

March 1, 2005

H 413. GLOBAL EDUCATION FOR STUDENTS/STUDY. TO PROVIDE FOR A STUDY OF WHAT HIGH SCHOOL GRADUATES NEED TO KNOW IN A RAPIDLY CHANGING AND COMPLEX GLOBAL SOCIETY AND ECONOMY. Directs the State Board of Education and the UNC Board of Governors to jointly study the necessary knowledge base for high school graduates, including what skills will maximize the State's economic competitiveness, whether to revise admission standards for the UNC system, whether to modify the requirements for a high school diploma, and related issues. The two boards must coordinate the study with the NC Center for International Understanding and the Dep't of Commerce and report by May 15, 2006, to the Joint Legislative Education Oversight Committee.

Intro. by Tolson.

Ref. to Education

STUDY

May 4, 2005

H 413. GLOBAL EDUCATION FOR STUDENTS/STUDY. Intro. 3/1/05. House committee substitute makes the following changes to 1st edition. Directs boards doing the study to consult with North Carolina industries that are global leaders, and specifies that study is to include consideration of where foreign languages are taught, in what grades, and for how long.

August 24, 2005

H 413. THE STUDIES ACT OF 2005. Intro. 3/1/05. Senate committee substitute replaces 2nd edition with *AN ACT TO PROVIDE FOR STUDIES BY THE LEGISLATIVE RESEARCH COMMISSION, STATUTORY OVERSIGHT COMMITTEES, AND OTHER COMMISSIONS.*

Legislative Research Commission

Authorizes the Legislative Research Commission to undertake studies of the following 77 topics:

Government Regulatory Issues: Banking laws. *Transportation Issues:* Banning cell phone use while driving; fuel efficiency of the State's motor fleet; exemptions from safety and emissions inspections; and environmental review, permitting, and mitigation processes related to construction of State highways. *Consumer Issues:* Credit report identity theft; personal information privacy; mortgage payoffs; and motor vehicle repairs. *Insurance Issues:* Assisting small business health insurance and high-risk insurance. *Criminal Law Issues:* A good faith exception to the exclusionary rule; habitual felon statutes; minority incarceration; laws addressing driving by persons under the influence of drugs or alcohol who are under age 21; and alignment of registerable sex offenses with other states. *State/Local Government Employee Issues:* Beneficiary designation and dependent survivors of members of the Teachers' and State Employees' Retirement System; state employee mediation and appeals; severance pay changes; state employee demonstration projects; prospective elimination of longevity pay; and centralization of flexible benefits programs under the Office of State Personnel. *Labor, Employment, and Economic Development Issues:* National Guard pension fund; validity of statistics provided by the Industrial Commission; monitoring and streamlining forms used by Industrial Commission; employer response time related to unemployment insurance; loss of workers' compensation for fraud; workers' compensation and injuries to extremities; employee work incentives under the Workers' Compensation Act; increasing cap on workers' compensation award for loss of an organ; small business improvement; and other amendments to the Workers' Compensation Act. *Health and Human Services Issues:* Men's health; restaurant postings related to peanut allergies; naturopathic registration; fluoride in drinking water; cost control of medical services for persons in local confinement facilities; facilitating access to complementary and alternative health care services; nursing faculty fellows; regulating smoking in public places; reducing the number of uninsurable people; and funding for treatment services and drug treatment courts. *Other:* Trafficking of persons; nanotechnology; public building contract laws; unfit dwellings; post-adoption contact; exempting builders' inventories from property tax increases; liabilities of general contractors to subcontractors; construction indemnity agreement issues; wind-powered generation; equine industry; protecting property rights following the Supreme Court's decision in

Kelo v. City of New London, Conn.; system of care common identifiers; good faith evictions from manufactured homes; abandoned mobile homes; refusal rights in forced public partition sales; victim restitution; agency internal auditors; eminent domain; exceptions to the regulation of real estate brokers and salespersons; tax policy changes; disclosure requirements in Superior Court discovery; the need for a NC Center for Applied Furniture Technology; the impact of regulation on the cost of housing; feasibility of transferring the Public Employee Deferred Compensation Program from the Department of Administration to the Department of the State Treasurer; state and federal laws, rules, and policies related to consumer credit counseling and debt management; impact of undocumented immigrants on the state; regulation of pharmacy benefit management; establishment of a higher option within the Local Government Employees' Retirement System; abandoned cemeteries; exempting affiliates of consumer lending licensees from state laws related to interest; privatization of alcoholic beverage control stores and related matters of regulation of alcoholic beverages; the state's role in stem cell research; and the state's use of public funds for investments. The commission may make a final report, with any recommended legislation, to the 2007 General Assembly upon its convening. Interim reports are authorized in some instances.

Joint Legislative Health Care Oversight Committee

Authorizes the Joint Legislative Health Care Oversight Committee to study mental health parity; the feasibility of a statewide stroke care system; methods to increase the number of geriatric providers; approaches to finding medical cost savings and ensuring quality of medical care; regulation of nurse practitioners; the need for community health centers, including free clinics; conversion of county-owned hospitals to private not-for-profit hospitals; and the feasibility of establishing an Office for Prescription Drug Cost Management for state programs. The committee may make a final report to the 2006 session of the 2005 General Assembly upon its convening.

Joint Legislative Transportation Oversight Committee

Authorizes the Joint Legislative Transportation Oversight Committee to study the use of incentives and other measures to expedite relocation of public utilities; nonbetterments; and the feasibility of a dedicated funding source for public transit and alternative forms of transportation. The committee may make a final report to the 2006 session of the 2005 General Assembly upon its convening.

Joint Legislative Education Oversight Committee

Authorizes the Joint Legislative Education Oversight Committee to study population changes in education districts; the compulsory school attendance age; roles of school counselors in providing dropout prevention and intervention services; indirect costs associated with child nutrition program; the need to weight the class-size funding formula to accommodate needs of special populations; the feasibility of tracking students throughout education; impact of student mobility on academic performance; education for suspended students; corporal punishment policies; requiring physical activities in grades K-8; strategies for improving K-12 education; charter schools; the courses and requirements should be changed to incorporate new skills or knowledge needed in order to maximize the state's economic competitiveness; workforce preparation in public schools; salary increases for math and science teachers; community college tuition reciprocity with other states; reducing the number of local school administrative units; information requirements for school admission and assignment; establishing a Joint Education Leadership Team for Disadvantaged Students; education facility financing; school employee salary schedules; compensation of school psychologists; and whether the NC School of Science and Mathematics should be considered a "constituent institution" of the University of North Carolina system. The committee may make a final report to the 2006 session of the 2005 General Assembly upon its convening.

Joint Legislative Utility Review Committee

Authorizes the Joint Legislative Utility Review Committee to study issues related to the 911 public safety call system and municipalities providing electric service to customers living

outside the city limits. The committee may make a final report to the 2006 session of the 2005 General Assembly upon its convening.

Revenue Laws Study Committee

Authorizes the Revenue Laws Study Committee to study the valuation of partially improved, undeveloped lots in subdivisions; administrative and judicial review of tax cases; reforming and simplifying taxation of business enterprises; the need for providing more flexibility related to demonstrating that forestland is operated under a sound management program in order to qualify for present-use value property tax status; allowing taxpayers to contribute refunds for prostate cancer research; housing authority tax exemption; and allowing individual income taxpayers to contribute refunds to support various charitable causes. The committee may make a final report to the 2006 session of the 2005 General Assembly upon its convening.

Environmental Review Commission

Authorizes the Environmental Review Commission to study measures to reduce the quantity of mercury that is released into the environment; issues related to solid waste, including measures to reduce and restrict disposal in landfills, statewide tipping fees, and enhanced regulatory requirements; and the safety and quality of potable water delivered from private drinking water wells. For each of the topics the commission decides to study the commission may make a final report to the 2006 session of the 2005 General Assembly upon its convening.

Joint Legislative Growth Strategies Oversight Committee

Authorizes the Joint Legislative Growth Strategies Oversight Committee to study the issue of extraterritorial operations of municipal public enterprises. Amends Section 3.3 of SL 2001-491, which established the committee, to extend the expiration of the committee from January 16, 2005 to January 16, 2007. Section also requires the committee to report to the General Assembly on its activities prior to the committee's expiration.

House Select Study Commission on a Mandatory Cost-of-Living Increase for Retirees of the Teachers' and State Employees' Retirement System

Establishes new 10-member commission comprised exclusively of House members. The commission must study the cost and feasibility of an automatic annual cost-of-living increase for retirees in the state retirement system. Commission must submit a final report of its findings and recommendations, including any legislative recommendations, on or before the convening of the 2006 session of the 2005 General Assembly. The commission terminates once it files its final report.

Legislative Study Commission on the Budget of the Department of Public Instruction

Establishes new 10-member joint commission to perform a zero-based budget review of the Department of Public Instruction. The commission must consider the Department's mission and goals in view of the *Leandro* decision, the No Child Left Behind Act of 2001, the academic performance of students, and the needs of the State and its citizens. It must evaluate the Department, propose necessary revisions, and determine the necessary level of funding. Commission must submit a final report of its findings and recommendations to the 2006 session of the 2005 General Assembly. The commission terminates when the General Assembly convenes or once the commission files its final report, whichever is earlier.

House Select Study Commission on State Guardianship Laws

Establishes new 16-member House commission to review state laws related to guardianship, including the relationship between those laws and the health care power of attorney, the right to a natural death, and the durable power of attorney. The commission must include members from a variety of disciplines as well as various ex-officio members representing certain interest groups. The commission must submit a final report upon the convening of the 2006 session of the 2005 General Assembly.

State Government Fair Pay Study Commission

Establishes new 15-member commission to study matters affecting fair pay for state employees, such as whether the minimum annual salary is a livable salary, whether there is fair pay for equivalent jobs, and whether pay and benefits are competitive as compared to the private sector. The commission must submit an interim report to the 2006 session of the 2005 General Assembly and a final report to the 2007 General Assembly upon its convening. The commission terminates once it files its final report.

Wildlife Resources Commission

Requires the Wildlife Resources Commission to study the issue of allowing hunting on Sundays at a limited number of State game lands. The commission must hold at least one public hearing in each of its nine regions as part of the study. The commission must report its findings and recommendations to the Joint Legislative Commission on Governmental Operations by March 15, 2006.

Study Commission on Alternatives to State Health Plan for the University of North Carolina

Establishes new 14-member commission to study alternatives to the state health plan for The University of North Carolina. The commission must report its findings and recommendations to the 2006 session of the 2005 General Assembly upon its convening. The commission terminates once it files its final report.

Study Commission on Trafficking of Illegal Handguns

Establishes new 23-member commission to study all aspects of trafficking illegal guns and means to prevent criminals from obtaining and trafficking in guns. The commission may submit an interim report. It must submit a final report to the 2007 session of the General Assembly. The commission terminates on January 20, 2007.

Study Commission on State Construction Inspections

Establishes new 14-member commission to study various aspects of state inspections of construction projects, including the scope and nature of inspections performed or required by state agencies, the extent to which these inspections overlap with inspections of local governments, the cost, efficiency and effectiveness of inspections, and the training of inspectors. The commission must submit a final report by May 1, 2006, to the 2006 session of the 2005 General Assembly. The commission terminates once it files its final report.

Study of the Merger of Ecological Enhancement Program and the Clean Water Management Trust Fund

Requires the Environmental Review Commission and the Joint Legislative Transportation Oversight Committee to jointly study the merger of the organization and functions of the Ecological Enhancement Program with the Clean Water Management Trust Fund. A final report must be submitted to the 2006 session of the 2005 General Assembly.

Study Commission on State Disability Income Plan

Establishes new 13-member commission to study the plan design, funding, and administration of the Disability Income Plan, the Death Benefit Plan, and the Separate Insurance Benefits Plan for State and Local Government Law Enforcement Officers. The commission must submit a report of the results of its study to the General Assembly not later than January 1, 2007.

Study of No-Fault Compensation for Injuries to Elderly and Disabled Persons

Requires the Commissioner of Insurance, the NC Industrial Commission, and the Department of Health and Human Services to jointly study the utility, efficacy, and advisability of creating a system of no-fault compensation, for injuries to elderly and disabled persons resulting from nursing home, assisted living and other long-term care facilities. The study results must be submitted to the 2007 General Assembly upon its convening.

UNC Board of Governors Study Commission

Establishes a 10-member commission to continue the work of prior UNC Board of Governors Study Commissions. Commission must study the method of election or appointment of members to the Board of Governors, term lengths and limits, and the size of the Board. The commission must report its findings to the 2006 session of the 2005 General Assembly.

Joint Legislative Commission on Health Insurance Accessibility

Establishes new 16-member commission to study the legal, fiscal, and policy implications of various means of increasing accessibility to health insurance, with a specific focus on strategies for increasing access by small employer groups, self-employed individuals, and individuals who are employed but uninsured. The commission must submit an interim report to the 2006 session of the 2005 General Assembly and submit a final report to the 2007 General Assembly.

Legislative Study Commission on Elimination of County Financial Participation in Medicaid Services

Establishes new 14-member commission to study and recommend a permanent financing strategy leading to the elimination of county financial participation in Medicaid services. The commission must submit a final report by April 1, 2006, with the President Pro Tem., the Speaker of the House, and the Legislative Librarian. The commission terminates once it files its final report.

Legislative Study Commission on Deferred Deposit Transactions

Establishes new 10-member commission to study issues related to the regulation of deferred deposit transactions by the state and safeguards for the protection of consumers. The commission must submit a final report by April 1, 2006, with the President Pro Tem., the Speaker of the House, and the Legislative Librarian. The commission terminates once it files its final report.

Commission for a Sound Basic Education

Establishes new 14-member commission to investigate strategies and resources which contribute to students obtaining a sound basic education, analyze current plans for implementing the strategies, and, if necessary, provide a cost analysis for implementing those plans. The commission must submit a final report to the General Assembly by January 15, 2006. The commission terminates when the General Assembly convenes or once the commission files its final report, whichever is earlier.

Legislative Study Commission on Information Technology

Establishes new 14-member commission to study issues related to information technology in State government and public schools. The commission must submit a final report by April 1, 2006, with the President Pro Tem., the Speaker of the House, and the Legislative Librarian. The commission terminates once it files its final report.

Historically Underutilized Business Certification Task Force

Directs the Department of Administration to establish a task force to propose criteria and procedures for certification of businesses as Historically Underutilized Businesses and creation of a database of certified businesses. The Task Force must submit its proposed criteria and procedures to the Secretary of Administration on or before November 1, 2006. The commission terminates once it files its final report.

Smart Start and Child Care Funding Study Commission

Establishes new 15-member commission to study the funding of the NC Partnership for Children, including considering funding equity among all counties and local partnerships. The commission must submit a final report to the 2006 session of the 2005 General Assembly. The commission terminates when the 2007 General Assembly convenes or once the commission files its final report, whichever is earlier.

Study Commission on Economic Development Infrastructure

Establishes new 32-member commission to examine the existing infrastructure for the delivery of economic development and develop a plan to restructure and consolidate the infrastructure to improve its organization and effectiveness. The commission must specifically address the roles of the Department of Commerce, the regional councils of government, the Economic Development Board, and the regional planning and economic development commissions. The commission may also examine the feasibility of establishing a NC Economic Disaster Task Force. The commission must submit a final report to the 2006 session of the General Assembly upon its convening. The commission terminates when the 2007 General Assembly convenes.

Analysis on Funding for Area and County Program Administration

Directs the Department of Health and Human Services to analyze funding for administration for area and county mental health, developmental disabilities, and substance abuse services programs. The Department must report the results to various House and Senate Committees and the Fiscal Research Division by May 1, 2006.

Legislative Study Commission on State Government Efficiency

Establishes new 12-member commission to conduct a comprehensive review of programs and services provided by the State. Directs the commission to contract for a performance audit of the executive branch of State government, including The University of North Carolina System, to evaluate the efficiency and effectiveness of the government and identify ways to make improvements. The commission must submit its final report to the General Assembly. The commission terminates once it files its final report.

Joint Legislative Commission on Expanding Rail Service

Establishes new 16-member commission to study several matters related to expanding rail service in the state, including the feasibility, costs, and benefits of expanding services. The commission must submit an interim report to the 2006 session of the 2005 General Assembly and its final report to the 2007 General Assembly. The commission terminates once it files its final report.

Study Mitigation of Potential Flooding in Certain Areas

Directs the Department of Environment and Natural Resources to study the causes of flooding in certain areas to determine what measures can be taken to prevent or mitigate flooding potential. The Department must submit its findings to the 2006 session of the 2005 General Assembly.

Study Inherently Dangerous Animals

Directs the Department of Environment and Natural Resources, in consultation with the NC Zoological Park and the Wildlife Resources Commission, to study the need to protect the public against health and safety risks posed by inherently dangerous animals. The Department must submit its final report to the 2006 session of the 2005 General Assembly. Any recommended legislation may be considered during that session.

State Fair Housing Act Study

Directs the NC Human Relations Commission to study whether the State Fair Housing Act should be amended to address the act of refusing to enter into a real estate transaction with a person that receives public assistance due to age or disability. The commission must report its findings to the 2006 session of the 2005 General Assembly.

Study Youthful Offenders

Authorizes the NC Sentencing and Policy Advisory Commission to study issues related to the conviction and sentencing of youthful offenders (16-21 years). The commission may submit a preliminary report by June 1, 2006, and must submit a final report by March 1, 2007.

Wilmington Race Riot Commission

Amends the session law establishing the Wilmington Race Riot Commission to extend the terms of the members from five to six years, to change the termination date of the commission from December 31, 2005, to June 30, 2006, and to change the date for the delivery of the final report to June 30, 2006.

Health Care Needs Hoke County

Authorizes the Department of Health and Human Services to evaluate the health care needs in Hoke County and certain other areas of the state. The Department may report on its evaluation to the Joint Legislative Health Care Oversight Committee by January 1, 2006, and submit a final report by April 1, 2006.

Joint Legislative Commission on Autism, Law Enforcement, Public Safety, and First Responders

Establishes new 20-member commission to study and make recommendations to relevant state agencies and departments regarding autism-specific training and education of law enforcement personnel, judges, magistrates, district attorneys, public safety personnel, and first responders. The commission must submit an interim report to the 2006 session of the 2005 General Assembly and a final report to the 2007 General Assembly. The commission terminates once it files its final report.

Joint Legislative Commission on Patient Safety

Establishes new 27-member commission to study current activities being conducted by hospitals and other health care providers to address patient safety and to determine what actions are necessary to enhance and promote patient safety. The commission may submit a progress report to the 2006 session of the 2005 General Assembly upon its convening and must submit a final report no later than the convening of the 2007 General Assembly. The commission terminates once it files its final report.

Study of Rate-Setting Methodology for State-Funded Kidney Dialysis

Directs the Department of Health and Human Services to study its rate-setting methodology for kidney dialysis services. The Department must submit its findings to the House of Representatives Appropriations Committee and the Senate Appropriations Committee by May 1, 2006.

Legislative Commission on Menhaden

Establishes new 10-member commission to study the management of menhaden and Atlantic thread herring. The commission must report its findings to the 2006 session of the 2005 General Assembly. The commission terminates once it files its final report.

Study Commission on Global Climate Change

Establishes new 34-member commission to study global climate change. The commission may work cooperatively with other governments to organize a forum on global climate change. The commission must report its findings and recommendations to the General Assembly and the Environmental Review Commission by November 1, 2006. The commission terminates once it files its final report.

Study of a Renewable Energy Portfolio Standard for North Carolina

Directs the NC Utilities Commission to engage a study of the costs and benefits of a renewable energy portfolio standard requiring investor-owned utilities to provide varying percentage scenarios of their retail sales from renewable energy and energy efficient resources. The commission must submit a final report to the Environmental Review Commission and the Joint Legislative Utility Review Committee by April 1, 2006.

Twenty-First Century Revenue System Study Commission

Amends SL 2004-161 to extend the reporting deadlines and the termination date of the Twenty-First Century Revenue System Study Commission. An interim report may be submitted to the 2006 session of the 2005 General Assembly and the final report must be submitted to the

2007 General Assembly upon its convening. The commission terminates when the 2007 General Assembly convenes or once the commission files its final report, whichever is earlier.

Study Commission on the Education of Students with Disabilities

Establishes new 21-member commission to study laws governing education of students with disabilities. The commission may support an interim report upon the convening of the 2006 session of the 2005 General Assembly and must submit its final report to the 2007 General Assembly upon its convening. The commission terminates when the 2007 General Assembly convenes or once the commission files its final report, whichever is earlier.

Study Commission on Health Care Workforce Development

Amends SL 2004-161 to extend the commission's reporting deadlines and termination date. An interim report must be submitted to the 2006 session of the 2005 General Assembly and a final report must be submitted to the 2007 General Assembly. The commission terminates once it files its final report.

Study Commission on State Boards, Commissions and Councils

Establishes new 28-member commission to examine the organization, powers, duties, functions, and funding of state boards, commissions and councils. The commission must submit its final report to the 2007 General Assembly upon its convening, at which time the commission terminates.

Study Commission on Worker Retraining

Establishes new 32-member commission to examine business incentives that encourage employers to support efforts by employees to retrain in order to qualify for other jobs and successful retraining incentive programs in NC and other states. The commission must submit its final report to the 2007 General Assembly upon its convening, at which time the commission terminates.

Local School Construction Financing Study Commission

Amends SL 2004-124 to change the membership of the Local School Construction Financing Study Commission and extends the commission's reporting deadline and termination date. A final report must be submitted to the 2007 General Assembly, at which time the commission terminates.

Legislative Study Commission on State Personnel Statutes

Amends SL 2004-161 to extend the reporting deadlines for the Legislative Study Commission on State Personnel Statutes. An interim report may be submitted to the 2006 session of the 2005 General Assembly and a final report may be submitted to the 2007 General Assembly.

House Select Study Commission on Capital Punishment

Establishes new 10-member commission to consider and report on various aspects of capital punishment, including adequacy of counsel, process for judicial review, any disproportionate racial impact and racial discrimination, prosecutorial misconduct, the presence of innocent persons on death row, and whether the felony murder rule should apply in capital cases. The commission must submit a final written report by the convening of the 2008 session of the 2007 General Assembly, at which time the commission terminates.

The act is effective when it becomes law. If a study is authorized both in this study bill and the budget bill, the study must be implemented in accordance with the budget bill.