislative Office Building
Rep. Dennis P. Riddell, Presiding

Presentation of Proposed Committee Report
Fiscal Research Division Staff

Discussion and Approval of Committee Report
Based on information presented to the Joint Legislative Oversight Committee on General Government during its regularly scheduled meetings, the Committee reports the following findings and recommendations to the 2016 Regular Session of the 2015 General Assembly:

**Finding and Recommendation 1 – State Motor Pool**
The Joint Legislative Oversight Committee on General Government heard from the Department of Administration (DOA) on January 11, 2016, regarding changes to the Motor Pool program and found DOA needs legislative changes to conform with the current operations and plans for vehicle usage and rentals and recommends authorizing the Department of Administration to contract with private vendors for short term rentals for State employee use. See Legislative Proposal #1 in Appendix C.

**Finding and Recommendation 2 – Opportunity Scholarship Grant Program**
The Joint Legislative Oversight Committee on General Government heard from the Department of Military and Veterans Affairs and committee members on January 11, 2016, regarding the Opportunity Scholarship Grant Program and found that the eligibility criteria are currently not broad enough to include military families living on and around North Carolina Military Bases and recommends that the eligibility criteria be expanded so that any child whose parent or legal guardian is active duty status in the uniformed service of the United States, including members of the National Guard and Reserve on active duty orders, will be eligible for the Opportunity Scholarships Grant Program. See Legislative Proposal #2 in Appendix C.

**Finding and Recommendation 3 – Rescue Squad Workers’ Relief Fund, Volunteer Rescue/EMS Grant Program, and State Fire Protection Program**
The Joint Legislative Oversight Committee on General Government heard reports from the Department of Insurance on March 14, 2016 on the required continuation reviews of three grant programs. The Committee found that the Rescue Squad Workers’ Relief Fund, the Volunteer Rescue/EMS Grant Program, and the State Fire Protection Program, all of which are operated within the Office of State Fire Marshal, should continue and be funded through transfers from Department of Transportation, including funds collected by the Division of Motor Vehicle’s Vehicle Inspection Program.

**Finding and Recommendation 4 - Background Checks for Office of State Controller**
The Joint Legislative Oversight Committee on General Government heard from the Office of State Controller (OSC) on April 11, 2016 regarding its need to be granted authority to conduct background checks on current and prospective employees, contractors, and volunteers with the assistance of the Department of Public Safety. The Committee finds that legislation is needed to allow the Department of Public Safety to provide to the Office of State Controller from the State and National Repositories of
Criminal Histories the criminal history of any current or prospective employee, volunteer, or contractor of the Office of State Controller. See Legislative Proposal #3 in Appendix C.

Finding and Recommendation 5 – Human Relations Commission
The Joint Legislative Oversight Committee on General Government heard from the Department of Administration on April 11, 2016, on the Continuation Review conducted on the Human Relations Commission. The Committee recommends that the program continue with recurring funding at the funding level of FY 2015-16.

Finding and Recommendation 6 – Office of the State Controller
The Joint Legislative Oversight Committee on General Government heard from the State Controller on April 11, 2016, on the Continuation Review conducted on the Highway Fund transfer for BEACON support. The Committee recommends continuing with the funding of Beacon positions through the prior agreement with Department of Transportation transfers.
COMMITTEE MEMBERSHIP

2015-2016

President Pro Tempore of the Senate
Appointments:
Sen. James Davis (Co-Chair)
Sen. Donald Davis
Sen. Valerie Foushee
Sen. Joyce Krawiec
Sen. Michael Lee
Sen. Norman Sanderson

Speaker of the House of Representatives
Appointments:
Rep. George Cleveland (Co-Chair),
Rep. Dennis Riddell (Co-Chair)
Rep. Mark Brody (Vice-Chair)
Rep. David Lewis (Advisory Member)
Rep. Lawrence Yarborough (Advisory Member)
Rep. Alicia Brown
Rep. Elmer Floyd
Rep. James Whitmire

Committee Staff:

Fiscal Research Division
Lisa Hollowell, Committee Analyst
Cara Bridges, Committee Analyst
Daniel Sater, Committee Analyst

Legislative Analysis Division
Bill Patterson, Committee Counsel

Legislative Drafting Division
Myra Torain, Committee Analyst

Committee Clerks:
Pamela Ahlin, Office of Rep. George Cleveland
Polly Riddell, Office of Rep. Dennis Riddell
Kaye Culberson, Office of Sen. James Davis
NORTH CAROLINA GENERAL STATUTES

Chapter 120

Article 35.

Joint Legislative Oversight Committee on General Government.

§ 120-305. Creation and membership of Joint Legislative Oversight Committee on General Government.

(a) The Joint Legislative Oversight Committee on General Government is established. The Committee consists of 12 members as follows:

(1) Six members of the Senate appointed by the President Pro Tempore of the Senate. At least three of the members shall be members of the Senate appropriations committee that has jurisdiction over the agencies set out in G.S. 120-306(a)(1).

(2) Six members of the House of Representatives appointed by the Speaker of the House of Representatives. At least three of the members shall be members of the House of Representatives appropriations subcommittee that has jurisdiction over the agencies set out in G.S. 120-306(a)(1).

(b) Terms on the Committee are for two years and begin on the convening of the General Assembly in each odd-numbered year. Members may complete a term of service on the Committee even if they do not seek reelection or are not reelected to the General Assembly, but resignation or removal from service in the General Assembly constitutes resignation or removal from service on the Committee.

(c) A member continues to serve until a successor is appointed. A vacancy shall be filled within 30 days by the officer who made the original appointment.

§ 120-306. Purpose and powers of Committee.

(a) The Joint Legislative Oversight Committee on General Government shall examine on a continuing basis the services provided by the departments and agencies set out in this subsection in order to make ongoing recommendations to the General Assembly on ways to improve the effectiveness, efficiency, and quality of State government services. The Committee has the following powers and duties:

(1) Study the programs, organization, operations, and policies of the following agencies:

a. Department of Administration.

b. Department of State Auditor.

c. Department of Cultural Resources.

d. Governor's Office.
e. Housing Finance Agency.
f. Department of Insurance.
g. Lieutenant Governor's Office.
h. Office of Administrative Hearings.
i. Office of State Human Resources.
j. Department of Revenue.
k. Department of Secretary of State.
l. State Board of Elections.
m. Office of State Budget and Management.
n. Office of State Controller.
o. State Ethics Commission.
p. Department of State Treasurer.
q. General Assembly.
r. Any other agency under the jurisdiction of the Senate and House of Representatives appropriations subcommittees on general government.

(2) Review compliance of budget actions directed by the General Assembly.

(3) Monitor expenditures, deviations, and changes made by the agencies set out in subdivision (a)(1) of this section to the certified budget.

(4) Review policy changes as directed by law.

(5) Receive presentations of reports from agencies directed in the law, including audits, studies, and other reports.

(6) Review any issues that arise during the interim period between sessions of the General Assembly and provide a venue for any of these issues to be heard in a public setting.

(7) Monitor the quality of services provided by general government agencies to other agencies and the public.

(8) Identify opportunities for general government agencies to coordinate and collaborate to eliminate duplicative functions.

(9) Have presentations and reports on any other matters that the Committee considers necessary to fulfill its mandate.

(b) The Committee may make reports to the General Assembly. A report to the General Assembly may contain legislation needed to implement a recommendation of the Committee.

   (a) The President Pro Tempore of the Senate and the Speaker of the House of Representatives shall each designate a cochair of the Joint Legislative Oversight Committee on General Government. The Committee shall meet upon the joint call of the cochairs.

   (b) A quorum of the Committee is five 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 G.S. 120-19.1 through G.S. 120-19.4.
(c) Members of the Committee shall receive subsistence and travel expenses as provided in G.S. 120-3.1. The Committee may contract for consultants or hire employees in accordance with 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. Upon the direction of the Legislative Services Commission, the Directors of Legislative Assistants 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.

(d) The Committee cochairs may establish subcommittees for the purpose of examining issues relating to services provided by particular divisions within the State's general government departments.

§ 120-308. Reports to Committee.

Whenever a department, office, or agency set out in subdivision (a)(1) of G.S. 120-306 is required by law to report to the General Assembly or to any of its permanent committees or subcommittees on matters affecting the services the department or agency provides, the department or agency shall transmit a copy of the report to the cochairs of the Joint Legislative Oversight Committee on General Government.

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LEGISLATIVE PROPOSAL #1

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015

H/S D

BILL DRAFT 2015-MLz-241* [v.6] (12/17)

(THE IS A DRAFT AND IS NOT READY FOR INTRODUCTION)

Short Title: Motor Fleet Clarification. (Public)

Sponsors:

Referred to:

A BILL TO BE ENTITLED
AN ACT TO CLARIFY THE LAW GOVERNING THE CENTRAL MOTOR FLEET,
AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT
COMMITTEE ON GENERAL GOVERNMENT.
The General Assembly of North Carolina enacts:

SECTION 1. G.S. 143-341(8)(i) reads as rewritten:
"(8) General Services:

... i. To establish and operate a central motor pool fleet and such
subsidiary related facilities as the Secretary may deem
necessary, and to that end:

... 2. To acquire passenger motor vehicles by transfer from other
State agencies and by purchase. All motor vehicles
transferred to or purchased by the Department shall become
part of a central motor pool fleet.

... 4. To maintain, store, repair, dispose of, and replace state-owned
motor vehicles under the control of the Department, using
best management practices. The Department shall ensure that
state-owned vehicles are replaced when most cost effective
using a replacement formula developed by the Department
and reviewed periodically for appropriateness of use. The
Department shall report semiannually to the cochairs of the
Joint Appropriations Subcommittee on General Government,
on or before October 15 and March 15, on the effect of any
new or revised replacement formula on the cost of operating
the central motor pool fleet, including the amount of any
savings from use of any new or revised replacement formula.

...
6. To allocate and charge against each State agency to which transportation is furnished, on a basis of mileage or of rental, its proportionate part of the cost of maintenance and operation of the motor pool fleet.

The amount allocated and charged by the Department of Administration to State agencies to which transportation is furnished shall be at least as follows:
I. Pursuit vehicles and full size four-wheel drive vehicles $.24/le.
II. Vans and compact four-wheel drive vehicles – $.22/le.
III. All other vehicles – $.20/le.

7. To adopt, with the approval of the Governor, reasonable rules for the efficient and economical operation, maintenance, repair, and replacement, as limited in paragraph 4-by sub-sub-subdivision 4. of sub-subdivision i. of this subdivision, of all state-owned motor vehicles under the control of the Department, and to enforce those rules; and to adopt, with the approval of the Governor, reasonable rules regulating the use of private motor vehicles upon State business by the officers and employees of State agencies, and to enforce those rules. The Department, with the approval of the Governor, may delegate to the respective heads of the agencies to which motor vehicles are permanently assigned by the Department the duty of enforcing the rules adopted by the Department pursuant to this paragraph sub-sub-subdivision. Any person who violates a rule adopted by the Department and approved by the Governor is guilty of a Class 1 misdemeanor. Nothing in this sub-subdivision shall be construed as prohibiting the Department from contracting with private vendors for short-term rental motor vehicles to be used by officers and employees of State agencies for State business.

7a. To adopt with the approval of the Governor and to enforce rules and to coordinate State policy regarding (i) the permanent assignment of state-owned passenger motor vehicles and (ii) the use of and reimbursement for those vehicles for the limited commuting permitted by this subdivision. For the purpose of this subdivision 7a, "state-owned passenger motor vehicle" includes any state-owned passenger motor vehicle, whether or not owned, maintained or controlled by the Department of Administration, and regardless of the source of the funds used to purchase it. Notwithstanding the provisions of G.S. 20-190 or any other provisions of law, all state-owned passenger motor vehicles are subject to the provisions of this subdivision 7a; no permanent assignment shall be made and no one shall be exempt from payment of reimbursement for commuting or from the other provisions of this subdivision 7a except as provided by this subdivision 7a. Commuting, as defined and regulated by this subdivision, is limited to those
specific cases in which the Secretary has received and
accepted written justification, verified by historical data. The
Department shall not assign any state-owned motor vehicle
that may be used for commuting other than those authorized
by the procedure prescribed in this subdivision.

A State-owned passenger motor vehicle shall not be
permanently assigned to an individual who is likely to drive it
on official business at a rate of less than 3,150 miles per
quarter unless (i) the individual's duties are routinely related
to public safety or (ii) the individual's duties are likely to
expose the individual routinely to life-threatening situations.
A State-owned passenger motor vehicle shall also not be
permanently assigned to an agency that is likely to drive it on
official business at a rate of less than 3,150 miles per quarter
unless the agency can justify to the Division of Motor Fleet
Management the need for permanent assignment because of
the unique use of the vehicle. Each agency, other than the
Department of Transportation, that has a vehicle assigned to it
or has an employee to whom a vehicle is assigned shall
submit a quarterly report to the Division of Motor Fleet
Management on the miles driven during the quarter by the
assigned vehicle. The Division of Motor Fleet Management
shall review the report to verify that each motor vehicle has
been driven at the minimum allowable rate. If it has not and if
the department by whom the individual to which the car is
assigned is employed or the agency to which the car is
assigned cannot justify the lower mileage for the quarter, the
permanent assignment shall be revoked immediately. The
Department of Transportation shall submit an annual report to
the Division of Motor Fleet Management on the miles driven
during the year by vehicles assigned to the Department or to
employees of the Department. If a vehicle included in this
report has not been driven at least 12,600 miles during the
year, the Department of Transportation shall review the
reasons for the lower mileage and decide whether to
terminate the assignment. The Division of Motor Fleet
Management may not revoke the assignment of a vehicle to
the Department of Transportation or an employee of that
Department for failure to meet the minimum mileage
requirement unless the Department of Transportation
consents to the revocation.

Every individual who uses a State-owned passenger
motor vehicle, pickup truck, or van to drive between the
individual's official work station and his or her home, shall
reimburse the State for these trips at a rate computed by the
Department. This rate shall approximate the benefit derived
from the use of the vehicle as prescribed by federal law.
Reimbursement shall be for 20 days per month regardless of
how many days the individual uses the vehicle to commute
during the month. Reimbursement shall be made by payroll
deduction. Funds derived from reimbursement on vehicles owned by the Motor Fleet Management Division shall be deposited to the credit of the Division; funds derived from reimbursements on vehicles initially purchased with appropriations from the Highway Fund and not owned by the Division shall be deposited in a Special Depository Account in the Department of Transportation, which shall revert to the Highway Fund; funds derived from reimbursement on all other vehicles shall be deposited in a Special Depository Account in the Department of Administration which shall revert to the General Fund. Commuting, for purposes of this paragraph, does not include those individuals whose office is in their home, as determined by the Department of Administration, Division of Motor Fleet Management. Also, this paragraph does not apply to the following vehicles: (i) clearly marked police and fire vehicles, (ii) delivery trucks with seating only for the driver, (iii) flatbed trucks, (iv) cargo carriers with over a 14,000 pound capacity, (v) school and passenger buses with over 20 person capacities, (vi) ambulances, (vii) [Repealed]. (viii) bucket trucks, (ix) cranes and derricks, (x) forklifts, (xi) cement mixers, (xii) dump trucks, (xiii) garbage trucks, (xiv) specialized utility repair trucks (except vans and pickup trucks), (xv) tractors, (xvi) unmarked law-enforcement vehicles that are used in undercover work and are operated by full-time, fully sworn law-enforcement officers whose primary duties include carrying a firearm, executing search warrants, and making arrests, and (xvii) any other vehicle exempted under Section 274(d) of the Internal Revenue Code of 1954, and Federal Internal Revenue Service regulations based thereon. The Department of Administration, Division of Motor Fleet Management, shall report quarterly to the Joint Legislative Commission on Governmental Operations and to the Fiscal Research Division of the Legislative Services Office on individuals who use State-owned passenger motor vehicles, pickup trucks, or vans between their official work stations and their homes, who are not required to reimburse the State for these trips.

The Department of Administration shall revoke the assignment or require the Department owning the vehicle to revoke the assignment of a State-owned passenger motor vehicle, pickup truck or van to any individual who:

I. Uses the vehicle for other than official business except in accordance with the commuting rules;

II. Fails to supply required reports to the Department of Administration, or supplies incomplete reports, or supplies reports in a form unacceptable to the Department of Administration and does not cure the deficiency within 30 days of receiving a request to do so;
III. Knowingly and willfully supplies false information to
the Department of Administration on applications for
permanent assignments, commuting reimbursement
forms, or other required reports or forms;

IV. Does not personally sign all reports on forms
submitted for vehicles permanently assigned to him or
her and does not cure the deficiency within 30 days of
receiving a request to do so;

V. Abuses the vehicle; or

VI. Violates other rules or policy promulgated by the
Department of Administration not in conflict with this
act.

A new requisition shall not be honored until the Secretary
of the Department of Administration is assured that the
violation for which a vehicle was previously revoked will not
recur.

The Department of Administration, with the approval of
the Governor, may delegate, or conditionally delegate, to the
respective heads of agencies which own passenger motor
vehicles or to which passenger motor vehicles are
permanently assigned by the Department, the duty of
enforcing all or part of the rules adopted by the Department
of Administration pursuant to this subdivision 7a. The
Department of Administration, with the approval of the
Governor, may revoke this delegation of authority.

Notwithstanding the provisions of this section and
G.S. 14-247, the Department of Administration may allow the
organization sanctioned by the Governor's Council on
Physical Fitness to conduct the North Carolina State Games
to use State trucks and vans for the State Games of North
Carolina. The Department of Administration shall not charge
any fees for the use of the vehicles for the State Games. The
State shall incur no liability for any damages resulting from
the use of vehicles under this provision. The organization that
conducts the State Games shall carry liability insurance of not
less than one million dollars ($1,000,000) covering such
vehicles while in its use and shall be responsible for the full
cost of repairs to these vehicles if they are damaged while
used for the State Games.

10. To contract with the appropriate State prison authorities for
the furnishing, upon such conditions as may be agreed upon
from time to time between such State prison authorities and
the Secretary, of prison labor for use in connection with the
operation of a central motor pool and related activities.

11. To report annually to the General Assembly on any rules
adopted, amended or repealed under
paragraphs sub-sub-subdivisions 3, 7, or 7a of this
subdivision sub-subdivision.

SECTION 2. This act is effective when it becomes law.

Joint Legislative Oversight Committee on General Government
A BILL TO BE ENTITLED
AN ACT TO ADD CHILDREN OF MILITARY FAMILIES AS AN ELIGIBILITY CATEGORY FOR THE OPPORTUNITY SCHOLARSHIP GRANT PROGRAM, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON GENERAL GOVERNMENT.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 115C-562.1(3) reads as rewritten:
"(3) Eligible students. – A student who has not yet received a high school diploma and who meets all of the following requirements:

a. Meets one of the following criteria:
   1. Was a full-time student assigned to and attending a public school pursuant to G.S. 115C-366 during the previous semester.
   2. Received a scholarship grant during the previous school year.
   3. Is entering either kindergarten or the first grade.
   4. Is a child in foster care as defined in G.S. 131D-10.2(9).
   5. Is a child whose adoption decree was entered not more than one year prior to submission of the scholarship grant application.
   6. Is a child whose parent or legal guardian is on full-time duty status in the active uniformed service of the United States, including members of the National Guard and Reserve on active duty orders pursuant to 10 U.S.C. § 12301, et. seq. and 10 U.S.C. § 12401, et. seq.

b. Resides in a household with an income level not in excess of one hundred thirty-three percent (133%) of the amount required for the student to qualify for the federal free or reduced-price lunch program."

SECTION 2. This act is effective when it becomes law and applies beginning with the 2016-2017 school year.
LEGISLATIVE PROPOSAL #3

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015

HOUSE BILL DRH30442-LMz-150* (03/29)
SENATE BILL DRS35319-LMz-150A* (03/29)

Short Title: State Controller/Criminal Record Checks. (Public)

Sponsors:

Referred to:

A BILL TO BE ENTITLED
AN ACT AUTHORIZING CRIMINAL RECORD CHECKS OF ANY CURRENT OR PROSPECTIVE EMPLOYEES, VOLUNTEERS, OR CONTRACTORS OF THE OFFICE OF STATE CONTROLLER, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON GENERAL GOVERNMENT.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 143B-426.39 reads as rewritten:

"§ 143B-426.39. Powers and duties of the State Controller.
The State Controller shall:

... (18) Require a criminal history record check of any current or prospective employee, volunteer, or contractor, which shall be conducted by the State Bureau of Investigation as provided in G.S. 143B-966. The criminal history report shall be provided to the State Controller and is not a public record under Chapter 132 of the General Statutes."

SECTION 2. Subpart D of Part 4 of Article 13 of Chapter 143B of the General Statutes is amended by adding a new section to read as follows:

"§ 143B-966. Criminal record checks for the Office of State Controller.
The Department of Public Safety may provide to the Office of State Controller from the State and National Repositories of Criminal Histories the criminal history of any current or prospective employee, volunteer, or contractor of the Office of State Controller. The Office of State Controller shall provide to the Department of Public Safety, along with the request, the fingerprints of the current or prospective employee, volunteer, or contractor, a form signed by the current or prospective employee, volunteer, or contractor consenting to the criminal record check and use of fingerprints and other identifying information required by the State and National Repositories, and any additional information required by the Department of Public Safety. The fingerprints of the current or prospective employee, volunteer, or contractor shall be forwarded to the State Bureau of Investigation for a search of the State's criminal history record file, and the State Bureau of Investigation shall forward a set of fingerprints to the Federal Bureau of Investigation for a national criminal history record check. The Office of State Controller shall keep all information obtained pursuant to
this section confidential. The Department of Public Safety may charge a fee to offset the
cost incurred by it to conduct a criminal record check under this section. The fee shall
not exceed the actual cost of locating, editing, researching, and retrieving the
information."

SECTION 3. This act is effective when it becomes law.