

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2009**

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**HOUSE BILL 237  
PROPOSED COMMITTEE SUBSTITUTE H237-PCS50174-RW-4**

Short Title: Equity Formula Study Commission.

(Public)

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Sponsors:

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Referred to:

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February 23, 2009

A BILL TO BE ENTITLED  
AN ACT TO ESTABLISH THE JOINT LEGISLATIVE TRANSPORTATION FUNDING  
DISTRIBUTION FORMULA STUDY COMMISSION.

The General Assembly of North Carolina enacts:

**SECTION 1.** There is established the Joint Legislative Transportation Funding Distribution Formula Study Commission.

**SECTION 2.** The Commission shall be composed of 18 voting members representing the geographical and population diversity of the State, and one ex officio nonvoting member, as follows:

- (1) Six members of the Senate, appointed by the President Pro Tempore of the Senate.
- (2) Six members of the House of Representatives, appointed by the Speaker of the House of Representatives.
- (3) One member representing the North Carolina League of Municipalities, from a municipality with a population of 165,000 or more, appointed by the President Pro Tempore of the Senate.
- (4) One member representing the North Carolina League of Municipalities, from a municipality with a population of less than 165,000, appointed by the Speaker of the House of Representatives.
- (5) One member representing the North Carolina Association of County Commissioners, appointed by the President Pro Tempore of the Senate.
- (6) One member representing the North Carolina Association of County Commissioners, appointed by the Speaker of the House of Representatives.
- (7) One member representing the Rural Planning Organizations of the State, appointed by the President Pro Tempore of the Senate.
- (8) One member representing the Metropolitan Planning Organizations in the State, appointed by the Speaker of the House of Representatives.
- (9) The Secretary of Transportation or the Secretary's designee, as an ex officio nonvoting member.

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 14 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



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1 power to request all officers, agents, agencies, and departments of the State to provide any  
2 information, data, or documents within their possession, ascertainable from their records, or  
3 otherwise available to them, and the power to subpoena witnesses.

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

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

13 **SECTION 3.** The Commission shall study issues related to the State's method for  
14 distributing transportation funds. As a part of its study, the Commission may examine issues  
15 related to:

- 16 (1) The current transportation funding distribution formula, set out in  
17 G.S. 136-17.2A, and commonly known as the "Equity Formula."
- 18 (2) The effect of the current formula on transportation needs in urban, suburban,  
19 and rural parts of the State.
- 20 (3) The total amount of State transportation funds each county receives.
- 21 (4) The estimated amount each county contributes to the State in tax revenue for  
22 transportation purposes.
- 23 (5) The views of all affected parties on the best way to utilize the State's limited  
24 transportation funds.
- 25 (6) Any other issue related to the State transportation funding formula deemed  
26 relevant by the Commission.

27 **SECTION 4.** The Commission shall make a final report, including any proposed  
28 legislation, to the 2010 Session of the General Assembly upon its convening. The Commission  
29 shall terminate upon filing its final report or upon the convening of the 2010 Session of the  
30 General Assembly, whichever is earlier.

31 **SECTION 5.** This act is effective when it becomes law.