

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013

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SENATE BILL 34*

Short Title: Eliminate Obsolete Boards and Commissions. (Public)

Sponsors: Senators Hartsell (Primary Sponsor); Brock, Jackson, Rabin, Randleman, and Sanderson.

Referred to: Rules and Operations of the Senate.

February 4, 2013

1 A BILL TO BE ENTITLED
2 AN ACT TO ELIMINATE OBSOLETE BOARDS AND COMMISSIONS, AS
3 RECOMMENDED BY THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE
4 OVERSIGHT COMMITTEE.

5 The General Assembly of North Carolina enacts:

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7 **PART I. REPEAL THE SMALL BUSINESS CONTRACTOR ACT AND THE SMALL**
8 **BUSINESS CONTRACTOR AUTHORITY**

9 **SECTION 1.** Part 20 of Article 10 of Chapter 143B of the General Statutes is
10 repealed.

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12 **PART II. PROVIDE THAT THE COMMITTEE ON DROPOUT PREVENTION**
13 **SHALL TERMINATE ON JULY 1, 2013**

14 **SECTION 2.** Section 7.32(e) of S.L. 2007-323, as rewritten by Section 7.14(a) of
15 S.L. 2008-107 and Section 7.19(e) of S.L. 2010-31, reads as rewritten:

16 "**SECTION 7.32.(e)** Report. – The Committee shall report to the Joint Legislative
17 Commission on Dropout Prevention and High School Graduation created in subsection (f) of
18 this section by December 1, 2007, on the grants awarded under subsection (d) of this section.
19 The Committee shall terminate July 1, 2013."

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21 **PART III. ELIMINATE THE STATE EDUCATION COMMISSION ESTABLISHED**
22 **IN CHAPTER 116C OF THE GENERAL STATUTES**

23 **SECTION 3.(a)** G.S. 116C-1 reads as rewritten:

24 "**§ 116C-1. Education Cabinet created.**

25 (a) The Education Cabinet is created. The Education Cabinet shall be located
26 administratively within, and shall exercise its powers within existing resources of, the Office of
27 the Governor. However, the Education Cabinet shall exercise its statutory powers
28 independently of the Office of the Governor.

29 (b) The Education Cabinet shall consist of the Governor, who shall serve as chair, the
30 President of The University of North Carolina, the State Superintendent of Public Instruction,
31 the Chairman of the State Board of Education, the President of the North Carolina Community
32 Colleges System, the Secretary of Health and Human Services, and the President of the North
33 Carolina Independent Colleges and Universities. The Education Cabinet may invite other
34 representatives of education to participate in its deliberations as adjunct members.

35 (c) The Education Cabinet shall be a nonvoting body that:



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- 1 (1) Works to resolve issues between existing providers of education.
2 ~~(2) Sets the agenda for the State Education Commission.~~
3 (3) Develops a strategic design for a continuum of education programs, in
4 accordance with G.S. 116C-3.
5 (4) Studies other issues referred to it by the Governor or the General Assembly.
6 (d) The Office of the Governor, in coordination with the staffs of The University of
7 North Carolina, the North Carolina Community College System, and the Department of Public
8 Instruction, shall provide staff to the Education Cabinet."

9 **SECTION 3.(b)** G.S. 116C-2 is repealed.
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11 **PART IV. ELIMINATE THE STATE EDUCATION COMMISSION ESTABLISHED IN**
12 **ARTICLE 26 OF CHAPTER 143 OF THE GENERAL STATUTES**

13 **SECTION 4.** Article 26 of Chapter 143 of the General Statutes is repealed.
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15 **PART V. PROVIDE THAT THE NATIONAL HERITAGE AREA DESIGNATION**
16 **COMMISSION SHALL TERMINATE JULY 1, 2013**

17 **SECTION 5.** Section 18.10 of S.L. 2001-491 reads as rewritten:

18 "**SECTION 18.10.** Notwithstanding G.S. 158-8.1, the Western North Carolina Regional
19 Economic Development Commission shall develop a regional heritage tourism plan and shall
20 present the plan to the 2002 Regular Session of the 2001 General Assembly no later than May
21 1, 2002. The National Heritage Area Designation Commission created pursuant to Section 18.4
22 of this act shall terminate July 1, 2013."
23

24 **PART VI. REPEAL THE GOVERNOR'S MANAGEMENT COUNCIL**

25 **SECTION 6.** Part 24 of Article 9 of Chapter 143B is repealed.
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27 **PART VII. REPEAL THE BOARD OF DIRECTORS OF THE NORTH CAROLINA**
28 **CENTER FOR NURSING**

29 **SECTION 7.** G.S. 90-171.71 is repealed.
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31 **PART VIII. REPEAL THE BOARD OF CORRECTIONS**

32 **SECTION 8.(a)** G.S. 143B-711 reads as rewritten:

33 "**§ 143B-711. Division of Adult Correction of the Department of Public Safety –**
34 **organization.**

35 The Division of Adult Correction of the Department of Public Safety shall be organized
36 initially to include the Post-Release Supervision and Parole Commission, ~~the Board of~~
37 ~~Correction,~~ the Section of Prisons of the Division of Adult Correction, the Section of
38 Community Corrections, the Section of Alcoholism and Chemical Dependency Treatment
39 Programs, and such other divisions as may be established under the provisions of the Executive
40 Organization Act of 1973."

41 **SECTION 8.(b)** G.S. 143B-715 is repealed.
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43 **PART IX. ENCOURAGE THE CHIEF JUSTICE TO ABOLISH THE ACTUAL**
44 **INNOCENCE COMMISSION**

45 **SECTION 9.** The North Carolina Actual Innocence Commission was established
46 by the Chief Justice of the North Carolina Supreme Court. Its primary purpose was to make
47 recommendations which would reduce or eliminate the possibility of the wrongful conviction
48 of an innocent person. In 2006, the General Assembly enacted S.L. 2006-184, which
49 established the North Carolina Innocence Inquiry Commission, as recommended by the North
50 Carolina Actual Innocence Commission. Inasmuch as it appears that the work of the Actual

1 Innocence Commission is complete, the Chief Justice of the North Carolina Supreme Court is
2 encouraged to take appropriate action to formally abolish the Commission.

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4 **PART X. EFFECTIVE DATE**

5 **SECTION 10.** This act is effective when it becomes law.