

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2011

SESSION LAW 2011-266  
SENATE BILL 593

AN ACT REDUCING STATE GOVERNMENT BY ABOLISHING CERTAIN STATE  
BOARDS, COMMISSIONS, AND COMMITTEES.

The General Assembly of North Carolina enacts:

**PART I. ELIMINATION OF CERTAIN STATE BOARDS AND COMMISSIONS  
THAT HAVE NOT MET RECENTLY, ARE DUPLICATIVE, OR ARE NOT DEEMED  
CRITICAL**

**ADVISORY COMMITTEE ON ABANDONED CEMETERIES**

**SECTION 1.1.** Part 26 of Chapter 143B of the General Statutes, G.S. 143B-128, is repealed.

**ADVISORY COUNCIL FOR THE PUBLIC CAMPAIGN FINANCING FUND**

**SECTION 1.2.(a)** G.S. 163-278.68 is repealed.

**SECTION 1.2.(b)** G.S. 163-278.63(c) reads as rewritten:

**"§ 163-278.63. North Carolina Public Campaign Fund established; sources of funding.**

...  
(c) Determination of Fund Amount. – By October 1, 2003, and every two years thereafter, the ~~Board, in conjunction with the Advisory Council for the Public Campaign Financing Fund,~~ Board shall prepare and provide to the Joint Legislative Commission on Governmental Operations of the General Assembly a report documenting, evaluating, and making recommendations relating to the administration, implementation, and enforcement of this Article. In its report, the Board shall set out the funds received to date and the expected needs of the Fund for the next election."

**ANDREW JACKSON HISTORIC MEMORIAL COMMITTEE**

**SECTION 1.3.** Part 28 of Article 2 of Chapter 143B of the General Statutes, G.S. 143B-132, is repealed.

**AQUACULTURE ADVISORY BOARD**

**SECTION 1.4.** G.S. 106-760 is repealed.

**BUTNER LANDS COMMISSION**

**SECTION 1.5.** G.S. 122C-415 is repealed.

**COORDINATION OF CHILDREN'S SERVICES STUDY COMMISSION**

**SECTION 1.6.** Subsections (i) and (j) of Section 10.25 of S.L. 2005-276 are repealed.

**GOVERNOR'S ADVOCACY COUNCIL ON CHILDREN AND YOUTH**

**SECTION 1.7.** Part 17 of Article 9 of Chapter 143B of the General Statutes, G.S. 143B-414 through G.S. 143B-416, is repealed.

**GOVERNOR'S BUSINESS COUNCIL ON THE ARTS AND HUMANITIES**

**SECTION 1.8.** The Governor's Business Council on the Arts and Humanities is abolished.



## INFORMATION TECHNOLOGY ADVISORY BOARD

**SECTION 1.9.(a)** G.S. 147-33.72G is repealed.

**SECTION 1.9.(b)** G.S. 147-33.72A(4) reads as rewritten:

"§ 147-33.72A. **Purpose.**

The purposes of this Article are to:

...  
(4) ~~Create an Information Technology Advisory Board.~~

....  
**SECTION 1.9.(c)** G.S. 147-33.72H reads as rewritten:

"§ 147-33.72H. **Information Technology Fund.**

There is established a special revenue fund to be known as the Information Technology Fund, which may receive transfers or other credits as authorized by the General Assembly. Money may be appropriated from the Information Technology Fund to meet statewide requirements, including planning, project management, security, electronic mail, State portal operations, and the administration of systemwide procurement procedures. Expenditures involving funds appropriated to the Office of Information Technology Services from the Information Technology Fund shall be made by the ~~State CIO in consultation with the Information Technology Advisory Board.~~CIO. By October 1 of each year, the State CIO shall submit to the Joint Legislative Oversight Committee on Information Technology a report on all expenditures involving funds appropriated to the Office of Information Technology Services from the Information Technology Fund for the preceding fiscal year. Interest earnings on the Information Technology Fund balance shall be credited to the Information Technology Fund."

**SECTION 1.9.(d)** G.S. 147-33.82(a)(3) reads as rewritten:

"§ 147-33.82. **Functions of the Office of Information Technology Services.**

(a) In addition to any other functions required by this Article, the Office of Information Technology Services shall:

...  
(3) Conduct an annual assessment of State agencies for compliance with statewide policies for information technology and ~~submit for review of the Information Technology Advisory Board recommended statewide policies for information technology.~~

...."

**SECTION 1.9.(e)** G.S. 147-33.110 reads as rewritten:

"§ 147-33.110. **Statewide security standards.**

The State Chief Information Officer shall establish a statewide set of standards for information technology security to maximize the functionality, security, and interoperability of the State's distributed information technology assets, including communications and encryption technologies. The State CIO shall review and revise the security standards annually. As part of this function, the State Chief Information Officer shall review periodically existing security standards and practices in place among the various State agencies to determine whether those standards and practices meet statewide security and encryption requirements. The State Chief Information Officer may assume the direct responsibility of providing for the information technology security of any State agency that fails to adhere to security standards adopted under this Article. ~~Any actions taken by the State Chief Information Officer under this section shall be reported to the Information Technology Advisory Board at its next scheduled meeting."~~

## LEGISLATIVE INTERN PROGRAM COUNCIL

**SECTION 1.10.** G.S. 120-56 is repealed.

**SECTION 1.11.(b)** G.S. 140-5.14(12) reads as rewritten:

"§ 140-5.14. **Board of Trustees – powers and duties.**

The Board of Trustees shall be the governing body of the North Carolina Museum of Art and shall have the following powers and duties:

...  
(12) To determine the sites for expansion of the North Carolina Museum of Art with the approval of the Governor and Council of ~~State and the North Carolina State Capital Planning Commission;~~State;

...."

**NORTH CAROLINA LOCAL GOVERNMENT ADVOCACY COUNCIL**

**SECTION 1.12.** G.S. 143-506.14 is repealed.

**NORTH CAROLINA PUBLIC RADIO ADVISORY COMMITTEE – AGENCY ON PUBLIC TELECOMMUNICATIONS**

**SECTION 1.13.(a)** G.S. 143B-426.12 is repealed.

**SECTION 1.13.(b)** G.S. 143B-426.9 reads as rewritten:

**"§ 143B-426.9. North Carolina Agency for Public Telecommunications – Creation; membership; appointments, terms and vacancies; officers; meetings and quorum; compensation.**

The North Carolina Agency for Public Telecommunications is created. It is governed by the Board of Public Telecommunications Commissioners, composed of ~~27~~26 members as follows:

- (1) A Chairman appointed by, and serving at the pleasure of, the Governor;
- (2) Ten at-large members, appointed by the Governor from the general public;
- (3) Two members appointed by the General Assembly upon the recommendation of the Speaker of the House of Representatives in accordance with G.S. 120-121;
- (4) Two members appointed by the General Assembly upon the recommendation of the President Pro Tempore of the Senate in accordance with G.S. 120-121;
- (5) The Secretary of Administration, ex officio;
- (6) The Chairman of the Board of Trustees of The University of North Carolina Center for Public Television (if and when established), ex officio;
- (7) The Chairman of the State Board of Education, ex officio;
- (8) The Chairman of the OPEN/net Committee, ex officio, so long as such person is not a State employee;
- (9) The Chairman of the North Carolina Utilities Commission, ex officio;
- (10) The Director of the Public Staff of the North Carolina Utilities Commission, ex officio;
- ~~(11) The Chairman of the Public Radio Advisory Committee of the North Carolina Agency for Public Telecommunications, ex officio;~~
- (12) The Superintendent of Public Instruction, ex officio;
- (13) The President of the University of North Carolina, ex officio;
- (14) The President of the Community Colleges System, ex officio; and
- (15) Two members ex officio who shall rotate from among the remaining heads of departments enumerated in G.S. 143A-11 or G.S. 143B-6, appointed by the Governor.

The 10 at-large members shall serve for terms staggered as follows: four terms shall expire on June 30, 1980; and three terms shall expire on June 30, 1982; and three terms shall expire on June 30, 1984. Thereafter, the members at large shall be appointed for full four-year terms and until their successors are appointed and qualified. In making appointments of members at large, the Governor shall seek to appoint persons from the various geographic areas of the State including both urban and rural areas; persons from various classifications as to sex, race, age, and handicapped persons; and persons who are representatives of the public broadcast, commercial broadcast, nonbroadcast distributive systems and private education communities of the State.

The terms of the ex officio members are coterminous with their respective terms of office. In the event that any of the offices represented on the Board ceases to exist, the successor officer to the designated member shall become an ex officio member of the Board; if there shall be no successor, then the position on the Board shall be filled by a member to be appointed by the Governor from the general public. The ex officio members shall have the right to vote.

The initial members appointed to the Board by the General Assembly shall serve for terms expiring June 30, 1983. Thereafter, their successors shall serve for two-year terms beginning July 1 of odd-numbered years.

The terms of the rotating ex officio members shall be of one-year duration, and the schedule of rotation is determined by the Governor.

Each State official who serves on the Board may designate a representative of his department, agency or institution to sit in his place on the Board and to exercise fully the official's privileges of membership.

The Secretary of Administration or his designee serves as secretary of the Board.

Vacancies in appointments made by the General Assembly shall be filled in accordance with G.S. 120-122. Other vacancies shall be filled in the same manner as the original appointment.

The Governor may remove any member of the Board from office in accordance with the provisions of G.S. 143B-16.

The Board meets quarterly and at other times at the call of the chairman or upon written request of at least six members.

A majority of the Board members shall constitute a quorum for the transaction of business."

#### **NORTH CAROLINA RAIL COUNCIL**

**SECTION 1.14.** Part 9 of Article 8 of Chapter 143B of the General Statutes, G.S. 143B-361 through G.S. 143B-363, is repealed.

#### **PROPERTY TAX SUBCOMMITTEE OF THE REVENUE LAWS STUDY COMMITTEE**

**SECTION 1.15.** G.S. 120-70.108 is repealed.

#### **PUBLIC HEALTH STUDY COMMISSION**

**SECTION 1.16.(a)** Article 22 of Chapter 120 of the General Statutes, G.S. 120-195 through G.S. 120-203, is repealed.

**SECTION 1.16.(b)** G.S. 130A-40.1(b) reads as rewritten:

"§ 130A-40.1. Pilot program for nurse as health director.

...

(b) The Secretary of Health and Human Services may approve only one request under subsection (a) of this section, this section being designed as a pilot program concerning alternative qualifications for a local health director. ~~The Secretary of Health and Human Services shall report any approval under this section to the Public Health Study Commission.~~"

#### **SUBSTANCE ABUSE ADVISORY COUNCIL**

**SECTION 1.17.(a)** Part 5 of Article 6A of Chapter 143B of the General Statutes, G.S. 143B-270 and G.S. 143B-271, is repealed.

**SECTION 1.17.(b)** G.S. 148-19(d) reads as rewritten:

"§ 148-19. Health services.

...

(d) The Commission for Mental Health, Developmental Disabilities, and Substance Abuse Services shall adopt standards for the delivery of mental health and mental retardation services to inmates in the custody of the Department of Correction. The Commission for Mental Health, Developmental Disabilities, and Substance Abuse Services shall give the Secretary of Correction an opportunity to review and comment on proposed standards prior to promulgation of such standards; however, final authority to determine such standards remains with the Commission. The Secretary of the Department of Health and Human Services shall designate an agency or agencies within the Department of Health and Human Services to monitor the implementation by the Department of Correction of these standards and of substance abuse standards adopted by the Department of ~~Correction upon the advice of the Substance Abuse Advisory Council established pursuant to G.S. 143B-270.~~ Correction. The Secretary of Health and Human Services shall send a written report on the progress which the Department of Correction has made on the implementation of such standards to the Governor, the Lieutenant Governor, and the Speaker of the House. Such reports shall be made on an annual basis beginning January 1, 1978."

#### **TASK FORCE ON SCHOOL-BASED MANAGEMENT**

**SECTION 1.18.** G.S. 115C-105.31 is repealed.

#### **TASK FORCE ON THE COORDINATION OF CHILDREN'S SERVICES**

**SECTION 1.19.(a)** G.S. 120-221 is repealed.

**SECTION 1.19.(b)** G.S. 120-217(c) reads as rewritten:  
"§ 120-217. **Commission membership; terms; compensation.**

...  
(c) Commission members shall receive no salary as a result of serving on the Commission ~~and the Task Force on the Coordination of Children's Services~~ but shall receive necessary subsistence and travel expenses in accordance with G.S. 120-3.1, 138-5, and 138-6, as applicable."

**SECTION 1.19.(c)** G.S. 120-218(c) reads as rewritten:  
"§ 120-218. **Commission meetings; public hearings; staff.**

...  
(c) The Commission may contract for clerical or professional staff or for any other services it may require in the course of its ongoing study. At the request of the Commission, the Legislative Services Commission may supply members of the staff of the Legislative Services Office and clerical assistance to the Commission as the Legislative Services Commission considers appropriate. The Commission ~~and the Task Force on the Coordination of Children's Services~~ may, with the approval of the Legislative Services Commission, meet in the State Legislative Building or the Legislative Office Building."

**SECTION 1.19.(d)** G.S. 120-220 reads as rewritten:  
"§ 120-220. **Commission authority.**

The Commission ~~and the Task Force on the Coordination of Children's Services~~ has the authority to obtain information and data from all State officers, agents, agencies, and departments, while in discharge of its duties, pursuant to G.S. 120-19, as if it were a committee of the General Assembly."

## **PETROLEUM UNDERGROUND STORAGE TANK FUND COUNCIL**

**SECTION 1.20.(a)** G.S. 143-215.94O is repealed.

**SECTION 1.20.(b)** G.S. 143-215.94A reads as rewritten:  
"§ 143-215.94A. **Definitions.**

Unless a different meaning is required by the context, the following definitions shall apply throughout this Part and Part 2B of this Article:

...  
(3) "~~Council~~" means ~~the North Carolina Petroleum Underground Storage Tank Funds Council.~~

...  
...  
**SECTION 1.20.(c)** G.S. 143-215.94I reads as rewritten:  
"§ 143-215.94I. **Insurance pools authorized; requirements.**

...  
(l) The Department of Insurance, in consultation with ~~the Petroleum Underground Storage Tank Funds Council~~ and the Department of Environment and Natural Resources, shall provide guidance and technical assistance for the formation of an insurance pool pursuant to G.S. 143-215.94I to any responsible entity that requests assistance."

## **NORTH CAROLINA AERONAUTICS COUNCIL**

**SECTION 1.21.(a)** G.S. 143B-356 and G.S. 143B-357 are repealed.

**SECTION 1.21.(b)** The title of Part 5 of Article 8 of Chapter 143B of the General Statutes reads as rewritten:

"Part 5. Division of ~~Aeronautics~~—~~Aeronautics Council~~.~~Aeronautics.~~"

**SECTION 1.21.(c)** G.S. 63-66 reads as rewritten:  
"§ 63-66. **Administration of Article; powers of Department of Transportation.**

The Department of Transportation shall carry out the provisions of this Article. In exercising such power, the Department shall:

- (1) Promote the further development and improvement of air routes, airport facilities, seaplane bases, heliports, protect their approaches and stimulate the development of aviation, commerce and air facilities. In exercising this power, the Department shall prepare and develop goals, objectives, standards and policies for the most efficient and economical expenditure of State funds as may be appropriated for the purposes of this Article.

- (2) Publish and make available to aviation interests, the Federal Aviation Administration, and the people of the State generally, current information regarding such criteria, standards, and policies.
- (3) Prepare and keep current a State airport plan and submit annual revisions of that plan to the Federal Aviation Administration.
- (4) Make a detailed and thorough study of all applications for State assistance authorized herein and make specific recommendations regarding applications to the Federal Aviation Administration for federal grants.
- (5) Develop a plan of priorities and allocations of State funds to be revised annually.
- (6) Represent the State before all federal agencies and elsewhere where the aviation interests of the State may be affected.
- (7) Subject to the availability of funds for the purpose, promote aviation safety throughout the State and conduct such promotional, educational and other programs as may be necessary to keep the people of the State properly informed with respect to aviation and to further aeronautics generally throughout the State.

~~In exercising the powers and performing the duties herein provided for by this section, the Department of Transportation shall consult with and seek the advice of the aeronautics council."~~

#### **FUTURE OF THE NORTH CAROLINA RAILROAD STUDY**

**SECTION 1.22.** Article 28 of Chapter 120 of the General Statutes, G.S. 120-245 through G.S. 120-255, is repealed.

#### **LEGISLATIVE SERVICES COMMISSION SUBCOMMITTEE ON EXPENDITURE MODEL**

**SECTION 1.23.** Sections 7.1 and 7.2 of Chapter 17 of the 1995 Session Laws, Second Extra Session 1996, are repealed.

#### **NORTH CAROLINA PUBLIC EMPLOYEE SPECIAL PAY PLAN BOARD OF TRUSTEES**

**SECTION 1.24.** Part 29 of Article 9 of Chapter 143B of the General Statutes, G.S. 143B-426.41, is repealed.

#### **ROANOKE RIVER BASIN ADVISORY COMMITTEE**

**SECTION 1.25.(a)** Part 2 of Article 7 of Chapter 77 of the General Statutes, G.S. 77-103 through G.S. 77-109, is repealed.

**SECTION 1.25.(b)** The title of Article 7 of Chapter 77 of the General Statutes reads as rewritten:

"Article 7.  
Roanoke River Basin Bi-State ~~Commission; Roanoke River Basin Advisory~~  
~~Committee.~~Commission.  
Part 1. Roanoke River Basin Bi-State Commission."

#### **NORTH CAROLINA SOLID WASTE MANAGEMENT CAPITAL PROJECTS FINANCING AGENCY – TRANSFER DUTIES AND FUNCTIONS TO THE CLEAN WATER MANAGEMENT TRUST FUND BOARD OF TRUSTEES**

**SECTION 1.26.(a)** G.S. 159I-3 reads as rewritten:

##### **"§ 159I-3. Definitions.**

(a) Unless a different meaning is required by the context, the following definitions shall apply throughout this Chapter:

- (1) ~~"Administrative charges" means any charge made by the Agency to a unit of local government for the providing of financing pursuant to this Chapter and may include, without limitation, charges for financing costs, charges for the costs of bond and reserve fund insurance, of credit enhancement and liquidity facilities, and of interest rate agreements, charges in respect of nonasset bond and investment income deficiencies, and charges for~~

- ~~administrative expenses of the Agency incurred in the exercise of its powers and duties conferred by this Chapter.~~
- (2) ~~"Agency" means the North Carolina Solid Waste Management Capital Projects Financing Agency.~~
- (3) ~~"Board" means the board of directors of the Agency or any other governing body of the Agency succeeding to the principal functions of the Agency. Clean Water Management Trust Fund Board of Trustees.~~
- (4) ~~"Bonds" means the revenue bonds authorized to be issued by the Agency Board under this Chapter. As used in this Chapter, the term "bonds" does not include any loan agreement.~~
- (5) ~~"Costs" means the capital cost of acquiring or constructing any project, including, without limitation, the following:~~
- ~~a. The costs of doing any or all of the following deemed necessary or convenient by a unit of local government:
    1. Acquiring, constructing, erecting, providing, developing, installing, furnishing, and equipping;
    2. Reconstructing, remodeling, altering, renovating, replacing, refurbishing, and re-equipping;
    3. Enlarging, expanding, and extending; and
    4. Demolishing, relocating, improving, grading, draining, landscaping, paving, widening, and resurfacing.~~
  - ~~b. The costs of all property, both real and personal and both improved and unimproved, and of plants, works, appurtenances, structures, facilities, furnishings, machinery, equipment, vehicles, easements, water rights, air rights, franchises, and licenses used or useful in connection with the purpose authorized;~~
  - ~~c. The costs of demolishing or moving structures from land acquired and acquiring any lands to which such structures thereafter are to be moved;~~
  - ~~d. Financing charges, including estimated interest during the acquisition or construction of such project and for six months thereafter;~~
  - ~~e. The costs of services to provide and the cost of plans, specifications, studies and reports, surveys, and estimates of costs and revenues;~~
  - ~~f. The costs of paying any interim financing, including principal, interest, and premium, related to the acquisition or construction of a project;~~
  - ~~g. Administrative and legal expenses and administrative charges;~~
  - ~~h. The costs of obtaining bond and reserve fund insurance and investment contracts, of credit-enhancement facilities, liquidity facilities and interest-rate agreements, and of establishing and maintaining debt service and other reserves; and~~
  - ~~i. Any other services, costs, and expenses necessary or incidental to the purpose authorized.~~
- (6) ~~"Division" means the Division of Waste Management of the Department of Environment and Natural Resources and any successor of the Division of Waste Management.~~
- (7) ~~"Loan" means moneys loaned by the Agency Board to a unit of local government for a project authorized by this Chapter.~~
- (8) ~~"Loan agreement" means any bond, note, contract, loan agreement, or other written agreement of a unit of local government delivered to the Agency and evidencing the unit's receipt of loan proceeds from the sale of all or a portion of the Agency's bonds or from other available money of the Agency and setting forth the terms of the unit's agreement to make payments to the Agency Board in respect of such loan.~~
- (9) ~~"Local Government Commission" means the Local Government Commission of the Department of the State Treasurer, established by Article 2 of Chapter 159 of the General Statutes and any successor of said Commission.~~

- (10) "Notes" means the revenue notes or revenue bond anticipation notes authorized to be issued by the ~~Agency Board~~ under this Chapter. As used in this Chapter, the term "notes" does not include any loan agreement.
- (11) "Project" means any capital project authorized to be financed in G.S. 159I-8.
- (12) "Revenues" means all moneys received by the Agency, other than the proceeds received by the ~~Agency Board~~ from the sale of bonds or notes and moneys appropriated by the State for the Solid Waste Management Loan Fund, in connection with the providing of financing to units of local government, including without limitation:
  - a. The payments received by the ~~Agency Board~~ of the principal of and premium, if any, and interest on loan agreements;
  - b. Administrative charges, but only to the extent determined by the ~~Agency Board~~; and
  - c. Investment earnings on all revenues, funds, and other moneys of the ~~Agency Board~~.
- (13) "Unit of local government" or "unit" means:
  - a. A unit of local government as defined in G.S. 159-44(4);
  - b. Any combination of units, as defined in G.S. 160A-460(2), entering into a contract or agreement with each other under G.S. 160A-461;
  - c. Any joint agency established under G.S. 160A-462; as any such section may be amended from time to time;
  - d. Any regional solid waste management authority created pursuant to G.S. 153A-421; or
  - e. A consolidated city-county as defined by G.S. 160B-2(1), including such a consolidated city-county acting with respect to an urban service district defined by a consolidated city-county.

(b) Unless a different meaning is required by the context, the definitions set out in G.S. 130A-290, as such section may be amended from time to time, shall apply throughout this Chapter."

**SECTION 1.26.(b)** G.S. 159I-4 is repealed.

**SECTION 1.26.(c)** The Revisor of Statutes is authorized to change the word "Agency" to the word "Board" where it appears in Chapter 159I of the General Statutes.

#### **NORTH CAROLINA BICYCLE COMMITTEE**

**SECTION 1.27.** G.S. 136-71.13 is repealed.

#### **JOINT LEGISLATIVE COMMISSION ON FUTURE STRATEGIES FOR NORTH CAROLINA**

**SECTION 1.28.(a)** Article 13B of Chapter 120 of the General Statutes, G.S. 120-84.6 through G.S. 120-84.12, is repealed.

**SECTION 1.28.(b)** G.S. 143-318.14A reads as rewritten:

"§ 143-318.14A. **Legislative commissions, committees, and standing subcommittees.**

(a) Except as provided in subsection (e) below, all official meetings of commissions, committees, and standing subcommittees of the General Assembly (including, without limitation, joint committees and study committees), shall be held in open session. For the purpose of this section, the following also shall be considered to be "commissions, committees, and standing subcommittees of the General Assembly":

...  
 (12) ~~The Joint Legislative Commission on Future Strategies for North Carolina;~~  
 ...."

#### **JOINT BROADBAND TASK FORCE**

**SECTION 1.29.** Section 6.18(e) of S.L. 2010-31 reads as rewritten:

"**SECTION 6.18.(e)** Beginning December 1, 2010, the Task Force shall provide quarterly reports to the Joint Legislative Oversight Committee on Information Technology and shall terminate upon filing its final ~~report~~ report on or before July 1, 2011."

#### **GOVERNOR'S COUNCIL ON PHYSICAL FITNESS AND HEALTH**



**SECTION 1.30.(a)** Part 2 of Article 1B of Chapter 130A of the General Statutes, G.S. 130A-33.40 and G.S. 130A-33.41, is repealed.

**SECTION 1.30.(b)** G.S. 143B-138.1 reads as rewritten:

**"§ 143B-138.1. Department of Health and Human Services – functions and organization.**

...  
(d) All functions, powers, duties, and obligations previously vested in the following commissions, boards, councils, committees, or subunits of the Department of Environment, Health, and Natural Resources are transferred to and vested in the Department of Health and Human Services by a Type II transfer, as defined in G.S. 143A-6:

- (1) Commission for Public Health.
- (2) Council on Sickle Cell Syndrome.
- ~~(3) Governor's Council on Physical Fitness and Health.~~
- (4) Commission of Anatomy.
- (5) Minority Health Advisory Council.
- (6) Advisory Committee on Cancer Coordination and Control.

...."

**JOINT SELECT COMMITTEE ON LOW-LEVEL RADIOACTIVE WASTE**

**SECTION 1.31.(a)** Article 12C of Chapter 120 of the General Statutes, G.S. 120-70.31 through G.S. 120-70.37, is repealed.

**SECTION 1.31.(b)** G.S. 120-70.43(a)(7) reads as rewritten:

**"§ 120-70.43. Powers and duties.**

(a) The Environmental Review Commission shall have the following powers and duties:

- ...
- (7) To undertake such additional studies as it deems appropriate or as may from time to time be requested by the President Pro Tempore of the Senate, the Speaker of the House of Representatives, either house of the General Assembly, the Legislative Research Commission, the Joint Legislative Commission on Governmental Operations, or the Joint Legislative Utility Review Committee, ~~or the Joint Select Committee on Low Level Radioactive Waste~~ and to make such reports and recommendations to the General Assembly regarding such studies as it deems appropriate; provided that the Environmental Review Commission shall not undertake any study which the General Assembly has assigned to another legislative commission or committee.

...."

**HEALTH INSURANCE INNOVATIONS COMMISSION**

**SECTION 1.32.** Article 90 of Chapter 58 of the General Statutes, G.S. 58-90-1 through G.S. 58-90-25, is repealed.

**BLUE RIBBON TASK FORCE ON THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES**

**SECTION 1.33.(a)** Subsections (d) and (f) of Section 7 of S.L. 2009-16 read as rewritten:

~~"SECTION 7.(d) Upon the convening of each session of the General Assembly, the Task Force shall report its findings and recommendations to the General Assembly, the Governor, and the Committee on Employee Hospital and Medical Benefits. The Task Force shall terminate on or before July 1, 2011.~~

~~"SECTION 7.(f) The Legislative Services Officer shall allocate from a portion of the funds appropriated to the General Assembly for each fiscal year for expenses of the Task Force."~~

**SECTION 1.33.(b)** G.S. 135-44.4(31) reads as rewritten:

- "(31) The Plan shall conduct a monthly review of Plan costs as compared to the same month in the immediately preceding year and a comparison of projected costs and savings to actual costs and savings. The Plan shall report the results of the review to the Committee on Employee Hospital and

Medical Benefits and the State Health Plan Blue Ribbon Task Force at least semiannually."

## **HISTORIC SITES REPAIRS AND RENOVATIONS REVIEW COMMITTEE**

**SECTION 1.34.** Section 29.3(b) of S.L. 1998-212 is repealed.

## **SMALL BUSINESS ENVIRONMENTAL ADVISORY PANEL**

**SECTION 1.35.(a)** Part 15 of Article 7 of Chapter 143B of the General Statutes, G.S. 143B-317 through G.S. 143B-319, is repealed.

**SECTION 1.35.(b)** G.S. 143-215.3A reads as rewritten:

**"§ 143-215.3A. Water and Air Quality Account; use of application and permit fees; Title V Account; I & M Air Pollution Control Account; reports.**

...  
(b) The Title V Account is established as a nonreverting account within the Department. Revenue in the Account shall be used for developing and implementing a permit program that meets the requirements of Title V. The Title V Account shall consist of fees collected pursuant to G.S. 143-215.3(a)(1d) and G.S. 143-215.106A. Fees collected under G.S. 143-215.3(a)(1d) shall be used only to cover the direct and indirect costs required to develop and administer the Title V permit program, and fees collected under G.S. 143-215.106A shall be used only for the eligible expenses of the Title V program. Expenses of the ~~Small Business Environmental Advisory Panel~~, the ombudsman for the Small Business Stationary Source Technical and Environmental Compliance Assistance Program, support staff, equipment, legal services provided by the Attorney General, and contracts with consultants and program expenses listed in section 502(b)(3)(A) of Title V shall be included among Title V program expenses.  
...."

## **COMMITTEE ON STANDARDS AND ACCOUNTABILITY**

**SECTION 1.36.** Subsection (c) of Section 8.27 of S.L. 1997-443 reads as rewritten:

"(c) The North Carolina Standards and Accountability Commission has completed its work and submitted a report to the State Board of Education. Therefore, effective August 1, 1997, Article 8A of Chapter 115C of the General Statutes is repealed.

~~Recognizing the important role of the Commission's work, there is established the Committee on Standards and Accountability. The Committee shall advise the State Board of Education on student performance standards. The Committee shall be composed of 13 members, nine appointed by the Governor, two appointed by the President Pro Tempore of the Senate, and two appointed by the Speaker of the House of Representatives. Of the Governor's nine appointments, one shall be for a chair of the Committee. The chair shall be a person in North Carolina who understands the connection of high and rigorous standards with student preparation for the world of work and other post-high school opportunities."~~

## **NORTH CAROLINA TEACHER ACADEMY BOARD OF TRUSTEES**

**SECTION 1.37.(a)** G.S. 115C-296.4 is repealed.

**SECTION 1.37.(b)** G.S. 120-123(63) is repealed.

**SECTION 1.37.(c)** G.S. 126-5(c1)(26) is repealed.

## **NORTH CAROLINA TEACHING FELLOWS COMMISSION**

**SECTION 1.38.(a)** Effective July 1, 2015, Part 2 of Article 24C of Chapter 115C of the General Statutes, G.S. 115C-363.22 through G.S. 115C-363.23A, is repealed.

**SECTION 1.38.(b)** Effective July 1, 2015, G.S. 116-204 reads as rewritten:

**"§ 116-204. Powers of Authority.**

The Authority is hereby authorized and empowered:

...  
(9) ~~To collect loan repayments for loans awarded under the Teaching Fellows Program pursuant to G.S. 115C-363.23A if the loan repayment is outstanding for more than 30 days.~~  
...."

**SECTION 1.38.(c)** Effective July 1, 2015, G.S. 120-123(45a) is repealed.

**NORTH CAROLINA PROFESSIONAL TEACHING STANDARDS COMMISSION**

**SECTION 1.39.** G.S. 115C-295.1 and G.S. 115C-295.2 are repealed.

**GOVERNOR'S COMMISSION ON EARLY CHILDHOOD VISION CARE**

**SECTION 1.40.** Part 35 of Article 3 of Chapter 143B of the General Statutes, G.S. 143B-216.75, is repealed.

**SECTION 1.41.(a)** Article 33 of Chapter 116 of the General Statutes is repealed.

**SECTION 1.41.(b)** G.S. 116-11(12c) is repealed.

**SECTION 1.41.(c)** This Section is effective when it becomes law.

**PART II. ELIMINATION OF CERTAIN STATE BOARDS, COMMITTEES, AND COMMISSIONS THAT HAVE MET STATUTORY REQUIREMENTS**

**SECTION 2.** For the following State boards, committees, and commissions where statutory requirements have been met, these bodies are no longer authorized to meet, provide recommendations, or operate in any capacity.

**JOINT LEGISLATIVE STUDY COMMITTEE ON PUBLIC SCHOOL FUNDING FORMULAS**

**SECTION 2.1.** The statutory requirements for the Joint Legislative Study Committee on Public School Funding Formulas, established by S.L. 2010-31, have been met.

**HIGHER EDUCATION CIVIC EDUCATION STUDY COMMISSION**

**SECTION 2.2.** The statutory requirements for the Higher Education Civic Education Study Commission, established by S.L. 2008-181, have been met.

**JOINT LEGISLATIVE COMMITTEE ON DROPOUT PREVENTION AND HIGH SCHOOL GRADUATION**

**SECTION 2.3.** The statutory requirements of the Joint Legislative Committee on Dropout Prevention and High School Graduation, established by S.L. 2007-323, have been met.

**ADVISORY COMMISSION ON HOSPITAL INFECTION CONTROL AND DISCLOSURE**

**SECTION 2.4.** The statutory requirements of the Advisory Commission on Hospital Infection Control and Disclosure, established by S.L. 2007-480, have been met.

**JOINT SELECT COMMITTEE ON EMERGENCY PREPAREDNESS AND DISASTER MANAGEMENT RECOVERY**

**SECTION 2.5.** The statutory requirements of the Joint Select Committee on Emergency Preparedness and Disaster Management Recovery, established by S.L. 2008-181, have been met.

**PARTITION SALES STUDY COMMITTEE**

**SECTION 2.6.** The statutory requirements of the Partition Sales Study Committee, established by S.L. 2008-181, have been met.

**NORTH CAROLINA NATIONAL GUARD PENSION FUND STUDY COMMITTEE**

**SECTION 2.7.** The statutory requirements of the North Carolina National Guard Pension Fund Study Committee, established by S.L. 2008-181, have been met.

**NORTH CAROLINA PROFESSIONAL EMPLOYER ORGANIZATIONAL ADVISORY COUNCIL**

**SECTION 2.8.** The statutory requirements of the North Carolina Professional Employer Organizational Advisory Council, established by S.L. 2004-162, have been met.

**LEGISLATIVE COMMISSION ON GLOBAL CLIMATE CHANGE**

**SECTION 2.9.** The statutory requirements of the Legislative Commission on Global Climate Change, established by S.L. 2005-442, have been met.

**SENATE SELECT COMMITTEE ON GOVERNMENT AND ELECTION REFORM**

**SECTION 2.10.** The statutory requirements of the Senate Select Committee on Government and Election Reform, established pursuant to G.S. 120-19.6, have been met.

**JOINT SELECT COMMITTEE ON CAPITAL TRIAL, SENTENCING, AND POST-CONVICTION PROCEDURES FOR PERSONS WHO SUFFER SEVERE MENTAL DISABILITIES**

**SECTION 2.11.** Joint Select Committee on Capital Trial, Sentencing, and Post-Conviction Procedures for Persons Who Suffer Severe Mental Disabilities, established pursuant to G.S. 120-19.6, have been met.

**NORTH CAROLINA EDUCATION STANDARDS AND ACCOUNTABILITY COMMISSION**

**SECTION 2.12.** The statutory requirements of the North Carolina Education Standards and Accountability Commission, established by Chapter 117 of the 1993 Session Laws, have been met.

**STATE BOARD OF EDUCATION SELECTION COMMITTEE FOR A SUPERINTENDENT**

**SECTION 2.13.** The statutory requirements of the State Board of Education Selection Committee for a Superintendent have been met.

**ADVISORY COMMITTEE TO THE NORTH CAROLINA MEMBERS OF THE LOW-LEVEL RADIOACTIVE WASTE MANAGEMENT COMPACT COMMISSION**

**SECTION 2.14.** The statutory requirements of the Advisory Committee to the North Carolina Members of the Low-Level Radioactive Waste Management Compact Commission, established by Chapter 714 of the 1983 Session Laws, have been met.

**STUDY COMMISSION ON NORTH CAROLINA'S ENERGY FUTURE**

**SECTION 2.15.** The statutory requirements of the Study Commission on North Carolina's Energy Future, established by S.L. 2009-574, have been met.

**LEGISLATIVE STUDY COMMISSION ON WATER AND WASTEWATER INFRASTRUCTURE**

**SECTION 2.16.** The statutory requirements of the Legislative Study Commission on Water and Wastewater Infrastructure, established by S.L. 2009-574, have been met.

**PART III. CONFORMING CHANGES, EFFECT OF HEADINGS, EFFECTIVE DATE**

**SECTION 3.1.** G.S. 115C-64.7 reads as rewritten:

**"§ 115C-64.7. Criteria for dropout prevention grants.**

The following criteria apply to all types of dropout prevention grants approved by the Committee:

- (1) Grants shall be issued in varying amounts up to a maximum of one hundred seventy-five thousand dollars (\$175,000).
- (2) These grants shall be provided to innovative programs and initiatives that target students at risk of dropping out of school and that demonstrate the potential to (i) be developed into effective, sustainable, and coordinated dropout prevention and reentry programs in middle schools and high schools and (ii) serve as effective models for other programs.
- (3) Grants shall be distributed geographically throughout the State and throughout the eight educational districts as defined in G.S. 115C-65. No more than three grants shall be awarded in any one county under this section in a single fiscal year.
- (4) Grants may be made to local school administrative units, schools, local agencies, or nonprofit organizations. Applications from nonprofits shall be subject to the additional fiscal accountability controls described in G.S. 115C-64.8.

- (5) Grants shall be to programs and initiatives that hold all students to high academic and personal standards.
- (6) Grant applications shall state (i) how grant funds will be used, (ii) what, if any, other resources will be used in conjunction with the grant funds, (iii) how the program or initiative will be coordinated to enhance the effectiveness of existing programs, initiatives, or services in the community, and (iv) a process for evaluating the success of the program or initiative.
- (7) Programs and initiatives that receive grants under this section shall be based on best practices for helping at-risk students achieve successful academic progress, preventing students from dropping out of school, or for increasing the high school completion rate for those students who already have dropped out of school.
- (8) Priority for grants shall be given to proposals that (i) demonstrate input from the local community and coordination with other available programs or resources and (ii) provide clear plans for sustaining the program in future years when State funding will no longer be provided.
- (9) Grantees shall assure their compliance with applicable laws and rules regulating conflicts of interest.
- (10) Priority for grants shall be given to programs that would serve students in local schools that have a four-year cohort graduation rate of less than sixty-five percent (65%). The Committee shall establish a grant rating cutoff score at such a level as to allow for consideration of all viable grants in this priority category. The Committee may require grantees to provide supplemental information in response to any prior reviewer comments.
- (11) Priority for grants shall be given to proposals demonstrating the potential for success.
- (12) The demonstrated need for a grant, level of collaboration, ability to increase attendance, persistence, academic success, ability to increase parental involvement, and graduation shall be given more weight than the quality of the written grant.
- (13) Grants shall be made no later than November 1, 2010 and subsequent years.

The Committee shall report to ~~the Joint Legislative Commission on Dropout Prevention and High School Graduation and~~ the Joint Legislative Education Oversight Committee on the grants awarded under this section by March 1, 2010 and annually thereafter."

**SECTION 3.2.** G.S. 115C-64.9 reads as rewritten:

**"§ 115C-64.9. Evaluation.**

The Committee shall evaluate the impact of the dropout prevention grants awarded under this Article. In evaluating the impact of the grants, the Committee shall consider:

- (1) How grant funds were used, including the services provided for teen pregnancy prevention and for pregnant and parenting teens;
- (2) The success of the program or initiative, as indicated by the evaluation process stated in its grant application;
- (3) The extent to which the program or initiative has improved students' attendance, test scores, persistence, and graduation rates;
- (4) How the program or initiative was coordinated to enhance the effectiveness of existing programs, initiatives, or services in the community;
- (5) What, if any, other resources were used in conjunction with the grant funds;
- (6) The sustainability of the program;
- (7) The number, gender, ethnicity, and grade level of students being served as well as whether the students left school due to pregnancy or parenting responsibilities;
- (8) The potential for the program to serve as a model for achieving successful academic progress for at-risk students; and
- (9) Other indicators of the impact of the grant on dropout prevention.

The recipients of the dropout prevention grants awarded under this section shall report to the Committee on Dropout Prevention by January 31, 2011, and annually thereafter. The reports shall provide information to assist the Committee in conducting its evaluation. The reports shall include a statement that the recipients used grant funds for the purposes appropriated by the General Assembly and complied with applicable laws, regulations, and

terms and conditions of the grant documents. The Committee shall make an interim report of the results of its evaluation of the grants awarded under this section by March 31, 2011, to the ~~Joint Legislative Commission on Dropout Prevention and High School Graduation and to the~~ Joint Legislative Education Oversight Committee. The Committee shall make a final report of the results of its evaluation of the grants awarded under subsection (c) of this section by November 15, 2011, to the ~~Joint Legislative Commission on Dropout Prevention and High School Graduation and to the~~ Joint Legislative Education Oversight Committee."

**SECTION 3.3.(a)** Part 15 of Article 9 of Chapter 143B of the General Statutes, G.S. 143B-317 through G.S. 143B-319, is repealed.

**SECTION 3.3.(b)** G.S. 143-215.3A(b) reads as rewritten:

**"§ 143-215.3A. Water and Air Quality Account; use of application and permit fees; Title V Account; I & M Air Pollution Control Account; reports.**

...

(b) The Title V Account is established as a nonreverting account within the Department. Revenue in the Account shall be used for developing and implementing a permit program that meets the requirements of Title V. The Title V Account shall consist of fees collected pursuant to G.S. 143-215.3(a)(1d) and G.S. 143-215.106A. Fees collected under G.S. 143-215.3(a)(1d) shall be used only to cover the direct and indirect costs required to develop and administer the Title V permit program, and fees collected under G.S. 143-215.106A shall be used only for the eligible expenses of the Title V program. Expenses of ~~the Small Business Environmental Advisory Panel~~, the ombudsman for the Small Business Stationary Source Technical and Environmental Compliance Assistance Program, support staff, equipment, legal services provided by the Attorney General, and contracts with consultants and program expenses listed in section 502(b)(3)(A) of Title V shall be included among Title V program expenses."

**SECTION 3.4.** The headings to the parts and sections of this act are a convenience to the reader and are for reference only. The headings do not expand, limit, or define the text of this act, except for effective dates referring to a part.

**SECTION 3.5.** The Revisor of Statutes shall, on or after the effective date of this act, correct any reference or citation in the General Statutes that is amended by this act by deleting the incorrect references and substituting correct references.

**SECTION 3.6.** The Office of the Governor, the Legislative Library, and all State agencies shall update databases related to State boards and commissions to reflect that the boards and commissions set out in this act have been abolished.

**SECTION 3.7.** The terms of the members currently serving on the boards set out in Part I of this act shall expire on the effective date of this act.

**SECTION 3.8.** Unless otherwise provided, this act becomes effective July 1, 2011.

In the General Assembly read three times and ratified this the 18<sup>th</sup> day of June, 2011.

s/ Philip E. Berger  
President Pro Tempore of the Senate

s/ Thom Tillis  
Speaker of the House of Representatives

s/ Beverly E. Perdue  
Governor

Approved 4:56 p.m. this 23<sup>rd</sup> day of June, 2011