

Daily Bulletin

ACTIONS BY THE NORTH CAROLINA GENERAL ASSEMBLY

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SUMMARIES OF BILLS FILED

Public Bills

HOUSE BILLS

H 205. [MOTORCYCLE AWARENESS MONTH](#). Filed 3/2/11. *DESIGNATING THE MONTH OF MAY AS MOTORCYCLE AWARENESS MONTH.*

Enacts new GS 103-12 as title indicates.

Intro. by Hastings, T. Moore, GS 103
McCormick, Folwell.

State Government

H 206. [MODIFY PROPERTY TAX BASE EXCLUSIONS](#) (=S 164). Filed 3/2/11. *TO MODIFY THE PROPERTY TAX BASE EXCLUSIONS.*

Identical to S 164, filed 3/1/11.

Intro. by Ross, Jackson, Gill. GS 105

Taxation

H 209. [AMEND SW FINANCIAL ASSURANCE RQMNTS](#). Filed 3/2/11. *TO AMEND CERTAIN FINANCIAL ASSURANCE REQUIREMENTS APPLICABLE TO OWNERS AND OPERATORS OF SANITARY LANDFILLS*

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TO (1) DECREASE THE MINIMUM AMOUNT OF FINANCIAL ASSURANCE THAT MUST BE ESTABLISHED TO COVER COSTS FOR POTENTIAL ASSESSMENT AND CORRECTIVE ACTION AT A FACILITY; AND (2) AUTHORIZE THE USE OF A TRUST FUND PAY-IN PERIOD AS AN ALLOWABLE MECHANISM TO ESTABLISH THE FINANCIAL ASSURANCE NECESSARY FOR POTENTIAL ASSESSMENT AND CORRECTIVE ACTION AT A FACILITY.

Amends GS 130A-295.2 as the title indicates. Decreases the minimum amount of the financial assurance to be established by the owner or operator of a sanitary landfill to cover costs for potential assessment and corrective action at a facility to a minimum of \$2 million (was, \$3 million). Allows the owner or operator of a sanitary landfill issued a permit on or before August 1, 2009, to meet the financial assurance requirement by establishing a trust fund. Sets the minimum requirements to which the trust fund must conform.

Intro. by Ingle, Gillespie. GS 130A Banking and Finance; Health, Social Services, and Aging

H 210. BUILDING CODE/SCHOOL ANIMAL HUSBANDRY BLDGS. Filed 3/2/11. TO EXEMPT FROM BUILDING RULES STRUCTURES THAT ARE ASSOCIATED WITH AN ANIMAL HUSBANDRY PROGRAM OPERATED BY A LOCAL SCHOOL ADMINISTRATIVE UNIT AND LOCATED ON SCHOOL PROPERTY.

Amends GS 143-138(b4) (pertaining to exemptions from the NC State Building Code) to provide as title indicates.

Intro. by Brisson, Glazier, Lucas, Parfitt. GS 143 Property, Land Use, and Housing; Education

H 215. UNBORN VICTIMS OF VIOLENCE ACT/ETHEN'S LAW. Filed 3/2/11. TO CREATE CRIMINAL OFFENSES FOR ACTS THAT CAUSE THE DEATH OR INJURY OF AN UNBORN CHILD OR ARE COMMITTED AGAINST A PREGNANT WOMAN, AND TO PROVIDE THAT THE ACT SHALL BE ENTITLED "THE UNBORN VICTIMS OF VIOLENCE ACT/ETHEN'S LAW."

Adds new Article 6A to GS Chapter 14, titled *Unborn Victims*, specifying crimes against an *unborn child*, defined as a human carried in the womb. Makes it murder to cause the death of an unborn child willfully and maliciously, through a reckless and wanton disregard for life, or while perpetrating or attempting acts defined as a Class A felony if a person is killed. Requires life imprisonment without parole as punishment. Makes it voluntary manslaughter to cause the death of an unborn child by an act that would be voluntary manslaughter if it resulted in the mother's death, punishable as a Class D felony. Makes it involuntary manslaughter to cause the death of an unborn child by an act that would be involuntary manslaughter if it resulted in the mother's death, punishable as a Class E felony. Makes it an assault on an unborn child punishable as a Class F felony to inflict serious bodily harm upon an unborn child who is later born alive by a battery of the child's mother. Defines *serious bodily harm*. Makes it an assault on an unborn child to commit an assault, assault and battery, or affray upon a pregnant woman, punishable as a Class H felony. Exempts abortions that are lawful under GS 14-45.1, customary diagnostic or therapeutic medical acts, and acts by a pregnant woman that result in miscarriage or stillbirth, as defined.

Repeals GS 14-18.2 (injury to a pregnant woman).

States that the act will not be construed to impose criminal liability on an expectant mother who is the victim of domestic violence. Includes a severability clause.

Effective December 1, 2011, and applies to offenses committed on or after that date.

Intro. by Folwell, Hilton, Starnes, Steen. GS 14 Criminal Law, Procedure, and Sentencing

H 217. INSPECTION REQUIREMENT SALVAGED VEHICLES. Filed 3/2/11. AUTHORIZING THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE TO DIRECT THE PROGRAM EVALUATION DIVISION TO STUDY THE SAFETY AND EMISSIONS INSPECTION PROGRAM IN THE DIVISION OF MOTOR VEHICLES TO DETERMINE IF THE REQUIREMENT OF REQUIRING A LICENSED DEALER TO INSPECT ALL SALVAGED VEHICLES THAT ARE INOPERABLE AND INCAPABLE OF BEING MADE OPERABLE BEFORE THEY CAN BE SOLD SHOULD BE ELIMINATED OR IF THE REQUIREMENT SHOULD BE EXTENDED TO SALVAGED VEHICLES THAT ARE INOPERABLE AND INCAPABLE OF BEING MADE OPERABLE WHICH ARE SOLD BY INSURANCE COMPANIES THAT ARE ACTING AS BROKERS, WHICH ARE NOT SUBJECT TO THE SAME STRICT REQUIREMENTS AS A LICENSED DEALER.

As title indicates. Directs the Program Evaluation Division to submit findings and recommendations to specified Legislative entities at a date to be determined by the Joint Legislative Program Evaluation Oversight Committee.

Intro. by T. Moore. STUDY General Assembly; Transportation

H 218. LEGISLATIVE TASK FORCE ON CHILDHOOD OBESITY. Filed 3/2/11. *TO ESTABLISH THE LEGISLATIVE TASK FORCE ON CHILDHOOD OBESITY.*

Establishes the 12 member Legislative Task Force on Childhood Obesity (Task Force) to study issues relating to childhood obesity, including considering strategies for addressing the problem and encouraging healthy eating and increased physical activity through 9 specified means. Requires the Task Force to encourage input from nonprofits that work on issues related to promoting healthy lifestyles and addressing obesity. Requires the Task Force to submit a final report to the 2010 Regular Session of the General Assembly and provides that the Task Force terminates on the earlier of the filing of the final report or May 1, 2012.

Intro. by Insko.

STUDY

General Assembly; Children and Juvenile Law; Health, Social Services, and Aging

H 219. SEX OFFENDER REGISTRY AMENDMENTS. Filed 3/2/11. *TO PROVIDE THAT A PERSON REQUIRED TO REGISTER AS A SEX OFFENDER MUST INDICATE ON THE INITIAL REGISTRATION FORM THE NAME UNDER WHICH THE PERSON WAS CONVICTED FOR THE SEX OFFENSE, TO PROVIDE THAT THE REGISTRANT MUST ALSO NOTIFY THE APPROPRIATE SHERIFF OF ANY NAME CHANGE BY THE REGISTRANT AND INCLUDE NAME CHANGES AS PART OF THE VERIFICATION PROCEDURE, TO DIRECT THE DIVISION OF CRIMINAL STATISTICS TO MAINTAIN THE STATEWIDE REGISTRY SO THAT A MEMBER OF THE PUBLIC MAY CONDUCT SEX OFFENDER SEARCHES USING ANY NAME OR ALIAS OF A REGISTRANT, TO CLARIFY THAT SEX OFFENDERS MAY NOT CHANGE THEIR NAME PURSUANT TO CHAPTER 101 OF THE GENERAL STATUTES, TO AMEND THE LAW REGARDING THE VENUE IN WHICH TO FILE A PETITION TO TERMINATE A SEX OFFENDER REGISTRATION REQUIREMENT, AND TO APPROPRIATE FUNDS TO THE DEPARTMENT OF JUSTICE FOR COMPUTER AND SOFTWARE REPAIRS TO THE STATEWIDE REGISTRY COMPUTER SYSTEM.*

Amends GS 14-208.7(b) to require that a sex offender's registration also include the person's name at the time of conviction, any alias the person used at the time of conviction, and the person's name as it appears on the judgment imposing the sentence for the conviction.

Enacts new GS 14-208.9(f) to direct a registered sex offender to report any name change, within 10 days, to the applicable sheriff. Makes a conforming change.

Enacts new GS 14-208.9A(a)(3)(c) to require a sex offender to verify with the county registry whether the person still uses or intends to use the registered name, as last reported to the sheriff. If the registrant has a new or different name, then the person must provide that name to the sheriff.

Enacts new GS 14-208.14(a)(4a) to direct the Division of Criminal Statistics to maintain the statewide registry for public access and ensure that a registrant's full name, any aliases, and any legal name change are cross-referenced and discoverable. Makes a conforming change to GS 14-208.14(a)(3).

The above provisions are effective December 1, 2011, and apply to sex offenders whose registration occurs on or after that date, and to sex offenders registered before December 1, 2011, who continue to be registered on that date. However, any sex offender registered before December 1, 2011, and continuing to be registered on that date will not be in violation of the proposed requirements regarding the registrant's name, provided the registrant provides the required information on the first verification date that occurs on or after December 1, 2011.

Amends GS 14-208.12A(a) to direct a person petitioning the superior court to terminate the 30-year registration requirement to file in the district where the person was convicted, if the conviction is for an offense that occurred in North Carolina. Directs the person to file in the district where the registrant resides, if the conviction is for an out-of-state offense, and sets forth additional petition requirements. Effective December 1, 2011, and applies to petitions filed on or after that date.

Amends GS 101-5 to prohibit a clerk of court from allowing a registered sex offender to obtain a name change.

Appropriates \$10,000 for 2011-12 from the General Fund to the Department of Justice to repair the computer system and software supporting the statewide registry in the Division of Criminal Statistics. Effective July 1, 2011.

Intro. by T. Moore, Hager, Cook, Pridgen. GS 14, 101, APPROP

Criminal Law, Procedure, and Sentencing; Budget and Appropriations; Courts

H 220. WACCAMAW RIVER/ISOLATED RIVER BASIN. Filed 3/2/11. *TO DESIGNATE THE WACCAMAW RIVER BASIN AS AN ISOLATED RIVER BASIN FOR PURPOSES OF CERTIFICATION OF TRANSFERS OF SURFACE WATER FROM A RIVER BASIN TO AN ISOLATED RIVER BASIN.*

Amends Section 7 of SL 2007-518, as amended, as title indicates.

Intro. by Iler.

UNCODIFIED

Agriculture, Environment, and
Natural Resources

H 221. REQUESTING STATE TREASURER/FIVE. Filed 3/2/11. *REQUESTING THE STATE TREASURER TO USE THE PHRASE "NORTH CAROLINA PUBLIC EMPLOYEE RETIREMENT SYSTEMS" RATHER THAN THE PHRASE "NORTH CAROLINA RETIREMENT SYSTEMS" IN DOCUMENTS WHEN REFERRING TO THE FIVE RETIREMENT SYSTEMS ADMINISTERED BY THE STATE TREASURER'S OFFICE.*

As title indicates.

Intro. by Moffitt.

JOINT RES

General Assembly; State
Government

H 222. ELECTRIC VEHICLE INCENTIVES (=S 194). Filed 3/2/11. *TO AUTHORIZE PLUG-IN ELECTRIC VEHICLES TO OPERATE IN HIGH OCCUPANCY VEHICLE LANES AND TO EXEMPT PLUG-IN ELECTRIC VEHICLES FROM THE EMISSIONS INSPECTION REQUIREMENT.*

Identical to S 194, filed 3/2/11.

**Intro. by Lewis, Gibson,
Samuelson.**

GS 20

Transportation

H 223. HEALTHY FAMILIES & WORKPLACES/PAID SICK DAYS. Filed 3/2/11. *PROVIDING FOR HEALTHY FAMILIES AND HEALTHY WORKPLACES BY ENSURING THAT ALL WORKERS HAVE PAID SICK DAYS TO ADDRESS THEIR OWN HEALTH NEEDS AND THE HEALTH NEEDS OF THEIR FAMILIES.*

Public policy issue. Enacts new Article 3A of GS Chapter 95, to be cited as the *Healthy Families and Healthy Workplaces Act* (HFHW Act). Denotes that state public policy in promoting the general welfare of the people of North Carolina requires the enactment of new Article 3A under the police power of the state.

Definitions. Provides definitions for the following terms as used in the HFHW Act: (1) child, (2) domestic violence, (3) employee, (4) employ, (5) employer, (6) federal act, (7) health care provider, (8) immediate family member, (9) parent, (10) paid sick time or paid sick days, (11) sexual assault, (12) stalking, and (13) small business.

Exemptions. Provides that the proposed HFHW Act does not apply to (1) bona fide volunteers in an organization where an employer-employee relationship does not exist or (2) any person who is exempt from the Wage and Hour Act under GS 95-25.14(a)(2) through (8), GS 95-25.14(b), GS 95-25.14 (b1), GS 95-25.14(c), and GS 95-25.14(e). Makes an exception regarding domestic workers, providing that they are exempt only if they are employed in the place of residence of their employer.

Paid sick time accrual. Provides that paid sick time begins to accrue at the start of employment at a rate of one hour of paid sick time for every 30 hours worked. Provides additional guidelines regarding discretionary advancement of sick time by the employer, limits on the amount of paid sick time accrued, and the accrual of paid sick time when there is a separation of employment followed by a rehiring by the same employer. Provides that with the exception of the specified exemptions to the proposed HFHW Act, any employee who works in North Carolina and who must be absent from work for the reasons delineated in proposed new GS 95-31.5(a) is entitled to paid sick time.

Use of paid sick time. Directs that paid sick time is to be provided by an employer to an employee who meets any of the following reasons listed in proposed new GS 95-31.5: (1) to care for a member of the employee's immediate family suffering from health issues or to care for the employee's own health, unless the care is covered under the federal Family and Medical Leave Act of 1993, as amended, or (2) to allow an employee to address the psychological, physical, or legal effects on himself or herself or an immediate family member of domestic violence, sexual assault, or stalking.

Permits the employer to require certification of the qualifying health issue or event when a paid sick time period covers more than three consecutive work days. Provides guidelines for determining what may be deemed acceptable certification.

Provides that an employer may not require certification from a health care provider that is employed by the employer. Prohibits an employer from requiring the disclosure of details relating to domestic violence, sexual assault, stalking, or an employee's medical condition as a condition of providing paid sick time to an employee. Directs an employer to treat as confidential any information that the employer acquires about the employee or the employee's immediate family regarding domestic violence, sexual assault, stalking, or health conditions. Prohibits

the employer from requiring an employee to secure a replacement worker as a condition of providing sick time under the proposed HFHW Act.

Directs the employee to make a good faith effort, when the use of sick time is foreseeable, to provide the employer with advance notice.

States that this act provides minimum requirements regarding paid sick time and should not be construed to limit, preempt, or otherwise affect other applicability of law, regulation, or policy that extends additional or greater protections to employees, nor should this proposed act be construed to discourage employers from adopting more generous paid sick time policies.

Provides that employers already offering a paid sick time policy do not have to modify that policy providing that the paid sick time policy currently in place offers an employee, at his or her discretion, the option to take paid sick time that is equivalent to the amount and for the same purposes offered under the proposed HFHW Act.

Notification, posting, and records. Requires employers to provide notice to employees, in Spanish and English, of their entitlement to paid sick time as well as other related information. Notice may be provided by supplying each employee with a notice in Spanish and English or by conspicuously displaying a poster in the place of employment in both languages. Prohibits employers from retaliating against employees who request or use paid sick time. Provides that an employee has a right to file a complaint with the Commissioner of Labor (Commissioner) or in the General Court of Justice if an employer (1) denies an employee paid sick time or (2) retaliates against an employee for requesting or taking paid sick time.

Enforcement. Authorizes the Commissioner to enforce and administer the provisions of the proposed HFHW Act. Provides criteria regarding employer's liability for a violation under the proposed HFHW Act, including provisions for the potential awarding of liquidated damages for a violation of the act. Directs that actions under the proposed HFHW Act must be brought within two years pursuant to GS 1-53. Also provides that the rights and remedies created under the HFHW Act are supplementary to all existing common law and statutory rights and remedies. Directs the Commissioner to adopt rules to implement the proposed act.

Provides that the provisions of the proposed act are severable.

Makes conforming changes to GS 95-241(a).

Contains a number of whereas clauses.

Effective January 1, 2012, and applies only to covered employment on or after that date and does not apply to any collective bargaining agreement entered into before January 1, 2012, that is still in effect on that date.

Intro. by Adams.

GS 95

Employment and Retirement;
Health, Social Services, and Aging

H 225. [NC TURNPIKE AUTHORITY CORRIDOR SELECTION \(=S 165\)](#). Filed 3/2/11. *TO RESTRICT THE NORTH CAROLINA TURNPIKE AUTHORITY'S SELECTION OF TRANSPORTATION CORRIDORS TO EXISTING PROTECTED CORRIDORS OR CORRIDORS SOUTH OF AN EXISTING PROTECTED CORRIDOR EXCEPT IN THE AREA OF INTERSTATE 40 EAST.*

Identical to S 165, filed 3/1/11.

Intro. by Jackson, Ross, Gill.

GS 136

Transportation

H 226. [PROHIBIT SWEEPSTAKES DEVICES](#). Filed 3/2/11. *TO PROHIBIT SWEEPSTAKES PROMOTERS FROM PROVIDING ANY TYPE OF ELECTRONIC MACHINE OR DEVICE TO SWEEPSTAKES ENTRANTS.*

Enacts new GS 14-306.4A making it unlawful for a sweepstakes sponsor or promoter, or any partner, affiliate, subsidiary, or contractor, to own, lease, or otherwise possess an electronic machine or device for use by sweepstakes' entrants. Also prohibits any mechanism that seeks to avoid, through subterfuge or pretense, application of the law. Defines *electronic machine or device*, *enter or entry*, *prize*, and *sweepstakes*. Provides that nothing in the statute makes illegal any lawfully conducted activity on Indian lands. Makes the first offense of the statute a Class 2 misdemeanor, the second offense a Class H felony, and the third and any subsequent offense a Class G felony. Makes the possession of five or more machines a Class G felony. Makes each violation of the statute a separate offense. Clarifies that it is unlawful to provide an electronic machine or device for a sweepstakes entrant's use; however, a sweepstakes promoter may use the machine or device for other purposes. Provides that a violation of GS 14-306.4A is a lesser included offense of GS 14-306.4, and does not repeal or affect the provisions of the latter.

Makes a conforming change to GS 14-309. Includes whereas clauses. Effective July 1, 2011, and applies to offenses committed on or after that date.

Intro. by Rapp.

GS 14

Criminal Law, Procedure, and
Sentencing; Business and
Commerce

H 227. PURCHASE OF FIREARMS IN OTHER STATES. Filed 3/2/11. *TO PROVIDE THAT A PERSON MAY BUY A FIREARM IN ANOTHER STATE, PROVIDED THE PERSON SATISFIES THE APPROPRIATE BACKGROUND CHECKS.*

Amends GS 14-409.10 to allow a North Carolina citizen to purchase a firearm in another state if the individual undergoes a background check that satisfies the laws of the state in which the purchase takes place and that includes an inquiry of the National Instant Background Check System. Deletes the current provisions of GS 14-409.10, which allow North Carolina citizens to purchase rifles, shotguns and ammunition in states contiguous to North Carolina (without any provisions concerning background checks). Effective December 1, 2011.

Intro. by Hollo, Gillespie, Hilton, Jones. GS 14

Criminal Law, Procedure, and Sentencing

H 228. VIDEO LOTTERY ENTERTAINMENT. Filed 3/2/11. *TO ALLOW VIDEO LOTTERY FOR THE PURPOSE OF PROFIT SHARING WITH THE STATE OF NORTH CAROLINA.*

Enacts new GS Chapter 18D, the *Video Lottery Entertainment Act*. Defines a *video lottery game* as a game of chance, approved by the North Carolina State Lottery Commission (Commission) as defined in GS 18C-103(3), which is displayed and played on a licensed video terminal. Defines a *video lottery terminal* (terminal) as any electronic computerized video game machine under the authority of the Commission, that upon accepting cash, a club card, or other form of lottery prize or promotional credit is available to play a video lottery game, and uses a video display and microprocessors to receive, by chance, free games or credits that can be redeemed for cash. Provides that such terminals are exempt under GS 14-306.1A (regarding types of machines prohibited by law) and that the term "terminal" does not include a machine that directly dispenses coins, cash, or tokens. Provides definitions for additional terms as they apply in the proposed chapter.

Authorizes the Commission to make rules governing the operation of video lottery terminals and games, which include, but are not limited to, determining licensure requirements for video lottery retailers, operators, and manufacturers; the type and number of video lottery terminals to be approved for each permit; the type of video lottery games to be conducted; the limit amount for each wager; and the process for claiming prizes. Also authorizes the Commission to enter into an agreement with the Alcohol Law Enforcement Division of the Department of Crime Control and Public Safety to conduct background investigations of applicants and licensees to ensure compliance with this proposed chapter.

Directs the Commission to determine the allocation of net income from video gaming machines and procedures for the monitoring, collection, and distribution of income from the terminals, provided that no less than 46% of the total annual revenues will be transferred to the North Carolina State Lottery Fund (Fund), and no more than 8% of the total annual revenues will be allocated for the Commission's administrative expenses. Provides that if the expenses of the Commission are less than 8% of total annual revenues that the surplus is to be allocated to the Fund.

Prohibits local governments from enacting any ordinance that regulates video lottery terminals. Repeals any local act regulating or imposing a tax or fee on video lottery terminals.

Directs the Commission to make a video gaming permit available and requires the permit to be affixed to all approved video gaming machines in a location and in a manner prescribed by the Commission. Provides that the placement of the video gaming permit on the machine indicates that the machine has been registered, inspected, and approved for operation in North Carolina. Requires that the permit be issued annually. Prohibits anyone other than authorized Commission personnel and the licensed operator from affixing or removing the permit. Requires manufacturers and licensed operators to make video gaming machines and associated equipment available for inspection by the Commission. Requires that the machine's software be compatible with the Commission's central monitoring system and games initiated and approved by the Commission to receive a permit. Declares that any terminal which does not display the permit is contraband and is a public nuisance subject to seizure and summary forfeiture by any law enforcement officer. Prohibits transporting a video gaming machine out of the state until the permit has been removed.

Sets minimum qualifications to be applied by the Commission in granting licenses to manufacturers, operators, and video lottery retailers. Directs the Commission to issue an operator's license to an individual, group of individuals, corporation, partnership, or association whom the Commission determines is qualified to receive a license under this chapter. Requires the applicant and any partner, director, officer, and all stockholders to submit to a background investigation that includes a criminal record check and to pay any required fees for the criminal record check. Provides additional requirements that the Commission not issue a video lottery license unless the Commission is satisfied that the applicant is all of the following: (1) of good character; (2) a person whose background, including criminal history record, reputation, and associations do not pose a threat to the public interest or safety of the state; (3) a person who demonstrates business ability and experience to establish,

operate, and maintain a video lottery business; and (4) a person who has adequate financing to undertake a video lottery business.

Requires each person applying for or renewing a manufacturer's license to pay an annual fee of \$10,000. Requires each person applying for or renewing an operator's license to pay an annual fee of \$5,000 and an annual terminal fee of \$104 per terminal. Directs the Commission to charge each person applying for or renewing a video retailer's license an annual fee of \$500 plus a weekly telecommunications fee as established by the Commission. Authorizes the Commission to charge a one-time license application fee not to exceed \$50 and the cost of the criminal history and financial record background check. Provides that all licenses issued by the Commission are renewable annually unless sooner cancelled or terminated. Prohibits assigning or transferring any license issued by the Commission. Failure to pay any required fees is grounds for revoking any license issued under this proposed chapter. Entitles the Commission to an administrative expense reimbursement of 4% of the fees collected under this provision. Distributes any remaining funds from the video gaming machine fees to the county where the establishment is located or to the city if the establishment is located within the corporate limits of a city.

Prohibits the obtaining of multiple types of licenses under this proposed chapter.

Only allows machines with a video gaming permit to be placed in a licensed establishment. Limits the placement of machines to the premises of an establishment with an on-premises malt beverage permit, on-premises unfortified or fortified wine permit, or mixed beverages permit issued by the North Carolina Alcoholic Beverage Control Commission. Prohibits the issuance of a license for any establishment located within 50 feet of a church, public school, or any nonpublic school. Prohibits persons less than 21 years of age from playing video gaming machines.

Restricts a single wager on a video lottery terminal to no more than the amount the Commission establishes to be played on a single wager. Requires that the odds of winning each video lottery game be posted on or near each terminal.

Directs the Commission to develop a model contract to be used between licensed operators and licensed establishments and provides that the contracts are to address IRS report requirements. Provides additional guidelines regarding the transportation of video gaming machines between licensed establishments in the state. Provides that the Commission is to have sole enforcement authority of GS Chapter 18D. Authorizes the Commission to inspect a licensed establishment or licensed manufacturer and to examine the books and records of the licensee at any time it reasonably appears that someone is on the premises. Makes it a Class 2 misdemeanor to resist or obstruct an officer attempting to make a lawful inspection of the premises.

Makes it a Class 1 misdemeanor to tamper with a terminal with the intent to interfere with its proper operation. Provides that tampering by any means with the intent to manipulate the outcome, payoff, or operation of a video lottery terminal is a Class H felony and that a conviction of this offense results in a revocation of any permit or license issued under this proposed chapter for a period of not less than 10 years and a fine of not less than \$5,000. Makes it a Class I felony for any video lottery retailer or operator to intentionally pay a prize to any person that is less than the prize amount won.

Makes conforming changes to GS 14-292, 14-293, 14-296, 14-299, 14-301, 14-302, 14-304, 14-305, 14-306, 14-306.1A, and 18C-161.

Amends GS 18C-164 to provide a distribution schedule for the Commission to allocate net revenue transferred to the Education Lottery Fund from video gaming terminals regulated under GS Chapter 18D as follows: (1) 50% to the State Educational Assistance Authority to fund university scholarships, (2) 12.5% to the Repair and Renovations Reserve Account to be transferred annually to the UNC Board of Governors to be used only for renovation and repair of university facilities and related infrastructure at the 16 constituent institutions and the NC School of Math and Science that are supported from the General Fund, (3) 12.5 % to the UNC Board of Governors to be used for new construction of university facilities and related infrastructure at the 16 constituent institutions and the NC School of Math and Science that are supported from the General Fund, and (4) 25% to the State Board of Community Colleges to be used only for new construction of facilities and related infrastructure. Provides that funds transferred to the UNC system, School of Math and Science, and The Community Colleges may not be expended except by appropriation of the General Assembly. Makes a conforming change to subsection (c).

Directs the Joint Legislative Program Evaluation Oversight Committee to include in the 2011-12 Work Plan for the Program Evaluation Division of the General Assembly a study to evaluate the state's video lottery entertainment system and to submit its findings and recommendations to specified legislative oversight committees no later than the convening of the 2013 Regular Session of the General Assembly.

Effective January 1, 2012, and applies to offenses committed on or after that date.

Intro. by Owens. Study, GS 14, 18D, 18C Criminal Law, Procedure, and Sentencing; Business and Commerce; General Assembly

H 229. RURAL OPERATING ASSISTANCE PROGRAM CHANGES. Filed 3/2/11. *TO ALLOW A REGIONAL PUBLIC TRANSPORTATION AUTHORITY TO APPLY FOR ELDERLY AND DISABLED TRANSPORTATION AND ASSISTANCE FUNDS ON BEHALF OF THE COUNTIES THAT THE REGIONAL PUBLIC TRANSPORTATION AUTHORITY SERVES.*

Amends GS 136-44.27 (North Carolina Elderly and Disabled Transportation Assistance Program) to allow regional public transportation authorities to apply for and receive, upon written agreement with the counties served by the authority, funds that the counties are entitled to receive based on the distribution formula set out in the statute. Make a conforming change.

Intro. by Owens. GS 136 Transportation

SENATE BILLS

S 179. FAILURE TO CARRY OR COMPLETE ALIEN REG. DOCS. Filed 3/2/11. *TO CREATE THE CRIME OF WILLFUL FAILURE TO CARRY OR COMPLETE AN ALIEN REGISTRATION DOCUMENT.*

Enacts new GS 14-465 to make the offense of willful failure to complete or carry an alien registration document, defined as a violation of 8 USC Section 1304(e) or Section 1306(a) (corresponding federal laws), a Class 1 misdemeanor. Provides, however, that the maximum fine is \$100 and the maximum imprisonment is 20 days for the first offense and 30 days for subsequent offenses. Authorizes a person's immigration status to be verified by either a federally approved law enforcement officer or a federal agency communicating with the Immigration and Naturalization Service. Sets forth a nondiscrimination requirement, a procedure for allocating confinement costs, and an exception for persons authorized to remain in the U.S. by the federal government. Permits any record relating to a person's immigration status and certified authentic by the responsible government agency to be admissible in any court. Effective December 1, 2011, and applies to offenses committed on or after that date.

Intro. by East. GS 14 Criminal Law, Procedure, and Sentencing

S 180. ADD FOP MEMBER TO CRIM. JUST. TRAINING COMM. Filed 3/2/11. *TO INCLUDE THE STATE LODGE OF THE FRATERNAL ORDER OF POLICE IN THE MEMBERSHIP OF THE CRIMINAL JUSTICE EDUCATION AND TRAINING STANDARDS COMMISSION.*

Amends GS 17C-3(a) to provide as title indicates, effective July 1, 2011.

Intro. by East. GS 17C Emergency Services

S 181. NO LUST CLEANUP UNDER CERTAIN CIRCUMSTANCES. Filed 3/2/11. *TO PROVIDE THAT NO CLEANUP WILL BE REQUIRED FOR ANY DISCHARGE OR RELEASE FROM A PETROLEUM UNDERGROUND STORAGE TANK WHEN A PUBLIC WATER SYSTEM IS AVAILABLE TO THOSE AFFECTED BY THE DISCHARGE OR RELEASE AND NO SURFACE WATERS ARE LOCATED WITHIN ONE THOUSAND FEET OF THE DISCHARGE OR RELEASE.*

Amends GS 143-215.94V(b) as the title indicates. Defines the following terms as used in this subsection: (1) *affected by discharge or release* means persons who reside at occupied dwellings 1,500 feet or less from the discharge or release, or are employed at, attend, or visit certain specified facilities located 2,500 feet or less from the discharge or release and (2) *public water system* has the same meaning as defined in GS 130A-313. Applies to assessments begun on or after the date that the act becomes law.

Intro. by East. GS 143 Agriculture, Environment, and Natural Resources

S 183. SELECTIVE VEGETATION REMOVAL/STATE HIGHWAYS. Filed 3/2/11. *TO ESTABLISH CERTAIN STATUTORY STANDARDS FOR SELECTIVE VEGETATION REMOVAL WITHIN THE RIGHTS-OF-WAY OF THE STATE HIGHWAY SYSTEM AND FOR THE ERECTION OF OUTDOOR ADVERTISING.*

Amends various provisions of GS Chapter 136 for purposes as indicated in the title.

Raises the fee for a vegetation removal permit from \$200 to \$400 per site and specifies that the fee is nonrefundable. Prohibits, except as specified in new GS 136-133.1(f), planting, cutting, trimming, removing, or pruning any tree, shrub, or underbrush in or on any right-of-way of a state road or highway without a written selective vegetation removal permit issued under proposed GS 136-133.2 and in accordance with the rules of the Department of Transportation (DOT). Requires that the owner of an outdoor advertising sign or of a business facility make the request for a permit for selective vegetation removal to the appropriate roadside environmental engineer in the Division of Highways office on a form required by the DOT. Provides that a permit may not be issued to provide visibility to on-premise signs. Provides that if the site is inside city limits, the municipality has 30 days to review and provide nonbinding comments on the application if the municipality has met certain requirements. Prohibits local governments from regulating removal of vegetation within the limits of interstate or primary highway rights-of-way by any permit holder or anyone otherwise authorized by the DOT.

Amends GS 136-129 to specify limitations and regulations of the erection of outdoor advertising devices. Provides that billboards outside city boundaries must be at least 500 feet apart and that fees under this section are limited to \$150 for the initial fee and \$90 for the annual renewal, with \$30 of each fee to be used for highway beautification. Allows automatic changeable facing signs if specified conditions are met. Prohibits denial of electrical utility permits to an outdoor advertising sign for which a valid permit has been issued.

Enacts new GS 136-133.1 to specify the zone around billboards in which clearing is allowed. Defines an existing tree as one that is four inches or greater in diameter as measured six inches from the ground at the time that the outdoor advertising structure was erected. Provides limitations as to when existing trees may be removed. Provides an exception to permit the owner of an outdoor advertising sign or the owner's designee to clear vegetation without a permit providing that the owner or owner's designee is working only from the private property side of a controlled access fence with the landowner's consent. Requires that native dogwoods and native rosebuds be preserved. Requires the applicant for a selective vegetation removal permit to submit a site plan showing any existing trees that the applicant is requesting to cut, thin, prune, or remove. Includes additional requirements that the applicant provide data identifying the species and size of the trees in the site plan. Provides circumstances under which the DOT may revoke an advertising permit for the removal or modification of vegetation.

Enacts new GS 136-133.2 to provide that permits to remove vegetation may only be granted for outdoor advertising locations that have been permitted for at least two years and at the discretion of the DOT. Requires the application for a permit to be decided within 30 days, with the DOT to specify in writing the reasons for denial. Sets out permissible bases for denial. Enacts new GS 136-133.3 to provide the procedure for appeal of the DOT's denial of a permit for selective vegetation removal to the Secretary of Transportation, and provides for judicial review of a final agency decision.

Enacts new GS 136-133.4 and GS 136-133.5 to specify standards for clearing around billboards, methods of clearing and responsibility for damage. Provides that a willful failure to substantially comply with all the requirements specified in the selective vegetation removal permit results in (1) a five-year moratorium on clearing, (2) revocation of a billboard permit for violation of standards, (3) payment of investigative costs, and (4) forfeiture of applicable performance bond. GS 136-133.5 provides additional criteria for denial of a permit for proposed outdoor advertising.

The act is effective October 1, 2011, and applies to permits, applications, or renewals submitted on or after that date and to offenses occurring on or after that date.

Intro. by Brown.

GS 136

Business and Commerce;
Transportation

S 184. BUILDING CODE/SCHOOL ANIMAL HUSBANDRY BLDGS (=H 210). Filed 3/2/11. *TO EXEMPT FROM BUILDING RULES STRUCTURES THAT ARE ASSOCIATED WITH AN ANIMAL HUSBANDRY PROGRAM OPERATED BY A LOCAL SCHOOL ADMINISTRATIVE UNIT AND LOCATED ON SCHOOL PROPERTY.*

Identical to H 210, filed 3/2/11.

Intro. by Meredith, Mansfield.

GS 143

Property, Land Use, and Housing;
Education

S 186. MILITARY SERVICE NOTATION ON DRIVERS LICENSES. Filed 3/2/11. *TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO MAKE A NOTATION ON A NORTH CAROLINA DRIVERS LICENSE SHOWING A LICENSE HOLDER'S MILITARY SERVICE.*

Enacts new GS 20-7(q1), directing the Division of Motor Vehicles (DMV) to develop a veteran military designation for driver's licenses that may be granted to state residents who are honorably discharged from military service in the United States Armed Forces. Requires an applicant requesting such designation to produce a Form DD-214 showing the applicant was honorably discharged, and to pay \$1 each for each year of the license designation.

Makes a clarifying change to GS 20-7(q) to distinguish Active Duty Military Designation.

Effective when the DMV has completed implementation of the Next Generation Secure Driver License System or on July 1, 2012, whichever occurs first, and applies to driver's licenses issued on or after that date.

Intro. by Allran. GS 20 Transportation; Military and Veterans Affairs

S 187. OUTLAW RED LIGHT CAMERA SYSTEMS. Filed 3/2/11. *TO MAKE THE USE OF PHOTOGRAPHIC CAMERA SYSTEMS TO REGULATE TRAFFIC UNLAWFUL.*

Enacts new GS 160A-300.1A to make it unlawful to operate traffic control photographic systems in North Carolina. Makes a violation of the statute a Class 1 misdemeanor, with required forfeiture of the photographic system. Effective December 1, 2011, and applies to offenses committed on or after that date.

Makes conforming changes by repealing the following provisions: GS 160A-300.1; SL 2001-286; Sections 2, 3, 4, and 5 of SL 2003-380; Sections 3 and 4 of SL 2004-141, and Sections 17, 18 and 19 of SL 2010-132.

Makes additional conforming changes to Section 6 of SL 2003-380 and Section 4 of SL 2005-117.

Intro. by East. GS 160A Transportation

S 188. HIGH POINT FURNITURE MARKET FUNDS (=H 169). Filed 3/2/11. *TO APPROPRIATE FUNDS FOR THE HIGH POINT MARKET.*

Identical to H 169, filed 2/23/11.

Intro. by Robinson, Vaughan, Bingham. APPROP Budget and Appropriations; Business and Commerce; Transportation

S 190. ALLOW ELECTRONIC SIGNATURES ON DEATH CERTS. Filed 3/2/11. *TO AUTHORIZE ELECTRONIC OR FACSIMILE SIGNATURES ON DEATH CERTIFICATES WITHOUT SPECIFIC APPROVAL BY THE STATE REGISTRAR.*

Amends GS 130A-115(c) as the title indicates.

Intro. by Mansfield. GS 130A Health, Social Services, and Aging

S 191. ALLOW NURSE PRACTITIONERS TO SIGN DEATH CERT. Filed 3/2/11. *TO AUTHORIZE NURSE PRACTITIONERS UNDER THE SUPERVISION OF A PHYSICIAN TO COMPLETE MEDICAL CERTIFICATIONS AS TO THE CAUSE OF DEATH FOR DEATH REGISTRATION.*

Adds new subsection (e1) to GS 90-18.2 providing that a nurse practitioner who completes a medical certification for a death certificate is deemed to have been authorized to complete the certification by the nurse practitioner's supervising physician. Directs that the supervising physician is to be responsible for authorizing the completion of the medical certification. Makes conforming changes to GS 130A-115(c) and (d). Effective October 1, 2011.

Intro. by Mansfield. GS 90, 130A Health, Social Services, and Aging

S 194. ELECTRIC VEHICLE INCENTIVES. Filed 3/2/11. *TO AUTHORIZE PLUG-IN ELECTRIC VEHICLES TO OPERATE IN HIGH OCCUPANCY VEHICLE LANES AND TO EXEMPT PLUG-IN ELECTRIC VEHICLES FROM THE EMISSIONS INSPECTION REQUIREMENT.*

Amends GS 20-146.2 to exempt plug-in electric vehicles from HOV lane restrictions. Makes technical corrections. Amends GS 20-183.2(b) to exempt plug-in electric vehicles from emissions inspections. Enacts GS 20-4.01(28a) to define a *plug-in electric vehicle* as a four wheeled vehicle that (1) is made primarily for use on public streets, roads, and highways; (2) has not been modified from its original manufacturer specifications; (3) is rated at no more than 8,500 pounds unloaded gross vehicle weight; (4) has a maximum speed of at least 65 mph; and (5) draws electricity from a battery with a capacity of no less than four kilowatt hours that can be recharged from an external electricity source, and that is acquired by the taxpayer on or after October 1, 2010.

Intro. by Apodaca, Meredith. GS 20 Transportation

S 195. OPERATION OF MOPEDS. Filed 3/2/11. *TO REQUIRE MOPEDS TO BE REGISTERED WITH THE DIVISION OF MOTOR VEHICLES AND TO HAVE IN FULL FORCE AND EFFECT A POLICY OF FINANCIAL RESPONSIBILITY.*

Amends GS 20-10.1 to (1) prohibit passengers on a moped; (2) require that mopeds be registered with the Division of Motor Vehicles (Division) in the same manner as any other vehicle, with the owner paying the same fees, as well as issued the same registration card and plate as a motorcycle; and (3) make it unlawful to operate a moped on a public street or highway or public vehicular area without financial responsibility in full force and effect as required by Articles 9 and 13 of GS Chapter 20, with the Division enforcing compliance the same as any other motor vehicle. Also provides that in order to be registered with the Division, a moped must have a vehicle identification number as required under GS 20-52(a)(2) and be designed and manufactured for use on public highways. Makes technical changes. Repeals GS 20-51(9), which exempts mopeds from registration. Makes a conforming change to GS 20-140.4 (Special provisions for motorcycles and mopeds). Effective December 1, 2011, and applies to offenses committed on or after that date.

Intro. by Apodaca. GS 20 Transportation

S 196. APPROPRIATIONS ACT OF 2011. Filed 3/2/11. *TO MAKE BASE BUDGET APPROPRIATIONS FOR CURRENT OPERATIONS OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES.*

Blank bill.

Intro. by Stevens. APPROP Budget and Appropriations

Local Bills

HOUSE BILLS

H 207. LOCAL DEVELOPMENT FOR WINSTON-SALEM. Filed 3/2/11. *TO AUTHORIZE CERTAIN CHANGES TO LOCAL DEVELOPMENT FOR THE CITY OF WINSTON-SALEM.*

Amends GS 158-7.1(c) to provide that specific economic development projects authorized by Winston-Salem under GS 158-7.1 are not subject to Article 8 of GS Chapter 143 (public contract requirements) if city funds constitute no more than 50% of the total costs of the project for which funds are appropriated. Specifies that federal funds loaned to private developers in connection with a project are not city funds. Clarifies GS 158-7.1(h) to include non-restrictive language on event examples that require Winston-Salem to recapture sums after a breach. Applies to economic development activities undertaken on or after the date the act becomes law.

Intro. by McGee. FORSYTH Forsyth

H 208. ACQUIRING BY RIGHT-CONDEMNATION OF PROPERTY. Filed 3/2/11. *TO PROVIDE THE CITY OF WINSTON-SALEM THE RIGHT TO ACQUIRE POSSESSION AND TITLE OF LAND CONDEMNED FOR PUBLIC TRANSPORTATION PROJECTS.*

Amends GS 40A-42(a)(1) to provide as title indicates in Winston-Salem only.

Intro. by McGee. FORSYTH Forsyth

H 211. WINSTON-SALEM POLICE JURISDICTION/CLEMMONS. Filed 3/2/11. *TO EXTEND THE TERRITORIAL JURISDICTION OF THE WINSTON-SALEM POLICE DEPARTMENT TO THE VILLAGE OF CLEMMONS WITHIN FORSYTH COUNTY.*

Authorizes the incorporated municipalities of the city of Winston-Salem and the Village of Clemmons to enter into a contract for the purpose as the title indicates. Act applies only to the city of Winston-Salem and the Village of Clemmons.

Intro. by McGee. FORSYTH Forsyth

H 212. TOWN OF CRAMERTON/REGULATE UTILITY VEHICLES. Filed 3/2/11. *TO ALLOW THE TOWN OF CRAMERTON TO REGULATE UTILITY VEHICLES.*

Amends Section 1 of SL 2003-124, as amended, to add Cramerton to the list of municipalities authorized to regulate utility vehicles by ordinance.

Intro. by Torbett. GASTON Gaston

H 213. ALAMANCE/ORANGE 9% BOUNDARY. Filed 3/2/11. *TO AUTHORIZE ALAMANCE COUNTY AND ORANGE COUNTY TO RECOMMEND THE LOCATION OF NINE PERCENT OF THE COMMON BOUNDARY BETWEEN ALAMANCE COUNTY AND ORANGE COUNTY SUBSEQUENT TO THE 2010/2011 RESURVEY OF THE HISTORIC ORANGE COUNTY/ALAMANCE COUNTY BOUNDARY LINE AS DESCRIBED IN THE 1849 SURVEY ESTABLISHING ALAMANCE COUNTY.*

Authorizes the Alamance County and Orange County boards of commissioners to review the remaining 9% of the boundary separating the counties, not previously agreed upon, and to determine the appropriate location for that remainder. Directs the boards to make a determination by October 31, 2011. Requires any surveys ordered by the counties to be completed by January 31, 2012. Provides additional details related to the remaining 9% boundary line, rights of property owners, reporting requirements, and taxation.

Intro. by Ingle, Bordsen, Insko, ALAMANCE, ORANGE Alamance; Orange
Faison.

H 214. ALAMANCE/ORANGE BOUNDARY. Filed 3/2/11. *TO ESTABLISH THE COMMON BOUNDARY BETWEEN ALAMANCE COUNTY AND ORANGE COUNTY SUBSEQUENT TO THE 2010/2011 RESURVEYS OF THE TRANSITIONED PROPERTIES AS AUTHORIZED BY THE NORTH CAROLINA GENERAL ASSEMBLY BY SESSION LAW 2010-61 ENABLING THE CHANGES IN THE HISTORIC ORANGE COUNTY/ALAMANCE COUNTY BOUNDARY LINE AS DESCRIBED IN THE 1849 SURVEY ESTABLISHING ALAMANCE COUNTY, AND TO AMEND SOME SECTIONS OF SESSION LAW 2010-61.*

Provides background on the boundary line survey and resulting agreement between Alamance County and Orange County.

Amends Section 3 of SL 2010-61 to allow Alamance and Orange counties to maintain the current taxing, elections, education, and other government functions until July 1, 2012 (was, 2011).

Amends Section 4 of SL 2010-61 to direct all papers, documents, and instruments required or permitted to be filled or registered, involving residents and property affected by the resurvey of the boundary line to be recorded in the county to which the property has been reassigned by this act (previously, to which the property has been annexed), on and after January 1, 2012 (was, on and after July 1, 2011). Deletes provisions of Section 4(c) in SL 2010-61, which detail taxation terms and conditions for the adjoining counties, and replaces with a new, similar Section 4(c), to extend applicable dates, as detailed. States that no cause of action involving persons or property located in areas affected by the resurvey that is pending on July 1, 2012 (was, 2011) will be abated, and will continue in the appropriate adjoining county. Also prohibits a defense to a criminal act that alleges a lack of jurisdiction due to the boundary line adjustment, regardless of when the criminal act allegedly occurred. Amends the effective date to July 1, 2012, for revised jury lists.

Details relief granted to any property taxed by both counties on or after January 1, 2007. Provides additional details on affected properties and property owners, and requirements for taxing authorities.

Amends Section 6 of SL 2010-61 to allow any child who was a resident of any area reassigned by this act on the date of enactment (was, annexed by the act) and who was a student in the Orange County or Alamance County school system during the 2010-11 or 2011-12 school year to attend school in the same school system as their siblings (was, in the same system previously attended).

Releases the counties from any liability resulting from the uncertain boundary line.

Amends Section 8 of SL 2010-61 to state that the counties will not be responsible for the resurvey costs; however, the transitioned property owners will be responsible.

States that this act controls if in conflict with SL 2010-61.

Provides that any boundary line between the counties previously surveyed, recognized, adopted, described, utilized, or ratified is modified as specified in this act.

Adopts the official boundary line between Alamance County and Orange County, as described and approved by the Alamance County Board of Commissioners on December 6, 2010, and by the Orange County Board of Commissioners on December 14, 2010. Directs the remaining 9% not described and approved to be resurveyed under local legislation.

Intro. by Ingle, Bordsen, Insko, ALAMANCE, ORANGE Alamance; Orange
Faison.

H 216. WAKE LOCAL STORMWATER UTILITY FEES (=S 155). Filed 3/2/11. *TO ALLOW THE TOWNS OF GARNER, KNIGHTDALE, MORRISVILLE, WENDELL, AND ZEBULON TO COLLECT DELINQUENT STORMWATER UTILITY FEES IN THE SAME MANNER AS THEY MAY COLLECT DELINQUENT PERSONAL AND REAL PROPERTY TAXES.*

Identical to S 155, filed 3/1/11.

Intro. by Murry, Jackson, Ross. WAKE Wake

H 224. FOXFIRE VILLAGE ASSESSMENT VALIDATED. Filed 3/2/11. *TO VALIDATE A SPECIAL ASSESSMENT LEVIED BY FOXFIRE VILLAGE.*

As title indicates. Applies to procedures followed in assessing the cost of the Woodland Circle Extension project and specified special assessments related to the project.

Intro. by Boles. MOORE Moore

SENATE BILLS

S 177. GREENSBORO RENTAL PROPERTY UTILITY LIENS (=H 192). Filed 3/2/11. *AMENDING THE CHARTER OF THE CITY OF GREENSBORO TO PROVIDE THAT THE CITY SHALL COLLECT PAST-DUE CHARGES FOR UTILITY SERVICES OWED BY A TENANT WHO IS LIABLE FOR THE CHARGES IN THE MANNER PROVIDED BY GENERAL LAW INSTEAD OF PLACING A LIEN UPON THE RENTAL PROPERTY.*

Identical to H 192, filed 2/28/11.

Intro. by Robinson. GUILFORD Guilford

S 178. 41ST SENATORIAL DISTRICT LOCAL ACT. Filed 3/2/11. *RELATING TO THE 41ST SENATORIAL DISTRICT.*

Blank bill.

Intro. by Forrester. GASTON, IREDELL, LINCOLN Gaston; Iredell; Lincoln

S 182. GREENVILLE/EMAIL SUBSCRIPTION LISTS. Filed 3/2/11. *PROVIDING THAT A LIST OF E-MAIL ADDRESSES OF PERSONS SUBSCRIBING TO E-MAIL LISTS KEPT BY THE CITY OF GREENVILLE SHALL BE OPEN TO PUBLIC INSPECTION BUT THE CITY IS NOT REQUIRED TO PROVIDE A COPY OF THE LIST, AND PROVIDING THAT THE CITY MAY USE THE LIST ONLY FOR THE PURPOSES THAT IT WAS SUBSCRIBED TO.*

Amends Section 3 of SL 2010-83 to provide as title indicates.

Intro. by Jenkins, Pate. PITT Pitt

S 185. 15TH SENATORIAL DISTRICT LOCAL ACT. Filed 3/2/11. *RELATING TO THE 15TH SENATORIAL DISTRICT.* Blank bill.

Intro. by Hunt. WAKE Wake

S 189. 46TH SENATORIAL DISTRICT LOCAL ACT. Filed 3/2/11. *RELATING TO THE 46TH SENATORIAL DISTRICT.*

Blank bill.

Intro. by Clary. CLEVELAND, RUTHERFORD Cleveland; Rutherford

S 192. 7TH SENATORIAL DISTRICT LOCAL ACT. Filed 3/2/11. *RELATING TO THE 7TH SENATORIAL DISTRICT.*

Blank bill.

Intro. by D. Berger. FRANKLIN, GRANVILLE, VANCE, WARREN Franklin; Granville; Vance; Warren

S 193. 48TH SENATORIAL DISTRICT LOCAL ACT. Filed 3/2/11. *RELATING TO THE 48TH SENATORIAL DISTRICT.*

Blank bill.

Intro. by Apodaca. BUNCOMBE, HENDERSON, POLK Buncombe; Henderson; Polk

S 197. 34TH SENATORIAL DISTRICT LOCAL ACT. Filed 3/2/11. *RELATING TO THE 34TH SENATORIAL DISTRICT.*

Blank bill.

Intro. by Brock. DAVIE, ROWAN Davie; Rowan

ACTION ON BILLS

March 2, 2011

- NOTES**
1. Digests appearing under "Summaries of Bills Filed" are for bills stamped with today's filing date.
 2. Amendments and committee substitutes adopted today are summarized following the chamber action.
 3. Subscribers can find the digest of every version of each bill online at www.dailybulletin.unc.edu.
 4. The dates on which previous amendments or committee substitutes were adopted are listed below bill numbers.
 5. The action "Cal Pursuant Rule 36b" indicates that the bill has been reported by committee and is awaiting calendaring.
 6. Enacted bills are indicated by #, failed bills by *. Actions that change a bill are indicated by HA or SA.

PUBLIC BILLS

H0018	Restore Firearms Rights/Tech Corrections. 02-09-11	H	Ratified
H0025	Lymphedema Awareness Day. 02-16-11	H	Reptd Fav Cal Pursuant Rule 36(b) Placed On Cal For 3/3/2011
H0048	No Standardized Testing Unless Req'd by Feds. 02-16-11	S	Reptd Fav
H0062	Prohibit Boylston Creek Reclassification.	S	Rec From House Passed 1st Reading Ref To Com On Agriculture/ Environment/Natural Resources
H0069	Honor Irene Pace Hairston. 02-28-11	H	Reptd Fav Cal Pursuant Rule 36(b)
H0103	Rqmts. for Min'l Oil Spills - 2. 02-28-11	S	Rec From House Passed 1st Reading Ref To Com On Agriculture/ Environment/Natural Resources
H0113	Motorcycle Safety Act. 02-24-11	H	Placed On Cal For 3/3/2011
H0124	IRC Update. 02-24-11	H	Passed 3rd Reading
H0129	Level Playing Field/Local Gov't Competition.	H	Reptd Fav Ref To Com On Finance
H0138	Amend Health Insurance Risk Pool Statutes. 03-02-11	HA	Reptd Fav Com Substitute Cal Pursuant Rule 36(b)
H0141	Boiling Springs' 100th Anniversary. 03-02-11	H	Reptd Fav Cal Pursuant Rule 36(b) Placed On Cal For 3/3/2011
H0146	Designate Kidney Month. 03-02-11	HA	Reptd Fav Com Substitute Cal Pursuant Rule 36(b)
H0161	Transfer State Health Plan to State Treasurer. 03-02-11	HA	Reptd Fav Com Substitute Re-ref Com On Appropriations
H0198	Alien Attendance Lapses/ Reporting Required.	H	Passed 1st Reading Ref To Com On Education
H0199	Req. DV Victim/List Prior Action Against Def.	H	Passed 1st Reading Ref To Com On Judiciary Subcommittee C

H0200 Appropriations Act of 2011.	H	Passed 1st Reading
	H	Ref To Com On Appropriations
H0203 Show Mortgage Payoff on Satisfaction Filing.	H	Passed 1st Reading
	H	Ref to the Com on Banking, if favorable, Judiciary Subcommittee A
H0215 Unborn Victims of Violence Act/Ethens's Law.	H	Filed
H0217 Inspection Requirements Salvaged Vehicles.	H	Filed
H0218 Legislative Task Force on Childhood Obesity.	H	Filed
H0219 Sex Offender Registry Amendments.	H	Filed
H0220 Waccamaw River/Isolated River Basin.	H	Filed
H0221 Requesting State Treasurer/ Five.	H	Filed
H0222 Electric Vehicle Incentives.	H	Filed
H0223 Healthy Families & Workplaces/ Paid Sick Days.	H	Filed
H0225 NC Turnpike Authority Corridor Selection.	H	Filed
H0226 Prohibit Sweepstakes Devices.	H	Filed
H0227 Purchase of Firearms in Other States.	H	Filed
H0228 Video Lottery Entertainment.	H	Filed
H0229 Rural Operating Assistance Program Changes.	H	Filed
S0032 Hospital Medicaid Assessment/ Payment Program.	H	Passed 1st Reading
02-22-11	H	Ref To Com On Finance
S0033 Medical Liability Reforms.	S	Amend Failed 1
	S	Amend Failed 2
	SA	Amend Adopted 3
	S	Passed 2nd & 3rd Reading
	S	Engrossed
03-01-11, 03-02-11		
S0034 The Castle Doctrine.	H	Passed 1st Reading
	H	Ref To Com On Judiciary
02-22-11, 02-24-11		
S0077 MDPV/Schedule I Controlled Substance.	S	Passed 2nd & 3rd Reading
03-01-11		
S0094 IRC Update.	S	Withdrawn From Cal
	S	Re-ref Com On Finance
02-23-11		
S0109 Spending Cuts for the Current Fiscal Year.	SA	Amend Adopted 1
	S	Passed 3rd Reading
	S	Engrossed
03-02-11		
S0154 Abolish Higher Education Bond Oversight Comm.	S	Passed 1st Reading
	S	Ref To Com On Education/ Higher Education
S0158 PED to Study Motor Fleet Management.	S	Passed 1st Reading
	S	Ref To Com On Program

		Evaluation
S0164	Modify Property Tax Base Exclusions.	S Passed 1st Reading S Ref To Com On Finance
S0165	NC Turnpike Authority Corridor Selection.	S Passed 1st Reading S Ref To Com On Transportation
S0166	No Adult Left Behind.	S Passed 1st Reading S Ref to Education/Higher Education. If fav, re-ref to Appropriations/Base Budget
S0167	Allow Expansion of Capitated Waiver.	S Passed 1st Reading S Ref To Com On Health Care
S0168	Reed Gold Mine Revolving Fund.	S Passed 1st Reading S Ref To Com On Finance
S0169	Study Innovations/Incentives in Education.	S Passed 1st Reading S Ref to Education/Higher Education. If fav, re-ref to Appropriations/Base Budget
S0170	Clarify Nuisance Abatement Laws.	S Passed 1st Reading S Ref To Com On Judiciary II
S0172	Classroom Experience for School Personnel.	S Passed 1st Reading S Ref To Com On Education/Higher Education
S0179	Failure to Carry or Complete Alien Reg. Docs.	S Filed
S0180	Add FOP Member to Crim. Just. Training Comm.	S Filed
S0181	No LUST Cleanup Under Certain Circumstances.	S Filed
S0183	Selective Vegetation Removal/ State Highways .	S Filed
S0184	Building Code/School Animal Husbandry Bldgs.	S Filed
S0186	Military Service Notation on Drivers Licenses.	S Filed
S0187	Outlaw Red Light Camera Systems.	S Filed
S0188	High Point Furniture Market Funds.	S Filed
S0190	Allow Electronic Signatures on Death Certs.	S Filed
S0191	Allow Nurse Practitioners to Sign Death Cert.	S Filed
S0194	Electric Vehicle Incentives.	S Filed
S0195	Operation of Mopeds.	S Filed
S0196	Appropriations Act of 2011.	S Filed

LOCAL BILLS

H0005	Kinston Annexation Repealed. 02-10-11	H Passed 3rd Reading
H0037	Lexington Annexations Repealed. 02-10-11	H Passed 3rd Reading
H0118	Winston-Salem/Daily Currency/ Coins Deposits.	S Rec From House S Passed 1st Reading S Ref To Com On State and

	Local Government
H0201 Bladen Fox Hunting and Trapping.	H Passed 1st Reading
	H Ref To Com On Agriculture
H0202 Parking Fine Increase for the City of Monroe.	H Passed 1st Reading
	H Ref to the Com on Government, if favorable, Finance
H0204 Edgecombe Co. Tourism Development Authority.	H Passed 1st Reading
	H Ref to the Com on Government, if favorable, Finance
H0211 Winston-Salem Police Jurisdiction/Clemmons.	H Filed
H0212 Town of Cramerton/Regulate Utility Vehicles.	H Filed
H0213 Alamance/Orange 9% Boundary.	H Filed
H0214 Alamance/Orange Boundary.	H Filed
H0216 Wake Local Stormwater Utility Fees.	H Filed
H0224 Foxfire Village Assessment Validated.	H Filed
S0083 Wilson School Board.	S Reptd Fav
S0155 Wake Local Stormwater Utility Fees.	S Passed 1st Reading
	S Ref To Com On State and Local Government
S0156 16th Senatorial District Local Act.	S Passed 1st Reading
	S Ref To Com On Rules and Operations of the Senate
S0157 43rd Senatorial District Local Act.	S Passed 1st Reading
	S Ref To Com On Rules and Operations of the Senate
S0159 47th Senatorial District Local Act.	S Passed 1st Reading
	S Ref To Com On Rules and Operations of the Senate
S0160 29th Senatorial District Local Act.	S Passed 1st Reading
	S Ref To Com On Rules and Operations of the Senate
S0161 Lenoir Fox Trapping.	S Passed 1st Reading
	S Ref To Com On State and Local Government
S0162 10th Senatorial District Local Act.	S Passed 1st Reading
	S Ref To Com On Rules and Operations of the Senate
S0163 50th Senatorial District Local Act.	S Passed 1st Reading
	S Ref To Com On Rules and Operations of the Senate
S0171 36th Senatorial District Local Act.	S Passed 1st Reading
	S Ref To Com On Rules and Operations of the Senate
S0173 48th Senatorial District Local Act.	S Passed 1st Reading
	S Ref To Com On Rules and Operations of the Senate
S0174 18th Senatorial District Local Act.	S Passed 1st Reading
	S Ref To Com On Rules and Operations of the Senate
S0175 31st Senatorial District Local Act.	S Passed 1st Reading
	S Ref To Com On Rules and Operations of the Senate

S0176	35th Senatorial District Local Act.	S	Passed 1st Reading S Ref To Com On Rules and Operations of the Senate
S0177	Greensboro Rental Property Utility Liens.	S	Filed
S0178	41st Senatorial District Local Act.	S	Filed
S0182	Greenville/Email Subscription Lists.	S	Filed
S0185	15th Senatorial District Local Act.	S	Filed
S0189	46th Senatorial District Local Act.	S	Filed
S0192	7th Senatorial District Local Act.	S	Filed
S0193	48th Senatorial District Local Act.	S	Filed
S0197	34th Senatorial District Local Act.	S	Filed

SUMMARIES OF AMENDMENTS AND COMMITTEE SUBSTITUTES

HOUSE BILLS

H 138. [AMEND HEALTH INSURANCE RISK POOL STATUTES](#). Filed 2/17/11. House committee substitute makes the following changes to 1st edition.

Adds a new section, amending GS 58-50-180(c), to increase the number of successive terms that a member on the N.C. Health Insurance Risk Pool Board of Directors may serve from two to three. Makes a technical change.

Amends GS 55-50-190(b) (Risk Pool risk rates) to provide that the Pool rates will be 135% to 175% (125% to 175% in previous version) of rates established as applicable for individual standard rates and will be adjusted annually.

Makes act effective when it becomes law (effective October 1, 2011, in previous version).

Previously: Health, Social
Services, and Aging
Now: Health, Social Services, and
Aging; Business and Commerce

H 146. [DESIGNATE KIDNEY MONTH](#). Filed 2/17/11. House committee substitute makes the following changes to 1st edition. Changes the proposed statute number to GS 103-13 (was, GS 103-12).

State Government

H 161. [TRANSFER STATE HEALTH PLAN TO STATE TREASURER](#). Filed 2/22/11. House committee substitute makes the following changes to 1st edition.

Amends GS 135-43.3 to provide that the General Assembly may use Legislative Services Office employees and may employ contractual services to monitor the Executive Administrator and Board of Trustees, the Claims Processor, and the State Health Plan for Teachers and State Employees (Plan). Makes conforming change.

Makes conforming changes to GS 135-43.3, 135-44.2(c) and (e), 135-44.4(31), 135-44.6(a), 135-45.7, 135-45.10(d), 135-45.11, and 135-45.13(b) consistent with the transfer of the Plan to the Department of the State Treasurer.

Health, Social Services, and Aging;
State Government

SENATE BILLS

S 33. MEDICAL LIABILITY REFORMS. Filed 2/2/11. Senate amendment makes the following changes to 2nd edition. Amends proposed GS 90-21.19 (liability limit for noneconomic damages) to require the Administrative Office of the Courts to reset the limitation on damages for noneconomic loss on January 1 of every third year, beginning with January 1, 2014, so that the limitation is equal to \$500,000 times the ratio of the consumer price index for November of the prior year to the Consumer Price Index for November 2011. Defines *consumer price index*.

Health, Social Services, and Aging;
Civil Law and Procedure; Courts;
Employment and Retirement

S 109. SPENDING CUTS FOR THE CURRENT FISCAL YEAR. Filed 2/22/11. Senate amendment makes the following changes to 1st edition. Provides that one of the ways in which the General Fund availability for 2011-12 is to be increased is by identifying and not expending funds (was, by identifying funds) in non-General Fund accounts for transfer to the General Fund on June 30, 2011.

Budget and Appropriations; State
Government

Legislation Enacted

None

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None

NEXT SESSIONS

March 3, 2011

HOUSE convenes at 11:00 a.m.

SENATE convenes at 11:00 a.m.