

GENERAL ASSEMBLY OF NORTH CAROLINA
1983 SESSION

CHAPTER 1112
HOUSE BILL 738

AN ACT AUTHORIZING STUDIES BY THE LEGISLATIVE RESEARCH
COMMISSION, AUTHORIZING ADDITIONAL STUDIES, AND MAKING
VARIOUS APPROPRIATIONS FOR STUDIES.

The General Assembly of North Carolina enacts:

Section 1. In addition to the subjects authorized by Chapter 905 of the 1983 Session Laws (1983 Regular Session), the Legislative Research Commission may study the topics listed below. Listed with each topic is the 1983 bill or resolution that originally proposed the study and the name of the sponsor. The Commission may consider the original bill or resolution in determining the nature, scope and aspects of the study. The topics are:

- (1) Hazardous Wastes Strict Liability (H.B. 738-Clark); and
- (2) Legislative Office Building (H.B. 250-Miller).

Sec. 2. Bills and Resolution References. The listing of the original bill or resolution in Section 1 of this act is for reference purposes only and shall not be deemed to have incorporated by reference any of the substantive provisions contained in the original bill or resolution.

Sec. 3. Coastal Submerged Lands. The Legislative Research Commission is authorized to study (i) the existing statutes concerning the ownership of the submerged lands and coastal waters within the counties designated in G.S. 113-205; (ii) the existing decisions by the Supreme Court of North Carolina concerning the ownership of said lands and waters; (iii) the nature of the claims and the impact that recognition of the claims would have on existing public uses of the submerged lands and coastal waters; (iv) the need for additional laws to address the claims and facilitate resolution of the claims; (v) the existing statutes concerning management of the submerged lands by the State; (vi) the need for additional laws to revise the management system in place for submerged lands held by the State; and (vii) such other matters relating to the private claims and management of State held submerged lands as it deems important.

Sec. 4. For each of the topics the Legislative Research Commission decides to study, the Commission may report its findings, together with any recommended legislation, to the 1985 General Assembly.

Sec. 5. Disability Review Commission Continuation.

Section 8 of Chapter 880 of the 1983 Session Laws (1983 Regular Session) is rewritten to read:

"Sec. 8. The Commission may report to the General Assembly the results of its investigation and study, and its recommendations on or before February 15, 1985."

Sec. 6. Legislative Commission on Medical Cost Containment Appropriation. There is appropriated from the General Fund to the General Assembly for the work of the Legislative Commission on Medical Cost Containment the sum of five thousand dollars (\$5,000) for fiscal year 1984-85.

Sec. 7. Administrative Procedure Act Study Commission Appropriation. In addition to any funds allocated under authority of Section 4 of Resolution 51 of the 1983 Session Laws (1983 Regular Session), there is appropriated from the General Fund to the General Assembly for the work of the Administrative Procedure Act Study Commission the sum of one hundred thousand dollars (\$100,000) for fiscal year 1984-85.

Sec. 8. Public Education Policy Council Appropriation. In addition to any funds allocated under authority of Section 2 of Chapter 860 of the 1983 Session Laws (1983 Regular Session), there is appropriated from the General Fund to the General Assembly for the work of the Public Education Policy Council the sum of thirty-six thousand dollars (\$36,000) for fiscal year 1984-85.

Sec. 9. Criminal Justice Information System and Computerized Records Study Commission Appropriation. In addition to any funds allocated under authority of Section 2 of Chapter 935 of the 1983 Session Laws (1983 Regular Session), there is appropriated from the General Fund to the General Assembly for the work of the Criminal Justice Information System and Computerized Records Study Commission the sum of five thousand dollars (\$5,000) for fiscal year 1984-85.

Sec. 10. Credit Insurance and Interest Rate Study Commission. (a) The Credit Insurance and Interest Rates Study Commission is hereby created.

(b) The Credit Insurance and Interest Rates Study Commission shall study credit insurance and interest rates in North Carolina, including but not limited to: marketing practices by which credit insurance is sold; whether the payback ratio for credit insurance is appropriate; the need for amendment of existing statutes concerning credit insurance; the interrelationship of credit insurance and interest rates; and such other matters relating to credit insurance and interest rates as the Commission deems appropriate.

(c) The Commission shall consist of eight members to be appointed as follows:

- (1) four members of the House of Representatives appointed by the Speaker of the House of Representatives;
- (2) four members of the Senate appointed by the President Pro Tempore;
- (3) all appointments shall be made no later than August 1, 1984;
- (4) the Speaker and the President Pro Tempore shall each choose a cochairman from the membership of the Commission no later than September 15, 1984;
- (5) either cochairman may call the first meeting of the Commission; and
- (6) all vacancies shall be filled by the appointing officer.

(d) The Legislative Services Commission shall provide staff assistance to the Commission. The Commission may hold its meetings in the legislative buildings.

(e) Members of the Commission shall be paid subsistence and travel expenses at the rate set forth in G.S. 120-3.1.

(f) The Commission shall make a report to the General Assembly on or before February 15, 1985, containing the recommendations of the Commission as to the need, if any, for changes in existing statutes or the need for new statutes. The Commission shall terminate upon submission of its report.

(g) There is appropriated from the General Fund to the General Assembly for the work of the Credit Insurance and Interest Rates Study Commission the sum of ten thousand dollars (\$10,000) for fiscal year 1984-85 to cover all expenses of the Commission.

(h) The Commissioners of Insurance and Banks shall collect and compile all data requested by the Credit Insurance and Interest Rates Study Commission and return said data to the Commission no later than 30 days after said request.

Sec. 11. State Parks Study Commission. (a) There is created a State Parks Study Commission to be composed of nine members, three to be appointed by the President Pro Tempore, three to be appointed by the Speaker of the House, and three to be appointed by the Governor. Appointments shall be made before August 1, 1984. The President Pro Tempore and the Speaker shall each appoint a cochairman from the membership of the Committee. Either cochairman may call the first meeting of the Committee. The Commission may hold its meetings in the legislative buildings.

(b) (1) The Commission shall have as its purpose the study and formulation of recommendations for administrative and legislative action concerning the system of State Parks and recreation areas. The Commission shall give highest priority to the following issues:

- a. The need for funds for land acquisition and development of new and existing facilities; and
- b. The need for additional personnel and for better salary levels for parks personnel.

- (2) In addition to the above issues, the Commission shall, to the extent feasible, study and formulate recommendations concerning any other issues pertinent to the future of our State parks and recreation system including efforts to increase public awareness, financing alternatives for park lands and operation of recreational facilities, use of volunteers, and support for natural heritage, rivers and trails, and public access programs.

(c) The Commission shall consult with the Department of Natural Resources and Community Development about and may request from the Department, such information concerning parks and recreational areas as it deems necessary to achieve its purposes; and the Department shall make available such information and expertise as it possesses or is reasonably able to obtain.

(d) The Commission shall file a written report of its findings and recommendations with the presiding officer of the House of Representatives and the Senate on or before February 15, 1985. Upon the filing of the report, the Commission shall terminate.

(e) Members of the Commission who are legislators, if any, shall be reimbursed for travel and subsistence expenses in accordance with G.S. 120-3.1. Members of the

Commission who are not officers and employees of the State, if any, shall receive per diem and necessary travel and subsistence expenses in accordance with G.S. 138-5. Members of the Commission who are officers or employees of the State shall receive travel reimbursement and subsistence in accordance with G.S. 138-6.

(f) There is appropriated from the General Fund to the General Assembly for the work of the State Parks Study Commission the sum of ten thousand dollars (\$10,000) for the fiscal year 1984-85.

Sec. 12. Commission on a Cafeteria-Style Benefits Program for Teachers and State Employees (H.J.R. 1032-Hayden).

(a) The Commission on a Cafeteria-Style Benefits Program for Teachers and State Employees is hereby created.

(b) The Commission on a Cafeteria-Style Benefits Program for Teachers and State Employees shall study the feasibility of establishing a cafeteria-style benefits program for all teachers and State employees. The Commission shall study the current benefits offered by the State to determine which, if any, of these benefits could be incorporated into a cafeteria-style benefits program and shall also study benefits not offered by the State to determine whether additional benefits could be offered through a cafeteria-style benefits program. The Commission shall determine the dollar amount of benefits that could be allocated to each employee under a cafeteria-style benefits program and the cost to the employee of each benefit that could be included in this type program. The Commission shall consider whether any restrictions, such as a specified waiting period or a physical examination, should apply to the selection of any benefits.

(c) The Commission shall be composed of the following 10 members:

- (1) five Representatives appointed by the Speaker of the House;
- (2) five Senators appointed by the President Pro Tempore.

(d) All appointments shall be made not later than August 1, 1984. All vacancies shall be filled by the appointing officer. The Speaker and the President Pro Tempore shall each choose a cochairman from the membership of the Commission. Either cochairman may call the first meeting of the Commission.

(e) Members of the Commission shall receive subsistence and travel allowances at the rate set forth in G.S. 120-3.1.

(f) The Legislative Services Commission shall provide staff assistance to the Commission. The Commission may hold its meetings in the legislative buildings.

(g) The Commission shall make a report to the General Assembly on or before February 15, 1985, containing the recommendations of the Commission as to the need, if any, for changes in existing statutes or the need for new statutes. The Commission shall terminate upon submission of its report.

(h) There is appropriated from the General Fund to the General Assembly the sum of ten thousand dollars (\$10,000) for the 1984-85 fiscal year to implement the provisions of this section.

Sec. 13. This act is effective upon ratification.

In the General Assembly read three times and ratified, this the 7th day of July, 1984.