

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013

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SENATE BILL 501
Transportation Committee Substitute Adopted 5/15/13
House Committee Substitute Favorable 7/10/13
House Committee Substitute #2 Favorable 7/16/13

Short Title: Clarify ATV Def/Est. Gen. Gov. Oversight Comm.

(Public)

Sponsors:

Referred to:

March 28, 2013

A BILL TO BE ENTITLED

AN ACT TO MODIFY THE DEFINITION OF ALL-TERRAIN VEHICLE TO REFLECT
CHANGES IN THE TYPES OF ALL-TERRAIN VEHICLES SOLD IN NORTH
CAROLINA AND TO ESTABLISH THE JOINT LEGISLATIVE OVERSIGHT
COMMITTEE ON GENERAL GOVERNMENT.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 20-4.01 reads as rewritten:

"§ 20-4.01. Definitions.

Unless the context requires otherwise, the following definitions apply throughout this
Chapter to the defined words and phrases and their cognates:

...

(1c) All-Terrain Vehicle or ATV. – A motorized ~~off-highway~~ vehicle 50 inches or less in width that is designed to travel on three or four more low-pressure tires, having a seat designed to be straddled by the operator and handlebars for steering control and manufactured for off-highway use. The terms "all-terrain vehicle" or "ATV" do not include a golf cart or a utility vehicle, as defined in this section, or a riding lawn mower.

...

(48c) Utility Vehicle. – ~~Vehicle designed and manufactured for general maintenance, security, recreational, and landscaping purposes, but does not include vehicles designed and used primarily for the transportation of persons or property on a street or highway.~~ A motor vehicle that is (i) designed for off-road use and (ii) used for general maintenance, security, agricultural, or horticultural purposes. "Utility vehicle" does not include an all-terrain vehicle or golf cart, as defined in this section, or a riding lawn mower.

...."

SECTION 2. Chapter 120 of the General Statutes is amended by adding a new
Article to read:

"Article 34.

"Joint Legislative Oversight Committee on General Government.

**"§ 120-295. Creation and membership of Joint Legislative Oversight Committee on
General Government.**



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

3 (1) Six members of the Senate appointed by the President Pro Tempore of the
4 Senate.

5 (2) Six members of the House of Representatives appointed by the Speaker of
6 the House of Representatives.

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

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

14 **"§ 120-296. Purpose and powers of Committee.**

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

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

22 a. Department of Administration.

23 b. Department of State Auditor.

24 c. Department of Cultural Resources.

25 d. Governor's Office.

26 e. Housing Finance Agency.

27 f. Department of Insurance.

28 g. Lieutenant Governor's Office.

29 h. Office of Administrative Hearings.

30 i. Office of State Personnel.

31 j. Department of Revenue.

32 k. Department of Secretary of State.

33 l. State Board of Elections.

34 m. Office of State Budget and Management.

35 n. Office of State Controller.

36 o. State Ethics Commission.

37 p. Department of State Treasurer.

38 q. General Assembly.

39 r. Any other agency under the jurisdiction of the House of
40 Representatives Subcommittee on General Government or the Senate
41 Appropriations Committee on General Government.

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

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

45 (4) Review policy changes as directed by law.

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

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

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

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

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

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

9 **"§ 120-297. Organization of Committee.**

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

13 (b) A quorum of the Committee is five members. No action may be taken except by a
14 majority vote at a meeting at which a quorum is present. While in the discharge of its official
15 duties, the Committee has the powers of a joint committee under G.S. 120-19 and
16 G.S. 120-19.1 through G.S. 120-19.4.

17 (c) Members of the Committee receive subsistence and travel expenses as provided in
18 G.S. 120-3.1. The Committee may contract for consultants or hire employees in accordance
19 with G.S. 120-32.02. The Legislative Services Commission, through the Legislative Services
20 Officer, shall assign professional staff to assist the Committee in its work. Upon the direction
21 of the Legislative Services Commission, the Supervisors of Clerks of the Senate and of the
22 House of Representatives shall assign clerical staff to the Committee. The expenses for clerical
23 employees shall be borne by the Committee.

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

27 **"§ 120-298. Reports to Committee.**

28 Whenever a department or agency set out in subdivision (a)(1) of G.S. 120-296 is required
29 by law to report to the General Assembly or to any of its permanent committees or
30 subcommittees on matters affecting the services the department or agency provides, the
31 department or agency shall transmit a copy of the report to the cochairs of the Joint Legislative
32 Oversight Committee on General Government."

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