

# Legislative Study Commissions

## The General Assembly Between Sessions

by Ran Coble

**B**etween regular and special sessions of the N.C. General Assembly, the work of reviewing existing law and preparing future legislation continues through legislative study commissions. In 1982, this interim work is taking place in 53 commissions of four different forms:

(1) twenty-eight studies to be conducted under the auspices of the Legislative Research Commission;

(2) ten *ad hoc* independent study commissions;

(3) two standing committees (the Banking Committee and Utility Review Committee) with specific study assignments; and

(4) thirteen studies to be done by executive branch agencies.

The General Assembly most often sanctions an interim study through the Legislative Research Commission (LRC), a 12-member group with six representatives from both the House and Senate. Speaker of the House Liston Ramsey and President Pro Tempore of the Senate Craig Lawing currently chair the group; the other ten members are Representatives Chris Barker, John Church, Gordon Greenwood, John P. Hunt, and Lura Tally, and Senators Henson Barnes, Carolyn Mathis, William D. Mills, Russell Walker, and Robert W. Wynne. The LRC co-chairpersons may appoint additional legislators or citizens to a particular study, and then the investigative work begins. A study commission may conduct public hearings, invite experts to testify, and examine how other states handle similar problems. Because legislative study commissions are both a source of important future legislation and a vehicle for burying or slowing down unpopular ideas, the Center for Public Policy Research has monitored such

groups closely. See Vol. 3, No. 4 (Fall, 1980) of *N.C. Insight*, for example, where Susan M. Presti reviewed the study commissions functioning during the 1979-81 biennium.

Resolution 61 of the 1981 Session Laws authorized the Legislative Research Commission to study topics ranging from revenues to railroads, from milk to obscenity, and from computers to coastal management (see article on pp. 2-13). But the resolution does not compel the review of each area; it only says the LRC "may study" such topics. The LRC co-chairpersons, in conjunction with the full Commission, have the power to choose which topics will receive attention, leaving other matters to die aborning. In 1982, no subcommittees were created to study such issues as milk inspection, school food service, and state funding of libraries — even though legislation authorized the LRC to examine these areas.

All legislative study commissions, both those within the LRC and the other types of structures described in the first paragraph, share some similar problems — competition for funds, a prescribed life, and a varying degree of legislators' attention. With inadequate funds, for example, a study commission is less likely to produce significant results. As of March, 1982, the amount of money available to groups for the 1982-83 biennium ranges from the \$2,500 for studying the feasibility of a sports arena in North Carolina to the \$142,000 for the Mental Health Study Commission for all of its studies, including reviews of the involuntary commitment laws and residential

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group care facilities for children and youth.\* In cases where a state agency was assigned to do the study, the agency usually got no additional appropriation. For example, the General Assembly directed the Department of Transportation to conduct a "highway cost allocation" study and budgeted no new money for the study. The wide range in allocations results from a number of factors: the number of commission members, the amount of built-in (i.e., "free") support services from existing agencies, the scope of a commission's report, and the degree of political support for a particular topic.

Most legislative study commissions have the option of submitting an interim report to the June 1982 "short" session of the General Assembly or a

\* It should be noted that the Sports Arena Study budget allows for one meeting - per diem, travel, and 40 hours secretarial support - for seven members, all other costs being absorbed in the Legislative Services budget. On the other hand, the Mental Health Study Commission budget includes professional staff, secretarial support, all office expenses, telephone, and per diem and travel costs for 42 members attending an average of five committee and four commission meetings per year. Comparison can also be made regarding the results of these study groups. During the 1979-81 biennium, the Sports Arena Study Group elected not to prepare a final report and developed no legislation. The Mental Health Study Commission developed a full report which included administrative recommendations and 14 pieces of legislation, 12 of which were ratified.

final report to the 1983 General Assembly, or both. The most controversial reports tend to be saved for the 1983 session. Several *ad hoc* study commissions have taken on an air of permanency and thus may have life beyond the bewitching date of January 1983 when study commissions end and the regular session begins. The Mental Health Study Commission, Courts Commission, and Commission on Children with Special Needs have all survived several sessions of the General Assembly.

The accompanying chart identifies the fifty-three legislative studies that are currently being conducted. Reading from left to right, an alphabetical listing of study subjects is followed by information on the legislative chairpersons (usually a representative and a senator) and the staff for each commission. The Legislative Services Office staffs most studies of the Legislative Research Commission, using persons from the General Research, Fiscal Research, or Bill Drafting Divisions. Later columns contain the funding allocations for the biennium, the date(s) a report is due, and a brief description of the topics to be researched and discussed. For more information about a particular study, contact the staff person listed or the legislative co-chairpersons. For copies of interim and final study commission reports, contact the Legislative Library, State Legislative Building, Raleigh, North Carolina 27611 (919-733-7778). □

## Legislative Study Commissions

STUDY SUBJECT	CO-CHAIRPERSONS (Rep./Sen.)	STAFF	FUNDS ALLOCATED DURING BIENNIUM 1981-1983	REPORT DUE	TOPICS TO BE CONSIDERED
<b>AGING</b>					
1. Aging Problems (LRC)	Economos/ Gray	John Young 732-2578	\$5,000	1982 or 1983 G.A.	Continue study of problems and needs of adults over 60.
2. Long Term Care for Elderly <sup>1</sup>	NA	Donna Nixon 733-3983		1/1/82	Implementation of rules on long term care and in-home services for elderly.
<b>AGRICULTURE</b>					
3. Alien Ownership of Land (LRC)	James/ White	Bill Hale 733-2578	\$3,000	1982 or 1983 G.A.	Ownership of land in North Carolina by aliens and alien corporations.
4. Forestry, Soil, and Water Agency and Boards Transfer (LRC)	Taylor/ Hardison	Don Hunt 733-2578	\$4,000	1982 or 1983 G.A.	Whether to transfer Division of Forest Resources and Division of Soil and Water Conservation from Dept. of Natural Resources and Community Development to Dept. of Agriculture.

STUDY SUBJECT	CO-CHAIRPERSONS (Rep./Sen.)	STAFF	FUNDS ALLOCATED DURING BIENNium 1981-1983	REPORT DUE	TOPICS TO BE CONSIDERED
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**BANKING AND THRIFT INSTITUTIONS**

5. Banking Law Changes <sup>2</sup>	Bone/ Mills	-	1982 G.A.	Impact of changes in banking laws enacted by 1981 General Assembly and legislation pending.
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**CHILDREN WITH SPECIAL NEEDS**

6. Child Screening Program <sup>3</sup>	Sen. Walker	Jim Johnson 733-4910	\$28,000	1983 G.A.	Feasibility of establishing a statewide child screening program for pre-kindergarten children to detect special learning needs of children.
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**COURTS**

7. Judicial Divisions and Districts Boundaries <sup>4</sup>	Rep. Helms	Jim Drennan 966-5381	1983 G.A.	Current boundaries of judicial divisions and districts, prosecutorial districts, and personnel needs.
8. Money Judgments Collection <sup>4</sup>	Rep. Helms	Joan Brannon 966-5381	1982 and 1983 G.A.	Collection of money judgments and court fees; 1981 legislation.

**DAY CARE**

9. Day Care (LRC)	Brennan/ Creech	Susan Sabre 733-6660	\$5,000	1982 or 1983 G.A.	Problems in enforcing day care laws, cost of care in different facilities, and comparisons with other states.
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**EDUCATION**

10. College Science Equipment (LRC)	Enloe/ Mills	Susan Sabre 733-6660	\$4,000	1982 or 1983 G.A.	Scientific and technical training equipment needs in institutions of higher education.
11. High Cost Specialized Technical Institute Program Study <sup>5</sup>	NA	Thomas King 733-7051	1982 G.A.	High cost of specialized programs in heavy equipment operation, marine technology, wood products, and truck driver training.	
12. Teacher Tenure Law (LRC)	Fussell/ Royall	Jim Blackburn 733-2578	\$6,000	1982 or 1983 G.A.	Teacher tenure procedures and amendments to statutes.
13. Twelfth Grade Optional (LRC)	Greenwood/ Ward	Sarah Fuerst 733-6660	\$4,000	1982 or 1983 G.A.	Feasibility of making 12th grade optional in the public schools and study vocational education program.

**ELECTIONS**

14. Campaign Financing and Reporting (LRC)	D. Clark/ McDuffie	Jim Blackburn 733-2578	\$4,000	1982 or 1983 G.A.	Laws regarding campaign financing and reporting.
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STUDY SUBJECT	CO-CHAIRPERSONS (Rep./Sen.)	STAFF	FUNDS ALLOCATED DURING BIENNIIUM 1981-1983	REPORT DUE	TOPICS TO BE CONSIDERED
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#### ENERGY

15. Electric Power <sup>6</sup>	Huskins/ Johnson	Don Hunt 733-2578		1983 G.A.	Assess adequacy, reliability, and cost of generating electric power in North Carolina.
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#### ENVIRONMENT

16. Beverage Container Regulation (LRC)	Diamont/ Speed	Ann Christian 733-2578	\$4,000	1982 or 1983 G.A.	Impact of beverage container deposit regulation on the economy, environment, and energy resources of North Carolina.
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17. Coastal Area Management (LRC)	Evans/ Daniels	Sarah Fuerst 733-6660	\$6,000	1982 or 1983 G.A.	Necessity, efficacy, and equity of current rules and regulations under Coastal Area Management Act.
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18. Water Pollution	Gillam/ Daniels	Fred Aikens 733-4910	\$5,000	1/1/83	Water pollution problems and water resources needs in Chowan River and Albemarle Sound basins.
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#### FIRE & RESCUE TRAINING

19. Fire and Rescue Training Academy <sup>7</sup>	NA	Horace Hodges 733-7343	None	1982 G.A.	Availability of state-owned property and construction cost of a statewide fire and rescue training academy.
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#### HEALTH

20. Public Health Law Recodification <sup>1</sup>	NA	Sandy Moulton 733-2173	None	1983 G.A.	Recodification of public health and public hospital laws.
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21. Midwifery <sup>1</sup>	NA	Richard Nugent 733-2973	None	1983 G.A.	Safety and efficacy of out-of-hospital delivery of babies and state's role in licensing midwives.
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#### HOUSING

22. Housing Programs	Rep. Cook	Bob Brinson 733-7061		1983 G.A.	State policies on housing and effect of housing program on state's economy.
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#### HUNTING

23. Fox management	NA	Vernon Beville 733-3391		1982 G.A.	Fox management.
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#### INSURANCE

24. Insurance Regulation (LRC)	Seymour/ Wynne	Bill Hale 733-2578	\$10,000	1982 or 1983 G.A.	Feasibility of establishing a risk and rate equity board within Dept. of Insurance; how state should cover risks of liability for personal injury and property damage; and credit insurance.
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STUDY SUBJECT	CO-CHAIRPERSONS (Rep./Sen.)	STAFF	FUNDS ALLOCATED DURING BIENNIIUM 1981-1983	REPORT DUE	TOPICS TO BE CONSIDERED
<b>LEGAL</b>					
25. Annexation (LRC)	Plyler/ Garrison	Gerry Cohen 733-6660	\$6,000	1982 or 1983 G.A.	Annexation laws and proce- dures.
26. Evidence Laws (LRC)	Pulley/ Barnes	Don Hunt 733-2578	\$6,000	1982 or 1983 G.A.	Laws of evidence, directing efforts toward a proposed Evidence Code.
27. Obscenity Laws (LRC)	Miller/ Warren	Susan Frost 733-2578	\$4,000	1982 or 1983 G.A.	Laws relating to obscene liter- ature and exhibitions.
<b>LICENSING BOARDS</b>					
28. New Health Licensing Boards (LRC)	Lancaster/ Jenkins	John Young 733-2578	\$3,000	1982 or 1983 G.A.	Need for new health occupa- tional licensing boards for radiation technology, social workers, athletic trainers, occu- pational therapists, sanitarians, and counselors.
<b>MARINE FISHERIES</b>					
29. Marine Fisheries Study Commission	Guy/ J.E. Thomas	Fred Aikens 733-4910	\$8,000	4/1/82	Licensing of commercial ma- rine fisheries and leasing of state-owned, submerged lands for shellfish production.
<b>MENTAL HEALTH</b>					
30. Residential Group Care Programs	Sen. Royall	Lynn Gunn 733-6077	Mental Health Study Comm. has \$71,000/yr. for all its studies, including these two.	Interim: 1982 G.A.; Final: 1983 G.A.	Licensing of residential group care facilities for children and youth.
31. Involuntary Commitment to Mental Hospitals	Sen. Royall	Lynn Gunn 733-6077	Mental Health Study Comm. has \$71,000/yr. for all its studies, including these two.	Interim: 1982 G.A.; Final: 1983 G.A.	Impact of 1979 changes in involuntary commitment law, policies for release of involun- tarily committed persons, and laws regarding persons found "not guilty by reason of insanity."
<b>MIGRANTS</b>					
32. Migrant Workers (LRC)	Fulcher/ Soles	John Young 733-2578	\$7,500	1982 or 1983 G.A.	State and federal statutes and local government regulations relating to migrant farm- workers.
<b>PRISONS</b>					
33. Inmate Population <sup>8</sup>	NA	Ben Irons 733-4926	None	None stated	Policies and procedures to determine need for modifica- tion in response to increasing inmate population.

STUDY SUBJECT	CO-CHAIRPERSONS (Rep./Sen.)	STAFF	FUNDS ALLOCATED DURING BIENNIUM 1981-1983	REPORT DUE	TOPICS TO BE CONSIDERED
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#### RECREATION

34. Sports Arena (LRC)	Barbee/ Aallsbrook	Conrad Airall 733-2578	\$2,500	1982 or 1983 G.A.	Feasibility of constructing and financing a sports arena in North Carolina.
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#### STATE GOVERNMENT

35. Arbitration and Small Contractors' Bonding Requirements (LRC)	Hunter/ Duncan	Dennis Bryan 733-2578	\$4,000	1982 or 1983 G.A.	Arbitration for disputes under state construction and procurement contracts; bonding requirements on small contractors bidding on government contracts.
36. Civil Rights Compliance (LRC)	Spaulding/ Walker	A.W. Turner 733-6660	\$4,000	1982 or 1983 G.A.	Determine if non-state institutions receiving state funds are in compliance with civil rights laws protecting minorities and handicapped.
37. Computer Systems Consolidation (LRC)	Parnell/ Alford	Sabra Faires 733-6660	\$5,000	1982 or 1983 G.A.	Feasibility of consolidating the computer systems operated, used, or maintained by the state.
38. Construction, State Rules & Coordination <sup>9</sup>	NA	Rob Nelson 733-7061	None	1982 or 1983 G.A.	Rules covering state construction and ways to expedite construction process.
39. Construction of State Office Buildings and Design & Inspection of Public Facilities	Nye/ Duncan	Dennis Bryan 733-2578	\$4,000	1982 or 1983 G.A.	Development of policy on state office building construction and continue study of design, construction, and inspection of public facilities.
40. Credit Cards <sup>9</sup>	NA	Bob Brinson 733-7061	None	5/1/82	State credit cards and telephones in state vehicles.
41. Investment of Public Funds (LRC)	Beard/ Palmer	Genie Rogers 733-2122	\$4,000	1982 or 1983 G.A.	State investment and maximum earning productivity of all public funds.
42. Leasing of State Land (LRC)	Hux/ Swain	Conrad Airall 733-2578	\$4,000	1982 or 1983 G.A.	Whether leasing of state land should be by competitive bidding.
43. Motor Vehicles Owned by State <sup>10</sup>	NA	a) Rilla Moran Woods 733-6540 b) Carl Byrd 733-2566	a) None b) 7,000	a) 2/1/83 b) 2/1/83	a) State-owned motor vehicles. b) Operation of maintenance garages and feasibility of state making major vehicle repairs to school buses and state-owned vehicles.
44. Regional State Offices (LRC)	Tennille/ Noble	Sarah Fuerst 733-6660	\$3,000	1982 or 1983 G.A.	Regional offices operated by state agencies.

STUDY SUBJECT	CO-CHAIRPERSONS (Rep./Sen.)	STAFF	FUNDS ALLOCATED DURING BIENNIIUM 1981-1983	REPORT DUE	TOPICS TO BE CONSIDERED
<b>TAXATION</b>					
45. Alcoholic Beverage Taxation (LRC)	Edwards/ Mathis	A.W. Turner 733-6660	\$4,000	1982 or 1983 G.A.	Laws pertaining to taxation of alcoholic beverages and designation of revenues for alcoholism education, rehabilitation, and research.
46. Property Tax System Study Committee	McAlister/ Vickery	David Crotts 733-4910 Bill Campbell 966-5381	Tentative budget \$75,000	Discretionary interim: 1982 G.A.; Final: 1983 G.A.	Efficiency, effectiveness, and fairness of property tax system; review current listing procedures; and examine octennial revaluation system.
47. Revenue Laws (LRC)	Lilley/ Rauch	Sabra Faires 733-6660	\$8,000	1982 or 1983 G.A.	Continue study of revenue laws.
<b>TRANSPORTATION</b>					
48. Special Committee to Study the Department of Transportation	Ramsey/ Lt. Gov. Green	Jim Newlin 733-4910	None	none stated	Review Dept. of Transportation, attention on efficiency and reducing personnel and expenditures.
49. Highway Construction Program <sup>11</sup>	NA	W.F. Caddell 733-6348	None	3/1/82	Review highway construction program, cost estimates, and need for projects.
50. Highway Cost Allocation <sup>11</sup>	NA	Charles Adkins 733-3141	None	Interim: 5/1/82	Consider costs of right of way, construction and maintenance attributable to various vehicular classes of highway users.
51. Motor Vehicles Inspection and Registration <sup>11</sup>	NA	James Penny 733-2403	None	1/15/82	Feasibility of having motor vehicles inspected and registered simultaneously.
52. Railroad Operations (LRC)	Hunt/ Jordan	Gerry Cohen 733-6660	\$5,000	1982 or 1983 G.A.	State's interest in railroad companies and railroad operations.
<b>WOMEN</b>					
53. Women's Needs (LRC)	Easterling/ Marvin	Ann Christian 733-2578	\$5,000	1982 or 1983 G.A.	Economic, social, legal and other needs of women in North Carolina.

#### FOOTNOTES TO TABLE

LRC = Legislative Research Commission Study

<sup>1</sup> To be conducted by the Department of Human Resources.

<sup>2</sup> To be conducted by the House and Senate Banking Committees.

<sup>3</sup> To be conducted by the Legislative Commission on Children with Special Needs.

<sup>4</sup> To be conducted by the Courts Commission.

<sup>5</sup> To be conducted by the State Board of Community Colleges.

<sup>6</sup> To be conducted by the Utility Review Committee of the General Assembly.

<sup>7</sup> To be conducted by the Department of Insurance.

<sup>8</sup> To be conducted by the Department of Correction.

<sup>9</sup> To be conducted by the Office of State Budget and Management in the Governor's Office.

<sup>10</sup> To be conducted by the Department of Administration.

<sup>11</sup> To be conducted by the Department of Transportation.