



SENATE BILL 14: Acad. Standards/Rules Review/Coal Ash/Funds

2015-2016 General Assembly

Committee:	Senate Appropriations/Base Budget	Date:	February 3, 2015
Introduced by:	Sens. Brown, Harrington, B. Jackson	Prepared by:	Ben Stanley
Analysis of:	First Edition		Committee Counsel

SUMMARY: *Senate Bill 14 makes funds available to cover litigation expenses of the Rules Review Commission, makes funds available to fund the operations of the Academic Standards Review Commission, and clarifies the appropriation of funds from the Coal Combustion Residuals Management Fund.*

BILL ANALYSIS: **Section 1** of the bill transfers \$100,000 of funds appropriated to the State Board of Education for the 2014-2015 fiscal year to the Rules Review Commission to be used to pay litigation costs incurred in the defense of *North Carolina State Board of Education v. The State of North Carolina and The Rules Review Commission*. It also provides that these funds shall not revert until the end of the 2015-2016 fiscal year.

Section 2 of the bill transfers \$275,000 of funds appropriated to the Department of Public Instruction for current operations of that Department for the 2014-2015 fiscal year to the Academic Standards Review Commission. These funds are to be used first to reimburse the Department of Administration for costs it has incurred to support of the Commission with the remainder to be used to support the operations of the Commission.

Section 3 of the bill provides that the funds transferred in Section 2 shall remain available to the Academic Standards Review Commission until it terminates and shall not revert until the end of the 2015-2016 fiscal year.

Section 4 of the bill prohibits the expenditure of any of the funds transferred in Section 2 on survey related to the adoption of academic standards.

Section 5 of the bill clarifies that the Academic Standards Review Commission is subject to the Public Records Act and the Open Meetings Law. It also requires that certain information be posted on the Commission's website and that official meetings of the Commission be streamed on the Internet.

Section 6 of the bill provides that in order to facilitate the transfer of funds required by Section 2, the State Board of Education shall reduce the operating budget of the Department of Public Instruction and shall make no reductions to funding or positions to certain entities.

Section 7 of the bill clarifies that it is the intent of the General Assembly that 26.5% of the funds in the Coal Combustion Residuals Management Fund shall be used by the Coal Ash Management Commission and that the remainder shall be used by the Department of Environment and Natural Resources.

Section 8 of the bill provides that up to 25, rather than exactly 25, positions are created in Department of Environment and Natural Resources to carry out the duties imposed by G.S. 130A-309.202. It also clarifies the amount of the appropriation to support the positions and provides that if there is a shortfall in the fund, appropriations to DENR and DPS are to be reduced in equal proportions.

EFFECTIVE DATE: Sections 7 and 8 of the bill become effective July 1, 2014. The remainder of the bill is effective when it becomes law.

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Director



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