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ACTIONS BY THE NORTH CAROLINA GENERAL ASSEMBLY

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Table of Contents

| | |
|---|----|
| Summaries of Bills Filed _____ | 1 |
| Public Bills _____ | 1 |
| Local Bills _____ | 10 |
| Action on Bills _____ | 11 |
| Summaries of Amendments and Committee Substitutes _____ | 19 |
| Legislation Enacted _____ | 19 |
| Index by Keyword _____ | 19 |
| Notes _____ | 20 |
| Next Sessions _____ | 20 |

SUMMARIES OF BILLS FILED

Public Bills

HOUSE BILLS

H 315. TAXPAYER INFORMATION ACT. Filed 3/10/11. *TO REQUIRE DISCLOSURE ON THE BALLOT OF THE ESTIMATED AMOUNT OF INTEREST THAT WOULD BE INCURRED ON INDEBTEDNESS.*

Enacts new GS 142-15.4, requiring the State Treasurer to use current interest rates to estimate the total amount of interest resulting from any proposed general obligation bond issued by the General Assembly. Requires the ballot to include the following information in the form of a question: (1) the amount of principal and the estimated total amount of interest and cost of debt resulting from the proposed bond and (2) a statement that approval of the general obligation bond does not require issuance of the general obligation bond.

Amends GS 159-52(b) (concerning proposed bond application approval) to direct the Local Government Commission to use current interest rates to estimate the total amount of interest resulting from the proposed bond and include that estimation in the order approving the bond application. Makes a conforming change to GS 159-61(d) (form of question on the ballot) to include the new language on the ballot.

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Applies to bonds proposed on and after the date on which the act becomes law.

Intro. by Pridgen, Folwell, Collins, Stone. GS 142, 159 Budget and Appropriations; Local Government; Community and Economic Development

H 317. NC FAMILY & CONSUMER SERVICES 100TH. Filed 3/10/11. *HONORING NORTH CAROLINA FAMILY AND CONSUMER SCIENCES ON THE 100TH ANNIVERSARY OF ITS FOUNDING.*

As title indicates.

Intro. by T. Moore, Gillespie, Mobley, Avila. HOUSE RES General Assembly

H 318. STATE TREASURER'S INVESTMENTS. Filed 3/10/11. *TO MODIFY THE STATE TREASURER INVESTMENT STATUTE.*

Amends GS 147-69.2(b)(8) (concerning the State Treasurer's duties) to add that assets from the funds collectively referred to as the Retirement Systems, as specified, may also be invested in limited partnerships (LPs), limited liability companies (LLCs), or other limited liability investment vehicles that are not publicly traded, provided these investments do not exceed 6.5% of the market value of all invested assets of the Retirement Systems. Clarifies that the assets of the Retirement Systems can also be invested directly in any authorized equity securities for the primary purpose of approximating the movements of a published market benchmark index (rather than in equity securities in the S&P 500 Index). Makes additional clarifying and technical changes.

Amends GS 147-69.2(b)(9) to provide that assets of the Retirement Systems may be invested in interests in LPs, LLCs, or other limited liability investment vehicles that are not publicly traded, provided the primary purpose of that vehicle is (1) to invest in private equity (was, public or private equity) or (2) to engage in other strategies not expressly authorized in GS 147-69.2(b). Limits the amount so invested to 7.5% (was, 5%) of the market value of all invested assets of the Retirement Systems.

Clarifies that any investment authorized under GS 147-69.2(b) at the time the investment was made or contractually committed to remains valid and need not be disposed based on the new limitations on investments in this act.

Makes other clarifying and technical changes.

Intro. by McGee. GS 147 State Government

H 319. RESTORE CIGARETTE TAX STAMPS (=S 249). Filed 3/10/11. *TO IMPROVE THE ENFORCEMENT OF THE CIGARETTE EXCISE TAX AND TO DETER THE UNLAWFUL SALE OF NON-TAX-PAID CIGARETTES BY REINSTATING THE REQUIREMENT THAT CIGARETTES BEAR A STAMP INDICATING PAYMENT OF THE TAX.*

Identical to S 249, filed 3/7/11.

Intro. by McGee. GS 105 Taxation

H 320. CONTINUE P3 STUDY (=S 278). Filed 3/10/11. *TO CONTINUE THE STUDY OF PUBLIC-PRIVATE PARTNERSHIPS BY A LEGISLATIVE STUDY COMMISSION.*

Identical to S 278, filed 3/9/11.

Intro. by McGee, Ross, McComas, Carney. STUDY General Assembly; State Government; Local Government

H 321. GRIFTON SHAD FESTIVAL (=S 280). Filed 3/10/11. *ADOPTING THE TOWN OF GRIFTON'S SHAD FESTIVAL AS THE OFFICIAL SHAD FESTIVAL OF THE STATE OF NORTH CAROLINA.*

Identical to S 280, filed 3/9/11.

Intro. by McLawhorn, E. Warren, Cook. GS 145 General Assembly

H 323. DECREASE CORPORATE INCOME TAX RATE. Filed 3/10/11. *TO REDUCE THE CORPORATE INCOME TAX RATE IN NORTH CAROLINA.*

Amends GS 105-130.3, which lists the corporate tax rate, to add that the tax rate for income years beginning before 2011 is 6.9%, and the tax rate for income years beginning in or after 2011 is 4.75%. Makes a conforming change to delete the previously listed tax rates. Effective for taxable years beginning on or after January 1, 2011.

Amends GS 115C-546.1(b) to modify the amount credited to the Public School Building Capital Fund each calendar quarter from collections received by the Department of Revenue as follows: 5/69 of the net collections

for October 1, 2000, through September 30, 2011, and 1/95 of the net collections after October 1, 2011. Makes a conforming change to delete the previously listed fractions and time periods. Effective July 1, 2011, and applies to the calendar quarter that ends September 30, 2011.

Intro. by Torbett.

GS 105, 115C

Taxation

H 324. AMEND POSSESSION OF MARIJUANA. Filed 3/10/11. *TO AMEND THE PENALTY IMPOSED FOR POSSESSION OF CERTAIN QUANTITIES OF MARIJUANA AND TO PROVIDE FOR THE EXPUNCTION OF A CLASS 3 MISDEMEANOR CONVICTION OF POSSESSION OF MARIJUANA THAT OCCURRED PRIOR TO DECEMBER 1, 2011.*

Amends GS 90-95(d)(4) as the title indicates. Provides that when a person possesses a controlled substance classified in Schedule VI and that controlled substance is marijuana, if the quantity weighs (1) less than one ounce the violation is an infraction; (2) one ounce or more but less than one and one-half ounces, the violation is a Class 3 misdemeanor; (3) one and one-half ounces or more, but less than two ounces, the violation is a Class 1 misdemeanor; and (4) two ounces or more, the violation is a Class I felony (was, possession of a controlled substance classified in Schedule VI was a Class 3 misdemeanor, possession of more than one-half ounce of marijuana was a Class 1 misdemeanor, and possession of more than one and one-half ounces was a Class I felony).

Provides that if the quantity of marijuana possessed is one ounce or more but less than one and one-half ounces, that any sentence imposing imprisonment must be suspended, and prohibits the judge from requiring at the time of sentencing that the defendant serve a period of imprisonment as a special condition of probation.

Provides that possession of a controlled substance that is hashish is a (1) Class 3 misdemeanor if the quantity weighs one-twentieth of an ounce or less; (2) Class 1 misdemeanor if the quantity weighs three-twentieths of an ounce or less but more than one-twentieth of an ounce; or a (3) Class I felony if the quantity weighs more than three-twentieths of an ounce. Provides that if the quantity by weight of hashish possessed is one-twentieth of an ounce or less that any sentence imposing imprisonment must be suspended, and prohibits the judge from requiring at the time of sentencing that the defendant serve a period of imprisonment as a special condition of probation.

Enacts new GS 15A-145.4 to provide that a person convicted of a Class 3 misdemeanor under GS 90-95(d)(4) for possession of marijuana before December 1, 2011, and who has not been previously convicted of any felony or misdemeanor other than a traffic violation may file a petition for expunction of the offense from the person's criminal record in the court where the person was convicted. Prohibits filing the petition for expunction earlier than two years after the date of the conviction or the completion of any period of probation, whichever occurs later. Specifies requirement for what the petition must contain, the filing of required affidavits, and service of the petition on the district attorney of the court where the conviction was obtained. Sets the factors to be considered by the judge

at the hearing in deciding to grant or not grant the expunction. Requires that the person seeking expunction of the record must pay a fee of \$125 to the clerk of superior court at the time of the filing. Provides that the fee requirement does not apply to petitions filed by an indigent.

Effective December 1, 2011.

Intro. by K. Alexander.

GS 90, 15A

Criminal Law, Procedure, and Sentencing

H 325. JUDICIAL APPOINTMENT/VOTER CONFIRMATION. Filed 3/10/11. *TO AMEND THE NORTH CAROLINA CONSTITUTION TO PROVIDE FOR GUBERNATORIAL APPOINTMENT OF APPELLATE JUSTICES AND JUDGES AND CONFIRMATION BY VOTE OF THE PEOPLE, TO PROVIDE FOR THE SELECTION OF THE CHIEF JUSTICE OF THE SUPREME COURT FROM AMONG THE JUSTICES, AND TO MAKE STATUTORY CONFORMING CHANGES TO IMPLEMENT THE CONSTITUTIONAL AMENDMENTS.*

Subject to approval by the voters at the statewide May 8, 2012 primary election, amends Sections 16 and 6(1) of Article IV of the North Carolina Constitution. Makes conforming changes to various provisions of the General Statutes, if the proposed constitutional amendments are approved.

Constitutional Amendments. Current law provides for the election of judges of the Superior Court, judges of the Court of Appeals, and justices of the Supreme Court. This act retains elections for Superior Court judges but creates a new appointment and confirmation process for Court of Appeals Judges and Supreme Court Justices, beginning with all vacancies on those two courts existing or arising on or after June 1, 2012 or upon the expiration of a term when the incumbent was not confirmed or did not stand for confirmation. To fill such a vacancy, the Governor will appoint a person for a term that extends through the last day of February after the next general election for members of the General Assembly that is held more than 24 months after the appointment. At that election, the judge or justice will be subject to voter approval in a confirmation election, and will serve a regular

term beginning March 1 after the election, if successful. States the regular term of office for justices and judges of the appellate division is eight years and expires on the last day of February. Provides the judge or justice, at the conclusion of an eight-year term, will be subject to a confirmation election during the general election next preceding the last day of February of the year that the term will expire. If the voters fail to confirm the judge or justice, the office will become vacant at the end of the term and the Governor will appoint a replacement as provided above.

The term of an *elected* appellate judge or justice in office before June 1, 2012 and continuing in that office, will be extended to the last day of February of the year following the eighth year after the date the judge or justice was elected. If the judge or justice wishes to remain in office at the end of that term, he or she must sit for a confirmation election as provided above.

The term of *appointed* appellate judges or justices in office before June 1, 2012, and continuing in that office will end on February 28, 2013. If the judge or justice wishes to remain in office after that date, he or she must sit for a confirmation election in the 2012 general election.

States that any vacancy resulting from the death, resignation, removal, or retirement of any incumbent judge or justice on or after June 1, 2012, and before the expiration of that person's term will be filled by appointment. Vacancies occurring before June 1, 2012, will be filled by appointment.

Allows the General Assembly to implement the above provisions by general law.

The act proposes the following amendments to Section 6(1) of Article IV of the NC Constitution: (1) authorizes the General Assembly to increase the number of Supreme Court Justices to nine (rather than eight), and (2) directs the General Assembly to provide by law which Justice will serve as Chief Justice. Makes a conforming change and makes the language gender neutral.

Statutory Provisions. Enacts new Article 1A to GS Chapter 7A to codify the proposed constitutional amendments. Specifies that no election for judges or justices of the appellate division will be held in 2012 or thereafter, but confirmation elections will instead be held. Sets forth filing and election guidelines, and clarifies that confirmation elections are nonpartisan.

Amends GS 7A-10 (concerning the organization of Supreme Court Justices) to direct the Governor to select one of the justices to serve concurrently as Chief Justice, provided that justice is either serving an elective term or has been approved in a confirmation election. The Chief Justice holds the office for six years. Details additional matters related to the office of the Chief Justice. Makes conforming changes.

Amends GS 7A-16 (concerning the Court of Appeals) to state the Court of Appeals consists of 15 judges, with the Chief Judge selected by the Supreme Court Chief Justice. Deletes provisions pertaining to previous judge appointments and terms.

Makes conforming changes to GS 163-1, GS 163-9, and various sections of Article 25 (Subchapter X) of GS Chapter 163.

Repeals all provisions of Article 22D [the North Carolina Public Campaign Financing Fund (Fund)] of GS Chapter 163 except GS 163-278.69 (judicial voter education guide), and diverts any remaining monies in the Fund to the State Board of Elections to support the Voter Guide.

Amends GS 163-278.69 to require the Judicial Voter Guide to also include information on any negative disciplinary actions recommended by the Judicial Standards Commission or imposed by the Supreme Court on any candidate, as indicated. Deletes from the list of items requested by the Board of Elections for inclusion in the Guide: (1) the candidate's employer and (2) portions of the candidate statement indicating what distinguishes the candidate from opponents, and the candidate's acceptance of spending and fund raising limits to qualify for public campaign funds. Makes other conforming changes.

Makes conforming changes, removing Article 22D from the purview of GS 163-278.5 (regulating political campaign contributions and expenditures) and GS 163-278.23 (duties of the Executive Director of the State Board of Elections). Repeals GS 163-278.13(e2) (concerning contribution limits for judges and justices of the appellate division). Repeals GS 105-159.2 (allocation of tax to the Fund).

Includes details for suspending candidate filing for Supreme Court and Court of Appeals races for 2012 and alternative instructions based on whether the amendments are approved.

Intro. by Rhyne, M. Alexander, CONST, GS 7A, 105, 163
Stam, Glazier.

Courts; Constitutional Amendment;
State Government

H 329. [BLDG. CODES/EXPAND EQUINE EXEMPTION.](#) Filed 3/10/11. *TO EXPAND THE EXEMPTION FROM BUILDING RULES FOR FARM BUILDINGS TO INCLUDE FARM BUILDINGS USED FOR SPECTATOR EVENTS.*

Amends GS 143-138(b4), as title indicates. Applies to all farm buildings, including farm buildings where construction either began or was completed before the act's effective date.

Intro. by Horn.

GS 143

Agriculture, Environment, and
Natural Resources

H 330. NONRESIDENT SCHOLARSHIP/OUT-OF-STATE TUITION. Filed 3/10/11. *TO REPEAL THE LAW THAT AUTHORIZES IN-STATE TUITION STATUS FOR OUT-OF-STATE STUDENTS WHO ARE AWARDED FULL SCHOLARSHIPS.*

As the title indicates, repeals GS 116-143.6. Provides that the repeal of GS 116-143.6 does not affect full scholarships received prior to the effective date of this act except that a student's eligibility for in-state tuition under GS 116-143.6 is limited to a cumulative total of eight academic semesters.

Intro. by Current, Cleveland, Harrison.

GS 116

Education

H 331. ALLOW PAS AND NPS TO SIGN DEATH CERT. Filed 3/10/11. *TO AUTHORIZE PHYSICIAN ASSISTANTS AND NURSE PRACTITIONERS TO COMPLETE MEDICAL CERTIFICATIONS AS TO THE CAUSE OF DEATH FOR DEATH REGISTRATION.*

Adds new subsection (f) to GS 90-18.1 (regarding a physician assistant) and adds new subsection (e1) to GS 90-18.2 (regarding a nurse practitioner) to provide that a physician assistant or a nurse practitioner who completes a medical certification for a death certificate is deemed to have been authorized to complete the certification by the physician assistant's or 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 Hollo, Brubaker, Dollar, Justice.

GS 90, 130A

Health, Social Services, and Aging

H 332. CLARIFY DEVELOPMENT MORATORIA AUTHORITY. Filed 3/10/11. *CLARIFYING THAT A LOCAL GOVERNMENT MAY NOT IMPOSE A MORATORIUM ON DEVELOPMENT APPROVALS FOR THE PURPOSE OF DEVELOPING AND ADOPTING A NEW OR REVISED DEVELOPMENT ORDINANCE.*

Amends GS 153A-340 (county power to adopt zoning and development regulation ordinances) and GS 160A-381 (city power to adopt zoning and development regulation ordinances) as title indicates.

Intro. by Mills, Killian, Crawford, Hamilton.

GS 153A

Local Government

H 333. ADOPT OFFICIAL STATE SPORT. Filed 3/10/11. *TO ADOPT STOCK CAR RACING AS THE OFFICIAL SPORT OF NORTH CAROLINA.*

Enacts new GS 145-33, as title indicates.

Intro. by Mills, Johnson, Steen, Owens.

GS 145

State Government

H 334. REPORT ON FITNESS TESTING IN SCHOOLS. Filed 3/10/11. *TO REQUIRE THE STATE BOARD OF EDUCATION TO REPORT ON THE RESULTS OF FITNESS TESTING IN EACH LOCAL SCHOOL ADMINISTRATIVE UNIT.*

Amends GS 115C-12(37) as the title indicates. Requires that the State Board of Education (SBE) submit the specified report annually by August 1 to the Joint Legislative Education Oversight Committee. Also requires the SBE to report on fitness testing results to the Legislative Task Force on Childhood Obesity annually by August 1 until the Task Force is terminated.

Intro. by Insko.

GS 115C

Education

H 335. MAINTENANCE OF PRISONS. Filed 3/10/11. *TO REPEAL THE PROHIBITION ON CONTRACTING FOR THE MAINTENANCE OF PRISON FACILITIES AND TO DIRECT THE DEPARTMENT OF CORRECTION TO EXPAND THE SCOPE OF A CURRENT MAINTENANCE REQUEST FOR PROPOSALS.*

Repeals Section 19.10 of SL 2010-31 as title indicates. Directs the Department of Correction to expand the scope of the specified current request for prison maintenance proposals to include the Division of Prisons' Eastern and South Central operational regions.

Intro. by Guice.

UNCODIFIED

State Government; Criminal Law,
Procedure, and Sentencing

H 336. AMEND WEIGHT REQUIREMENTS-CERTAIN VEHICLES. Filed 3/10/11. *TO ALLOW THE HAULING OF READY-MIXED CONCRETE IN EXCESS OF WEIGHT LIMITS SO LONG AS CERTAIN CONDITIONS ARE MET.*

Amends GS 20-118(c) as the title indicates. Specifies the three conditions that must be met. Effective October 1, 2011.

Intro. by Lewis, Frye.

GS 20

Transportation

SENATE BILLS

S 315. ROADSIDE CAMPAIGN SIGNS. Filed 3/10/11. *TO PERMIT CAMPAIGN SIGNS IN STATE HIGHWAY RIGHTS-OF-WAY WITH REASONABLE TIME, PLACE, AND MANNER RESTRICTIONS.*

Amends GS 136-32 to provide for the regulation of political signs (any sign that advocates for political action) on highways and to permit the Department of Transportation (DOT) or any person to remove signs that have been erected without authority or remain beyond the deadline for removal specified in the act. During the period beginning 30 days before the beginning of *one-stop* early voting under GS 163-227.2 and ending on the 10th day after the primary or election day, a person may place a political sign in the right-of-way of the state highway system if the person: (1) obtains a permit from the State Board of Elections or the county board of elections, (2) places the signs in compliance with DOT rules, and (3) removes the signs by the 10th day after the primary or election day. Requires DOT to adopt rules for sign placement, including rules designating the portion of the state highway system right-of-way where signs are permitted, specifying the size of signs permitted, and requiring the permittee to seek the permission of any property owner of property fronting the right-of-way where a sign would be erected. Requires the State Board of Elections to adopt uniform rules for the issuance of permits and imposition of penalties for permit holders who fail to remove signs by the required date. Penalties must be enforced by the county board of elections in the county in which the violation occurred. Makes it a Class 3 misdemeanor for a person to unlawfully remove a campaign sign that is lawfully placed under these provisions. Municipalities may elect to have provisions of the act apply to street rights-of-way within the municipality and maintained by the municipality.

Effective January 1, 2012, and applies to any primary election held on or after that date.

**Intro. by Daniel, D. Berger,
Brock.**

GS 136

Elections Law; Transportation

S 316. ADD'L SECTION 1915 MEDICAID WAIVER SITES. Filed 3/10/11. *TO AUTHORIZE DHHS TO IMPLEMENT ADDITIONAL 1915(B)(C) MEDICAID WAIVER SITES AND THIRD-PARTY BILLING FOR STATE FACILITIES.*

Repeals Section 10.24 of SL 2010-13, which limited to two the number of Local Management entities (LMEs) that the Department of Health and Human Services (DHHS) was to select to implement the capitated 1915(b)(c) Medicaid waiver as a demonstration program during the 2010-11 fiscal year.

Directs DHHS to implement additional capitated 1915(b)(c) Medicaid waivers during the 2011-12 fiscal year via a request for application process for LME applicants who demonstrate readiness. Provides that the waiver program is to include all Medicaid-covered mental health, development disabilities, and substance abuse services. Makes expansion of the waiver contingent on approval by the Centers for Medicare and Medicaid Services.

Adds new subsection (g1) to GS 122C-55 to permit a facility to disclose confidential information for the purpose of collecting payment the facility is due for the cost of care, treatment, or habilitation. Makes conforming changes to GS 122C-55(g).

Intro. by Hartsell.

GS 122C

Health, Social Services, and Aging

S 317. AMEND LAW RE: STATE INFO. TECHNOLOGY SERVICES. Filed 3/10/11. *TO AMEND THE LAWS RELATING TO STATE INFORMATION TECHNOLOGY SERVICES.*

Amends GS 147-33.72B(c) to require that each executive agency include in its required biennial agency information technology plan all new information technology requirements that the agency plans to develop.

Amends GS 147-33.72C to require that the state chief information officer (1) ensure that a request for a new project approval includes a valid business case for the project, (2) provide written validation for the business case before approving the project, (3) disapprove any projects that duplicate existing applications, (4) work with

agencies to best determine how to make the existing applications available to the requesting agency; and (5) suspend any information technology project that is not meeting its business case.

Amends GS 147-33.72E to direct each agency initiating a new technology project costing or expected to cost more than \$10 million to hire private counsel with appropriate expertise in developing requests for proposals, reviewing submitted proposals, and negotiating with the vendor. Provides that the provision of GS 114-2.3 limiting the use of private counsel by state agencies does not apply to this subsection. Also directs each agency initiating a project costing or expected to cost \$10 million or less to use the services of the state Attorney General's office in developing requests for proposals, reviewing submitted proposals, and negotiating with the vendor. Requires each agency to get approval from the General Assembly before initiating a new information technology project costing or expected to cost \$5 million or more. Requires the state chief information officer to report monthly to the General Assembly on projects that are behind their original schedule or exceeding their original budget and to include in the report a plan for addressing the issues identified in the report.

Intro. by Brunstetter. GS 147 State Government

S 318. REPEAL PLASTIC BAG BAN. Filed 3/10/11. *TO REPEAL THE BAN ON PLASTIC BAGS IN CERTAIN COASTAL AREAS.*

Repeals Part 2G (plastic bag management) of Article 9 of GS Chapter 130A, as the title indicates. Makes conforming changes to GS 130A-22 by removing related penalty provisions. Repeals Section 13.10(c) of SL 2010-31 (requiring in part that the Division of Waste Management and the Division of Environmental Assistance and Outreach monitor plastic bag use reduction resulting from Part 2G and report on the ban's impacts to the Environmental Review Commission on or before January 15, 2012). Effective July 1, 2011.

Intro. by Goolsby, Newton. GS 130A Business and Commerce; Agriculture, Environment, and Natural Resources

S 320. MUNICIPAL SYSTEMS. Filed 3/10/11. *TO BROADEN THE AUTHORITY OF CITIES CONCERNING WATER AND WASTEWATER TREATMENT AND DISTRIBUTION SYSTEMS.*

Amends GS 160A-321 to provide that voter approval is not required for a city's sale, lease, or discontinuance of water treatment systems, water distribution systems, or wastewater treatment systems.

Intro. by Jenkins. GS 160A Energy and Utilities; Local Government

S 321. SURPLUS LINES/PREMIUM TAX (=H 299). Filed 3/10/11. *TO CONFORM PROVISIONS OF NORTH CAROLINA SURPLUS LINES INSURANCE LAWS TO THE FEDERAL NONADMITTED AND REINSURANCE REFORM ACT OF 2010, TO STREAMLINE APPLICATIONS FOR COMMERCIAL PURCHASERS, AND TO PREVENT ANY LOSS OF PREMIUM TAX REVENUE TO THE STATE.* Identical to H 299, filed 3/9/11.

Intro. by Apodaca. GS 58 Business and Commerce

S 322. ADOPT OFFICIAL STATE SPORT (=H 333). Filed 3/10/11. *TO ADOPT STOCK CAR RACING AS THE OFFICIAL SPORT OF NORTH CAROLINA.*

Identical to H 333, filed 3/10/11.

Intro. by Apodaca, Tillman, Nesbitt. GS 145 State Government

S 323. INSURANCE AMENDMENTS (=H 298). Filed 3/10/11. *TO MAKE CHANGES IN THE INSURANCE LAWS TO PRIVATIZE ONLINE AND ADMINISTRATIVE PROCESSES FOR LICENSE APPLICANTS, ENSURE ACCURACY IN CERTIFICATES OF INSURANCE, REQUIRE PRIOR APPROVAL OF SMALL GROUP HEALTH INSURANCE RATES AND ENCOURAGE THE SALE OF CHILD-ONLY HEALTH INSURANCE POLICIES, AMEND THE RISK-BASED CAPITAL LAW TO MAINTAIN NAIC ACCREDITATION, PROVIDE AN EXEMPTION FOR LICENSING OF CLAIMS INPUT EMPLOYEES FOR PORTABLE ELECTRONIC DEVICES, PROHIBIT FEDERAL PREEMPTION OF CROP ADJUSTERS' REGULATION, AND EASE THE REGULATORY BURDEN ON THE ASSOCIATION AGGREGATE SECURITY SYSTEM.*

Identical to H 298, filed 3/9/11.

Intro. by Apodaca. GS 58, 97 Business and Commerce

S 324. ABC LAW/EASTERN BAND OF CHEROKEE INDIANS. Filed 3/10/11. *TO AUTHORIZE THE EASTERN BAND OF CHEROKEE INDIANS, A FEDERALLY RECOGNIZED INDIAN TRIBE AND SOVEREIGN NATION, TO RECEIVE SHIPMENTS OF SPIRITUOUS LIQUOR AND FORTIFIED WINES FROM THE NORTH*

CAROLINA ALCOHOLIC BEVERAGE CONTROL COMMISSION AND TO AUTHORIZE THE EASTERN BAND OF CHEROKEE INDIANS TO ESTABLISH A TRIBAL ALCOHOLIC BEVERAGE CONTROL COMMISSION TO REGULATE THE PURCHASE, POSSESSION, CONSUMPTION, SALE, AND DELIVERY OF ALCOHOLIC BEVERAGES AT RETAIL.

Enacts new GS 18B-112, authorizing the Eastern Band of Cherokee Indians to establish a tribal alcoholic beverage control commission to regulate alcoholic beverages on any land designated as Indian Country, as indicated, under the jurisdiction of the Eastern Band of Cherokee Indians. Requires adoption of and compliance with GS Chapter 18B (regulation of alcoholic beverages). Authorizes the North Carolina Alcoholic Beverage Control Commission (ABC Commission) to enter into agreements with the tribal commission. Sets forth additional details related to the tribal commission, failure to comply with state law, and providing that federal law controls in the case of conflict of laws.

Makes a conforming change to GS 18B-203(a)(17) (powers and duties of the ABC Commission).

Intro. by Apodaca, Davis. GS 18B Alcoholic Beverage Control

S 325. FUNDS FOR STEP-DOWN UNIT FOR BART PROGRAM (=H 82). Filed 3/10/11. TO REQUIRE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO IDENTIFY AND REPORT ON FUNDING AVAILABLE FOR THE ESTABLISHMENT OF A STEP-DOWN UNIT FOR THE BEHAVIORALLY ADVANCED RESIDENTIAL TREATMENT PROGRAM, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES. Identical to H 82, filed 2/10/11.

Intro. by Nesbitt. UNCODIFIED Budget and Appropriations; Health, Social Services, and Aging

S 326. EVALUATE DD RESIDENTIAL OPTIONS FOR CHILDREN (=H 85). Filed 3/10/11. TO REQUIRE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO EVALUATE AND REPORT ON RESIDENTIAL PLACEMENT OPTIONS FOR YOUNG CHILDREN WITH DEVELOPMENTAL DISABILITIES, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES. Identical to H 85, filed 2/10/11.

Intro. by Nesbitt. STUDY Health, Social Services, and Aging; Children and Juvenile Law

S 327. MODIFY MHDDSAS REPORTING REQUIREMENTS (=H 83). Filed 3/10/11. TO MODIFY DEPARTMENT OF HEALTH AND HUMAN SERVICES REPORTING REQUIREMENTS PERTAINING TO MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES. Identical to H 83, filed 2/10/11.

Intro. by Nesbitt. GS 122C, 143C Health, Social Services, and Aging

S 328. REPORT ON TRANSFER OF CAP-MR/DD UR TO LMES (=H 75). Filed 3/10/11. TO REQUIRE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO REPORT ON THE IMPLEMENTATION OF UTILIZATION REVIEW BY DESIGNATED LOCAL MANAGEMENT ENTITIES FOR SERVICES PROVIDED UNDER THE COMMUNITY ALTERNATIVES PROGRAM FOR PERSONS WITH MENTAL RETARDATION OR DEVELOPMENTAL DISABILITIES, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMITTEE ON MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES. Identical to H 75, filed 2/10/11.

Intro. by Nesbitt. UNCODIFIED Health, Social Services, and Aging

S 329. EVIDENCE-BASED PRACT. IN PSYCH. HOSPITALS (=H 80). Filed 3/10/11. TO REQUIRE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO REPORT ON THE PROGRESS TOWARD IMPLEMENTING AND UTILIZING UNIFORM EVIDENCE-BASED PRACTICES ACROSS ALL STATE PSYCHIATRIC HOSPITALS, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES. Identical to H 80, filed 2/10/11.

Intro. by Nesbitt. UNCODIFIED Health, Social Services, and Aging

S 330. REPORT ON MH SERVICES PROVIDED BY HOSP. ERS (=H 79). Filed 3/10/11. TO REQUIRE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO REPORT ON THE UTILIZATION OF HOSPITAL

EMERGENCY DEPARTMENTS BY INDIVIDUALS DIAGNOSED WITH MENTAL ILLNESS AND TO DEVELOP A COMPREHENSIVE PLAN FOR REDUCING THE LENGTH OF STAYS FOR INDIVIDUALS WITH MENTAL ILLNESS ADMITTED TO HOSPITAL EMERGENCY DEPARTMENTS, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES.

Identical to H 79, filed 2/10/11.

Intro. by Nesbitt.

UNCODIFIED

Health, Social Services, and Aging

S 331. EVALUATE EFFICACY OF CABHA MODEL (=H 78). Filed 3/10/11. TO REQUIRE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO EVALUATE AND REPORT SEMIANNUALLY ON THE EFFICACY OF THE CRITICAL ACCESS BEHAVIORAL HEALTH AGENCY MODEL, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES.

Identical to H 78, filed 2/10/11.

Intro. by Nesbitt.

UNCODIFIED

Health, Social Services, and Aging

S 332. REPORT ON NC CLUBHOUSE PROGRAMS (=H 86). Filed 3/10/11. TO REQUIRE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO REPORT ON THE SERVICES PROVIDED BY CLUBHOUSE PROGRAMS IN THIS STATE, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES.

Identical to H 86, filed 2/10/11.

Intro. by Nesbitt.

UNCODIFIED

Health, Social Services, and Aging

S 333. REVISE DD WAITING LIST PROCESS (=H 76). Filed 3/10/11. TO REQUIRE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO STUDY AND REPORT ON A REVISED PROCESS FOR COLLECTING DATA TO DEVELOP A WAITING LIST OF PERSONS WITH INTELLECTUAL OR DEVELOPMENTAL DISABILITIES, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES.

Identical to H 76, filed 2/10/11.

Intro. by Nesbitt.

STUDY

Health, Social Services, and Aging

S 334. EXPAND INPATIENT PSYCHIATRIC BEDS/FUNDS (=H 84). Filed 3/10/11. TO APPROPRIATE ADDITIONAL FUNDS FOR THE EXPANSION OF LOCAL INPATIENT PSYCHIATRIC BEDS OR BED DAYS, AS RECOMMENDED BY THE LEGISLATIVE OVERSIGHT COMMITTEE ON MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES.

Identical to H 84, filed 2/10/11.

Intro. by Nesbitt.

APPROP

Budget and Appropriations; Health, Social Services, and Aging

S 335. APPLY FOR TBI MEDICAID WAIVER (=H 77). Filed 3/10/11. TO REQUIRE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO APPLY FOR A TRAUMATIC BRAIN INJURY MEDICAID WAIVER, AS RECOMMENDED BY THE LEGISLATIVE OVERSIGHT COMMITTEE ON MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES.

Identical to H 77, filed 2/10/11.

Intro. by Nesbitt.

UNCODIFIED

Health, Social Services, and Aging

S 336. DEVELOP PLAN FOR ALLOCATING DD RESOURCES (=H 81). Filed 3/10/11. TO REQUIRE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO DEVELOP A COMPREHENSIVE STATEWIDE PLAN FOR THE FAIR AND EQUITABLE ALLOCATION OF RESOURCES FOR INDIVIDUALS WITH DEVELOPMENTAL DISABILITIES; TO REPORT ON IMPLEMENTATION OF THE PLAN; AND TO APPLY FOR RENEWAL OF THE CAP-MR/DD WAIVER, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES.

Identical to H 81, filed 2/10/11.

Intro. by Nesbitt.

STUDY

Health, Social Services, and Aging

S 337. ALLOW EXPANSION OF CAPITATED WAIVER (=H 127). Filed 3/10/11. TO ALLOW THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO EXPAND THE CAPITATED 1915(B)/(C) MEDICAID

WAIVER TO ADDITIONAL LOCAL MANAGEMENT ENTITY CATCHMENT AREAS, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES.

Identical to H 127, filed 2/17/11.

Intro. by Nesbitt.

UNCODIFIED

Health, Social Services, and Aging

Local Bills

HOUSE BILLS

H 322. HAYWOOD SCHOOL BOARD FILING PERIOD. Filed 3/10/11. *TO ALLOW THE HAYWOOD COUNTY BOARD OF ELECTIONS TO EXTEND THE FILING PERIOD IF NO PERSON FILES FOR A SEAT ON THE HAYWOOD COUNTY BOARD OF EDUCATION.*

Amends Section 4 of SL 1963-126, as amended, as the title indicates. Authorizes the Haywood County Board of Elections to reopen filing for a district with one seat and no candidate for that seat or a district with two seats and fewer than two candidates for a period beginning the next Monday after the close of filing and ending at noon on the third business day.

Intro. by Rapp, Haire.

HAYWOOD

Haywood

H 326. BUNCOMBE INVOLUNTARY ANNEXATION MORATORIUM. Filed 3/10/11. *TO ADOPT A MORATORIUM ON INVOLUNTARY ANNEXATIONS.*

As the title indicates. Applies only to municipalities located in Buncombe County. Prohibits the adoption of any resolution of consideration, resolution of intent, or annexation ordinance under Part 2 or 3 of Article 4A of GS Chapter 160A from the date this act becomes law until July 1, 2016. Tolls the effective date for adopted annexation ordinances with an effective date on or before this act becomes law. Stays any pending litigation upon enactment. Authorizes municipalities to amend the budget ordinance to account for this act if necessary. Effective when the act becomes law and expires on June 30, 2016.

Intro. by Moffitt.

BUNCOMBE

Buncombe

H 327. INCORPORATE LEICESTER. Filed 3/10/11. *TO INCORPORATE THE TOWN OF LEICESTER, SUBJECT TO A REFERENDUM.*

Subject to approval by voters on November 8, 2011, incorporates the town of Leicester. The town is to be governed by a four-member town council and a mayor. Requires the election of the initial town council to take place at the same time as the election on whether to incorporate the town. Provides for the election of town council members, mayor, and mayor pro tempore. Provides for town administration. Provides for taxes, budget ordinances, and other ordinances. Includes special provisions regarding fire protection, safety protection, provisions of services and administration of functions, conflicts of interest, state distributions of funds, and expenses.

Intro. by Fisher.

BUNCOMBE

Buncombe

H 328. WAYNE SHERIFF VACANCIES. Filed 3/10/11. *TO PROVIDE THAT A VACANCY IN THE OFFICE OF SHERIFF IN WAYNE COUNTY IS FILLED BY RECOMMENDATION OF THE EXECUTIVE COMMITTEE OF THE POLITICAL PARTY OF THE VACATING SHERIFF.*

Amends GS 162-5.1 (vacancies filled in certain counties; duties performed by coroner or chief deputy) to make the statute applicable to Wayne County, as title indicates.

Intro. by Sager.

WAYNE

Wayne

SENATE BILLS

S 319. WILMINGTON CIVIL SERVICE BOARD. Filed 3/10/11. *AMENDING THE CHARTER OF THE CITY OF WILMINGTON AS IT RELATES TO THE CITY'S CIVIL SERVICE COMMISSION.*

Rewrites Article XI of the Wilmington City Charter, SL 1977-495, as amended, to place the director of human resources on the Civil Service Commission (Commission) as a nonvoting ex officio member; to require four regular members to be present to consider appeals of dismissals or demotions; to clarify the police and fire employees subject to the Commission and to civil service requirements; to make employee privacy provisions of

GS 160A-168 apply to Commission appeal hearings; to clarify that the Commission may set its own rules of procedure; to make judicial review of Commission decisions in the nature of the common-law writ of certiorari, rather than the state administrative procedures act; to remove provision for police and fire chiefs to suspend employees with or without pay prior to approval by the city manager; to clarify deadlines for appeals; and to make other technical changes.

Intro. by Goolsby.

NEW HANOVER

New Hanover

ACTION ON BILLS

March 10, 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

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| *H0006 House Pensions Committee Duties. | SF Failed 2nd Reading |
| H0021 County Administration of Municipal Elections. | HA Reptd Fav Com Substitute H Cal Pursuant Rule 36(b) H Placed On Cal For 3/14/2011 |
| 03-10-11 | |
| H0022 Vance-Granville Comm. Coll. Bond Funds. | S Rec From House S Passed 1st Reading S Ref to Education/Higher Education. If fav, re-ref to Finance |
| H0045 Accelerate Cleanup of Industrial Properties. | HA Reptd Fav Com Substitute H Cal Pursuant Rule 36(b) |
| 03-03-11, 03-10-11 | |
| H0049 Laura's Law. | H Passed 2nd Reading |
| 02-24-11, 03-09-11 | |
| H0061 Speaker/Pro Tem Term Limits. | H Withdrawn From Com H Re-ref Com On Judiciary Subcommittee A |
| H0091 Repeal e-NC Sunset. | H Assigned To Commerce and Job Development Subcommittee on Science and Technology |
| H0094 Local Flexibility Re: School Calendar. | H Assigned To Commerce and Job Development Subcommittee on Business and Labor |
| H0101 Broadband Parity for Counties & Cities. | H Assigned To Commerce and Job Development Subcommittee on Science and Technology |
| H0123 Business Entity Changes. | H Ratified |
| H0124 IRC Update. | S Passed 3rd Reading |
| 02-24-11 | |
| H0146 Designate Kidney Month. | S Rec From House S Passed 1st Reading S Ref To Com On Rules and Operations of the Senate |
| 03-02-11 | |

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| H0159 | Military Service Notation on Licenses. | S | Rec From House |
| | | S | Passed 1st Reading |
| | | S | Ref To Com On Transportation |
| | 03-08-11, 03-09-11 | | |
| H0162 | Exempt Small Ag Processing from Permit Req. | S | Rec From House |
| | | S | Passed 1st Reading |
| | | S | Ref To Com On Agriculture/Environment/Natural Resources |
| H0174 | Commercial Real Estate Broker Lien Act. | H | Assigned To Commerce and Job Development Subcommittee on Business and Labor |
| H0181 | Add Supt. to NC Econ. Dev. Bd. | H | Assigned To Commerce and Job Development Subcommittee on Business and Labor |
| H0187 | Require Labels for Ethanol-Blended Gasoline. | H | Assigned To Commerce and Job Development Subcommittee on Business and Labor |
| H0219 | Sex Offender Registry Amendments. | H | Passed 2nd & 3rd Reading |
| | 03-09-11 | | |
| H0267 | Mental Health Workers' Bill of Rights. | H | Passed 1st Reading |
| | | H | Ref To Com On Rules, Calendar, and Operations of the House |
| H0268 | Disapprove Certain Reclaimed Water Rules. | H | Passed 1st Reading |
| | | H | Ref To Com On Environment |
| H0269 | Reappoint Ex-Offender Reintegration Study. | H | Passed 1st Reading |
| | | H | Ref To Com On Rules, Calendar, and Operations of the House |
| H0270 | Amend Conditions of Probation. | H | Passed 1st Reading |
| | | H | Ref To Com On Judiciary Subcommittee B |
| H0271 | Probation Officer/No Concealed Carry Required. | H | Passed 1st Reading |
| | | H | Ref To Com On Judiciary Subcommittee A |
| H0272 | AOC/Study Court Records. | H | Passed 1st Reading |
| | | H | Ref To Com On Rules, Calendar, and Operations of the House |
| H0273 | Study Expunction of Dismissals/NG Verdicts. | H | Passed 1st Reading |
| | | H | Ref To Com On Rules, Calendar, and Operations of the House |
| H0274 | Ex-Offender Study Recommendations. | H | Passed 1st Reading |
| | | H | Ref To Com On Rules, Calendar, and Operations of the House |
| H0275 | OSP/Hiring of Ex-Offenders. | H | Passed 1st Reading |
| | | H | Ref To Com On Rules, Calendar, and Operations of the House |
| H0276 | Promote Funding Availability. | H | Passed 1st Reading |
| | | H | Ref To Com On Rules, Calendar, and Operations of the House |

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| H0277 | General Statutes Comm/ Collateral Consequences. | H | Passed 1st Reading |
| | | H | Ref To Com On Rules, Calendar, and Operations of the House |
| H0278 | Update Savings Bond Payroll Savings Program. | H | Passed 1st Reading |
| | | H | Ref To Com On Rules, Calendar, and Operations of the House |
| H0280 | County Law Enforcement Service District. | H | Passed 1st Reading |
| | | H | Ref To Com On Government |
| H0281 | ETJ Restrictions. | H | Passed 1st Reading |
| | | H | Ref to the Com on Government, if favorable, Finance |
| H0282 | HOAs/no prohibit water or energy savings. | H | Passed 1st Reading |
| | | H | Ref To Com On Rules, Calendar, and Operations of the House |
| H0285 | Active National Guard Special Plate No Cost. | H | Passed 1st Reading |
| | | H | Ref to the Com on Transportation, if favorable, Finance |
| H0286 | Official Herring Festival. | H | Passed 1st Reading |
| | | H | Ref To Com On Rules, Calendar, and Operations of the House |
| H0287 | Mental Health Workers' Bill of Rights. | H | Passed 1st Reading |
| | | H | Ref to the Com on Health and Human Services, if favorable, Commerce and Job Development |
| H0288 | North Carolina Science Olympiad Funds. | H | Passed 1st Reading |
| | | H | Ref To Com On Appropriations |
| H0289 | Authorize Various Special Plates. | H | Passed 1st Reading |
| | | H | Ref to the Com on Transportation, if favorable, Finance |
| H0293 | Summary Ejectment/Summons in Envelope. | H | Passed 1st Reading |
| | | H | Ref To Com On Judiciary Subcommittee A |
| H0297 | Hold on to Your Drivers License. | H | Passed 1st Reading |
| | | H | Ref to the Com on Commerce and Job Development, if favorable, Judiciary Subcommittee A |
| H0298 | Insurance Amendments.-AB | H | Passed 1st Reading |
| | | H | Ref to the Com on Insurance, if favorable, Finance |
| H0299 | Surplus Lines/Premium Tax.-AB | H | Passed 1st Reading |
| | | H | Ref to the Com on Insurance, if favorable, Finance |
| H0300 | Election Fairness Act of 2011. | H | Passed 1st Reading |
| | | H | Ref To Com On Elections |
| H0301 | Jt. Legis. Study on Alternative Currency. | H | Passed 1st Reading |
| | | H | Ref To Com On Rules, Calendar, and Operations of the House |
| H0302 | Charitable Licensing | H | Passed 1st Reading |

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| Exemption Clarification. | H | Ref to the Com on Health and Human Services, if favorable, Finance |
| H0303 Funds/Poison Control. | H | Passed 1st Reading |
| H0304 Child Death Research Funds. | H | Ref To Com On Appropriations |
| H0305 Food Bank Funds. | H | Passed 1st Reading |
| H0306 Miscellaneous Service/Process Amendments. | H | Ref To Com On Appropriations |
| H0308 Admission Ticket Reform Act. | H | Passed 1st Reading |
| H0309 Selective Vegetation Removal/ State Highways. | H | Ref To Com On Appropriations |
| H0311 Household Goods Carriers/ID Markings. | H | Passed 1st Reading |
| H0312 Register of Deeds. | H | Ref To Com On Appropriations |
| H0313 Repeal Savings Bond Payroll Savings Program.-AB | H | Passed 1st Reading |
| H0323 Decrease Corporate Income Tax Rate. | H | Ref To Com On Judiciary Subcommittee A |
| H0324 Amend Possession of Marijuana. | H | Passed 1st Reading |
| H0325 Judicial Appointment/Voter Confirmation. | H | Ref to the Com on Commerce and Job Development, if favorable, Judiciary |
| H0329 Bldg. Codes/Expand Equine Exemption. | H | Passed 1st Reading |
| H0330 Nonresident Scholarship/Out-of-State Tuition. | H | Ref to the Com on Transportation, if favorable, Finance |
| H0331 Allow PAs and NPs to Sign Death Cert. | H | Passed 1st Reading |
| H0332 Clarify Development Moratoria Authority. | H | Ref to the Com on Transportation, if favorable, Finance |
| H0333 Adopt Official State Sport. | H | Passed 1st Reading |
| H0334 Report on Fitness Testing in Schools. | H | Ref to the Com on State Personnel, if favorable, Finance |
| H0335 Maintenance of Prisons. | H | Filed |
| H0336 Amend Weight Requirements-Certain Vehicles. | H | Filed |
| H0337 Smart Card Biometrics Against Medicaid Fraud. | H | Filed |
| S0007 Add Controlled Substances. 02-23-11, 03-09-11 | H | Filed |
| S0018 Clarify Definition/Jud. District/State Bar. | H | Passed 2nd & 3rd Reading |
| | H | Passed 1st Reading |
| | H | Ref To Com On Judiciary |

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| 03-07-11 | | |
| S0022 | APA Rules: Limit Additional Costs. | H Amend Failed 3 H Passed 3rd Reading |
| 02-08-11, 02-09-11, 03-07-11 | | |
| S0032 | Hospital Medicaid Assessment/ Payment Program. | H Reptd Fav H Cal Pursuant Rule 36(b) |
| 02-22-11 | | |
| S0051 | Charitable Solicitations/ Clarify Exemption. | S Passed 2nd & 3rd Reading |
| S0058 | Modify FMAP Cuts/Auth. Use of Credit Balance. | HA Reptd Fav Com Substitute H Cal Pursuant Rule 36(b) |
| 03-10-11 | | |
| S0109 | Spending Cuts for the Current Fiscal Year. | H Postponed To 3/15/2011 |
| 03-02-11 | | |
| S0110 | Permit Terminal Groins. | S Passed 2nd Reading |
| 03-09-11 | | |
| S0165 | NC Turnpike Authority Corridor Selection. | S Passed 2nd & 3rd Reading H Passed 1st Reading H Ref To Com On Transportation |
| S0167 | Allow Expansion of Capitated Waiver. | S Withdrawn From Com S Re-ref Com On Mental Health & Youth Services |
| S0275 | Official Herring Festival. | S Passed 1st Reading S Ref To Com On State and Local Government |
| S0276 | Spirituosous Liquor Tastings at ABC Stores. | S Passed 1st Reading S Ref To Com On Rules and Operations of the Senate |
| S0277 | ABC Board Sunday Sales/Local Option. | S Passed 1st Reading S Ref To Com On Rules and Operations of the Senate |
| S0278 | Continue P3 Study. | S Passed 1st Reading S Ref To Com On Rules and Operations of the Senate |
| S0279 | Clarify Renewable Energy Resource Definition. | S Passed 1st Reading S Ref To Com On Agriculture/ Environment/Natural Resources |
| S0280 | Grifton Shad Festival. | S Passed 1st Reading S Ref To Com On Rules and Operations of the Senate |
| S0282 | State Health Plan/Add Sterling Montessori. | S Passed 1st Reading S Ref To Com On Insurance |
| S0283 | School Calendar Flexibility/ Inclement Weather. | S Passed 1st Reading S Ref To Com On Education/ Higher Education |
| S0284 | Relief from Admin. Procedures Act/Comm. Coll. | S Passed 1st Reading S Ref To Com On Rules and Operations of the Senate |
| S0285 | SHP/ Administrative Commission Appointments. | S Passed 1st Reading S Ref To Com On Insurance |
| S0286 | Public Bill Filing Deadline. | S Passed 1st Reading S Pursuant to Rule 40(b) placed on today's calendar 3/10/2011 S Adopted |

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| S0287 | Extend Small Business Center Incubator Period. | S | Passed 1st Reading |
| | | S | Ref To Com On Education/ Higher Education |
| S0296 | Cooperative Innovative High School Programs. | S | Passed 1st Reading |
| | | S | Ref To Com On Education/ Higher Education |
| S0300 | Miscellaneous Service/Process Amendments. | S | Passed 1st Reading |
| | | S | Ref To Com On Judiciary II |
| S0301 | Reappoint Ex-Offender Reintegration Study. | S | Passed 1st Reading |
| | | S | Ref To Com On Rules and Operations of the Senate |
| S0302 | Prepaid Wireless/Point of Sale Collection. | S | Passed 1st Reading |
| | | S | Ref To Com On Finance |
| S0303 | REAL ID Act Compliance Border on Licenses. | S | Passed 1st Reading |
| | | S | Ref To Com On Rules and Operations of the Senate |
| S0305 | Carrboro/Housing Discrimination. | S | Passed 1st Reading |
| | | S | Ref To Com On Rules and Operations of the Senate |
| S0306 | Eliminate Tobacco Discount. | S | Passed 1st Reading |
| | | S | Ref To Com On Finance |
| S0307 | Smart Card Biometrics Against Medicaid Fraud. | S | Passed 1st Reading |
| | | S | Ref To Com On Health Care |
| S0308 | State Regulation of Greenhouse Gas Emissions. | S | Passed 1st Reading |
| | | S | Ref To Com On Agriculture/ Environment/Natural Resources |
| S0309 | Conservation Easements Stewardship Funds. | S | Passed 1st Reading |
| | | S | Ref To Com On Appropriations/ Base Budget |
| S0311 | Warrantless arrest pretrial release violation. | S | Passed 1st Reading |
| | | S | Ref To Com On Judiciary II |
| S0315 | Roadside Campaign Signs. | S | Filed |
| S0316 | Add'l Section 1915 Medicaid Waiver Sites. | S | Filed |
| S0317 | Amend Law Re: State Info. Technology Services. | S | Filed |
| S0318 | Repeal Plastic Bag Ban. | S | Filed |
| S0320 | Municipal Systems. | S | Filed |
| S0321 | Surplus Lines/Premium Tax.-AB | S | Filed |
| S0322 | Adopt Official State Sport. | S | Filed |
| S0323 | Insurance Amendments.-AB | S | Filed |
| S0324 | ABC Law/Eastern Band of Cherokee Indians. | S | Filed |
| S0325 | Funds for Step-Down Unit for BART Program. | S | Filed |
| S0326 | Evaluate DD Residential Options for Children. | S | Filed |
| S0327 | Modify MHDDSAS Reporting Requirements. | S | Filed |
| S0328 | Report on Transfer of CAP-MR/DD UR to LMEs. | S | Filed |
| S0329 | Evidence-Based Pract. in Psych. Hospitals. | S | Filed |
| S0330 | Report on MH Services Provided by Hosp. ER's. | S | Filed |
| S0331 | Evaluate Efficacy of CABHA | S | Filed |

Model.
 S0332 Report on NC Clubhouse Programs. S Filed
 S0333 Revise DD Waiting List Process. S Filed
 S0334 Expand Inpatient Psychiatric Beds/Funds. S Filed
 S0335 Apply for TBI Medicaid Waiver. S Filed
 S0336 Develop Plan for Allocating DD Resources. S Filed
 S0337 Allow Expansion of Capitated Waiver. S Filed

LOCAL BILLS

H0068 Tax Certification - Add Counties. H Passed 2nd & 3rd Reading
 03-09-11
 H0279 ETJ/Wake Municipal Farm Exemption. H Passed 1st Reading
 H Ref To Com On Government
 H0283 Incorporate Castle Hayne. H Passed 1st Reading
 H Ref to the Com on Government,
 if favorable, Finance
 H0284 Wayne County Design Build. H Passed 1st Reading
 H Ref To Com On Government
 H0290 Marshville Charter Consolidation. H Passed 1st Reading
 H Ref To Com On Government
 H0291 Belhaven Recall Elections. H Passed 1st Reading
 H Ref To Com On Government
 H0292 Incorporate Rougemont. H Passed 1st Reading
 H Ref To Com On Government
 H0294 Sampson: No Permit To Delinquent Taxpayers. H Passed 1st Reading
 H Ref to the Com on Government,
 if favorable, Finance
 H0295 Sampson: No Permits To Delinquent Taxpayers. H Passed 1st Reading
 H Ref to the Com on Government,
 if favorable, Finance
 H0296 Sampson-No Recordation For Delinquent Taxpayr. H Passed 1st Reading
 H Ref to the Com on Government,
 if favorable, Finance
 H0307 Local Electronic Notice. H Passed 1st Reading
 H Ref To Com On Government
 H0310 Kinston Mayoral Veto. H Passed 1st Reading
 H Ref To Com On Government
 H0326 Buncombe Involuntary Annexation Moratorium. H Filed
 H0327 Incorporate Leicester. H Filed
 H0328 Wayne Sheriff Vacancies. H Filed
 S0273 Wake Municipalities Energy Efficiency. S Passed 1st Reading
 S Ref To Com On State and
 Local Government
 S0274 Greenville Alcoholic Beverage Tax. S Passed 1st Reading
 S Ref To Com On Rules and
 Operations of the Senate
 S0281 Municipal Service District/ Streets. S Passed 1st Reading
 S Ref To Com On Finance

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| S0288 Atlantic Beach/Beaufort/ Parking. | S Passed 1st Reading S Ref To Com On State and Local Government |
| S0289 Cape Carteret Deannexation. | S Passed 1st Reading S Ref To Com On Rules and Operations of the Senate |
| S0290 Peletier Annexation. | S Passed 1st Reading S Ref To Com On Rules and Operations of the Senate |
| S0291 Catawba County/Local Bid Preference. | S Passed 1st Reading S Ref To Com On State and Local Government |
| S0292 42nd Senatorial District Local Act. | S Passed 1st Reading S Ref To Com On Rules and Operations of the Senate |
| S0293 Catawba Ecocomplex Renewable Energy. | S Passed 1st Reading S Ref To Com On Commerce |
| S0294 Matthews Tree Ordinance Correction. | S Passed 1st Reading S Ref To Com On State and Local Government |
| S0295 Marshville Charter Consolidation. | S Passed 1st Reading S Ref To Com On State and Local Government |
| S0297 Durham/Small Business Enterprise. | S Passed 1st Reading S Ref To Com On Commerce |
| S0298 Durham Co./Pistol Purchase Permit App. Fee. | S Passed 1st Reading S Ref To Com On Rules and Operations of the Senate |
| S0299 City/County Beer and Wine License Taxes. | S Passed 1st Reading S Ref To Com On Rules and Operations of the Senate |
| S0304 23rd Senatorial District Local Act. | S Passed 1st Reading S Ref To Com On Rules and Operations of the Senate |
| S0310 30th Senatorial District Local Act. | S Passed 1st Reading S Ref To Com On Rules and Operations of the Senate |
| S0312 Roanoke Rapids Local Option Sales Tax. | S Passed 1st Reading S Ref To Com On Rules and Operations of the Senate |
| S0313 Roanoke Rapids Deannexation. | S Passed 1st Reading S Ref To Com On Rules and Operations of the Senate |
| S0314 Goldsboro Deannexation. | S Passed 1st Reading S Ref To Com On Rules and Operations of the Senate |
| S0319 Wilmington Civil Service Board. | S Filed |

SUMMARIES OF AMENDMENTS AND COMMITTEE SUBSTITUTES

HOUSE BILLS

H 21. COUNTY ADMINISTRATION OF MUNICIPAL ELECTIONS. Filed 2/1/11. House committee substitute makes the following changes to 1st edition.

Repeals GS 163-285 which exempted the municipalities of Morganton, Old Fort, Granite Falls, and Rhodhiss from mandatory voter registration and election administration by county boards of elections. Amends GS 163-284 to reflect the repeal of GS 163-285, providing that the registration of voters and the conduct of *all* elections in municipalities and special districts are under the authority of the county board of elections (1st edition made an exception as to the specific municipalities named in GS 163-285).

Makes conforming changes repealing the following statutes regarding the administration and authority of municipal boards of elections: GS 163-280, 163-280.1, 163-281, 163-286(b), and 163-289(c).

Makes additional conforming changes deleting references to the purpose, operation, and authority of municipal boards of elections from the following: GS 163-287, 163-288, 163-288.1(a), 115C-507, 120-30.9F, 128-1.1(d), 162A-35, 163-22, 163-25, 163-38, 163-40, 163-42, 163-278.6(1), 163-298, 163-299(g), 163-300, 163-301, and 163-304.

Amends the title to reflect bill content.

Elections Law; Local Government

H 45. ACCELERATE CLEANUP OF INDUSTRIAL PROPERTIES. Filed 2/7/11. House committee substitute makes the following changes to 2nd edition.

Amends proposed GS 130A-310.76 to require a person who undertakes remediation of environmental contamination under site-specific standards to pay a fee to the Inactive Hazardous Sites Cleanup Fund in an amount equal to \$4,500 (was, \$3,500 in 2nd edition and \$4,500 in 1st edition) for each acre or portion of an acre of contamination, with a maximum fee of \$125,000.

Agriculture, Environment, and
Natural Resources

SENATE BILLS

S 58. MODIFY FMAP CUTS (NEW). Filed 2/9/11. House committee substitute makes the following changes to 1st edition. Deletes Section 3 of the act, which authorized and appropriated up to \$125 million of the funds in the unreserved credit balance as of June 30, 2010, to be used to address Medicaid liabilities incurred in the 2009-10 fiscal year. Also required the Governor to report on the implementation of this authorized appropriation to the chairs of the Senate and House of Representatives Appropriations Committees and the Fiscal Research Division by October 1, 2011. Changes the title to *AN ACT MODIFYING THE FEDERAL MEDICAL ASSISTANCE PERCENTAGES CUTS IN THE 2010-2011 STATE BUDGET.*

Employment and Retirement;
Health, Social Services, and Aging;
Budget and Appropriations

Legislation Enacted

None

Index by Keyword

Agriculture, Environment, and Natural Resources

H 329, 4

H 45, 19

S 318, 7

Alcoholic Beverage Control

S 324, 8

Budget and Appropriations

H 315, 2

S 325, 8

S 334, 9

S 58, 19

| | |
|---|------------------|
| Buncombe | S 326, 8 |
| H 326, 10 | S 327, 8 |
| H 327, 10 | S 328, 8 |
| Business and Commerce | S 329, 8 |
| S 318, 7 | S 330, 9 |
| S 321, 7 | S 331, 9 |
| S 323, 7 | S 332, 9 |
| Children and Juvenile Law | S 333, 9 |
| S 326, 8 | S 334, 9 |
| Community and Economic Development | S 335, 9 |
| H 315, 2 | S 336, 9 |
| Constitutional Amendment | S 337, 10 |
| H 325, 4 | S 58, 19 |
| Courts | Local Government |
| H 325, 4 | H 21, 19 |
| Criminal Law, Procedure, and Sentencing | H 315, 2 |
| H 324, 3 | H 320, 2 |
| H 335, 5 | H 332, 5 |
| Education | S 320, 7 |
| H 330, 5 | New Hanover |
| H 334, 5 | S 319, 11 |
| Elections Law | State Government |
| H 21, 19 | H 318, 2 |
| S 315, 6 | H 320, 2 |
| Employment and Retirement | H 325, 4 |
| S 58, 19 | H 333, 5 |
| Energy and Utilities | H 335, 5 |
| S 320, 7 | S 317, 7 |
| General Assembly | S 322, 7 |
| H 317, 2 | Taxation |
| H 320, 2 | H 319, 2 |
| H 321, 2 | H 323, 3 |
| Haywood | Transportation |
| H 322, 10 | H 336, 6 |
| Health, Social Services, and Aging | S 315, 6 |
| H 331, 5 | Wayne |
| S 316, 6 | H 328, 10 |
| S 325, 8 | |

Notes

None

NEXT SESSIONS

March 14 , 2011

HOUSE convenes at 7:00 p.m.

SENATE convenes at 7:00 p.m.