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State Government

This chapter summarizes legislation enacted by the 1999 General Assembly with respect to the organization, structure, and functions of North Carolina's state government as well as changes to the North Carolina Administrative Procedure Act (APA).

New State Agencies

Butner Advisory Council

S.L. 1999-140 (H 105) adds a new Article 6, Part 1B, to Chapter 122C of the General Statutes to create the Butner Advisory Council. The council will consist of seven members, to be elected by the residents of the territorial jurisdiction established by G.S. 122C-408(a), at a nonpartisan election administered by the Granville County Board of Elections. The council is to advise the Secretary of Health and Human Services, through resolutions adopted by the council, on the operations of the Camp Butner reservation and the concerns of the residents of Camp Butner. The act also clarifies the relationship between the Secretary of Health and Human Services and the Butner Town Manager.

Commission to Address Smart Growth, Growth Management, and Development Issues

The 1999 Appropriations Act, S.L. 1999-237 (H 168), creates the Commission to Address Smart Growth, Growth Management, and Development Issues and allocated funds from the Department of Commerce to support it. There are to be thirty-seven members of the Commission from a wide variety of backgrounds, as set forth in the act. The Commission is to study growth management and recommend initiatives to promote comprehensive and coordinated local, regional, and state planning. This commission is discussed in detail in Chapter 14 (Land Use Regulation, Planning, Code Enforcement, and Transportation).

Commission on Workforce Development

The appropriations act adds a new Chapter 143B, Article 10, Part 3B, to create the Commission on Workforce Development within the Department of Commerce. The statute provides that the commission is to develop strategies to produce a skilled, competitive workforce that meets the needs of the state's changing economy. The commission is to consist of thirty-eight members, as specified in the act.

Select Joint Committee on Information Technology

The appropriations act also creates the Joint Select Committee on Information Technology, as set forth in a new Chapter 120, Article 26. The committee is to consist of fourteen members, as specified in the act, and is to be charged with developing electronic commerce in the state and with coordinating the use of information by state agencies in a manner that assures that citizens receive quality services from those agencies and that the needs of the citizens are met in an efficient and effective manner.

Domestic Violence Commission

The appropriations act adds a new Chapter 143B, Article 9, Part 10C, to create the Domestic Violence Commission. The commission is to consist of thirty-nine members, as specified in the act, and is to have three purposes: (1) to assess statewide needs related to domestic violence; (2) to assure that necessary services, policies, and programs are provided to those in need; and (3) to coordinate and collaborate with the North Carolina Council for Women in strengthening the existing domestic violence programs established pursuant to G.S. 50B-9. This commission is discussed in more detail in Chapter 4 (Children and Families).

Blue Ribbon Transportation Finance Study Commission

The appropriations act creates the Blue Ribbon Transportation Finance Study Commission, to consist of fifteen members, as specified in the act. The commission is to study seven listed transportation policy issues and submit a final report to the Joint Legislative Transportation Oversight Committee by March 1, 2001. This commission is discussed in detail in Chapter 14 (Land Use Regulation, Planning, Code Enforcement, and Transportation).

Changes to Existing State Agencies

Board of Directors of the Roanoke Island Historical Association

S.L. 1999-32 (H 652) amends G.S. 143-200 to add two members to the Board of Directors of the Roanoke Island Historical Association: the Superintendent of Public Instruction and the Chair of the Dare County Board of Commissioners.

State Board of Community Colleges

S.L. 1999-61 (H 244) amends G.S. 115D-2.1(b) to add a student as an ex officio member to the State Board of Community Colleges. The student member will be the president of the North Carolina Comprehensive Community College Student Government Association or, if the president is unable to serve, the vice president.

Study Commission on the Future of Electric Service in North Carolina

S.L. 1999-122 (H 778) adds six members to the Study Commission on the Future of Electric Service in North Carolina, which was created in 1997. The commission now has twenty-nine members, with three additional members each to be appointed by the President Pro Tempore of the Senate and the Speaker of the House of Representatives.

Textbook Commission

S.L. 1999-237 amends G.S. 115C-87 to expand membership on the Textbook Commission from fourteen to twenty-three members. The amended statute also sets forth membership requirements by category.

North Carolina Progress Board

Membership in the North Carolina Progress Board, as set forth in G.S. 143B-372.1, is expanded from fourteen to twenty-one members by S.L. 1999-237. The board is to track, evaluate, and make recommendations to the General Assembly on eight issues listed in G.S. 143B-372.2.

Crime Victims Compensation Commission

S.L. 1999-269 (H 290) amends G.S. 15B-3(a) to add two members to the Crime Victims Compensation Commission, bringing the total number of members to seven.

Division of Information Technology Services

S.L. 1999-347 (H 253) amends G.S. 143B-472.44 to change the name of the State Information Processing Services to the Division of Information Technology Services.

Administrative Procedure Act

Proposed Final Decision Authority for Administrative Law Judges

H 968, which passed the House and awaits Senate action in the next session, would give administrative law judges in the Office of Administrative Hearings (OAH) the authority to make final decisions in contested cases under the Administrative Procedure Act (APA). Under the current APA structure, administrative law judges make recommended decisions to agencies, which in turn make the final decision. Those decisions may, in turn, be appealed to the courts. If H 968 is enacted into law and signed by the Governor, it will represent a significant shift in power from state agencies to OAH and a substantial revision of the APA.

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