

Daily Bulletin

ACTIONS BY THE NORTH CAROLINA GENERAL ASSEMBLY

School of Government
The University of North Carolina at Chapel Hill
Legislative Reporting Service, State Legislative Building, Raleigh, NC 27601
Phone 919.733.2484 ~ Fax 919.715.3464 ~ www.dailybulletin.unc.edu

House Legislative Day 55

Vol. 2011, No. 55

Senate Legislative Day 55

Thursday, April 28, 2011

Table of Contents

Summaries of Bills Filed _____	1
Public Bills _____	1
Local Bills _____	2
Action on Bills _____	2
Summaries of Amendments and Committee Substitutes _____	6
Legislation Enacted _____	10
Index by Keyword _____	11
Notes _____	11
Next Sessions _____	11

SUMMARIES OF BILLS FILED

Public Bills

HOUSE BILLS

H 873. [AMEND JORDAN LAKE RESERVOIR H2O QUALITY RULES.](#) Filed 4/28/11. TO AMEND THE JORDAN LAKE RESERVOIR WATER QUALITY RULES..

Amends Section 2(b) of SL 2009-216 to extend from 2016 to 2020 the deadline for each discharger with permitted flow of .1 million gallons per day or more to limit nitrogen discharge to its active individual discharge allocation under Wastewater Discharge Rule 15A NCAC 02B.0270. Amends Sec. 3(d)(2)a. of SL 2009-216 to have a March 1, 2020, rather than a March 1, 2017, monitoring report trigger Stage 2 adaptive management program. Appropriates \$25,000 from the General Fund to the Savings Reserve Account for 2011-12 for emergency use, including any environmental emergencies resulting from delay in Jordan Lake water quality rules under this act.

**Intro. by Jones, Ingle, Blust,
Faircloth.**

APPROP

Budget and Appropriations;
Agriculture, Environment, and
Natural Resources

© 2011 School of Government
The University of North Carolina at Chapel Hill

This work is copyrighted and subject to "fair use" as permitted by federal copyright law. No portion of this publication may be reproduced or transmitted in any form or by any means without the express written permission of the publisher. Distribution by third parties is prohibited. Prohibited distribution includes, but is not limited to, posting, e-mailing, faxing, archiving in a public database, installing on intranets or servers, and redistributing via a computer network or in printed form. Unauthorized use or reproduction may result in legal action against the unauthorized user.

SENATE BILLS

S 777. CROSSOVER DEADLINE. Filed 4/28/11. TO AMEND THE PERMANENT RULES OF THE SENATE TO CHANGE THE CROSSOVER DEADLINE.

Amends Senate Rule 41 to extend from May 12 to June 9 the crossover deadline for a bill to have been received from the House to be considered by the Senate during the 2011 or 2012 sessions.

Intro. by Apodaca.

SENATE RES

General Assembly

Local Bills

None

ACTION ON BILLS

April 28, 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

H0008 Eminent Domain.	HA Amend Adopted 1 H Passed 3rd Reading H Ordered Engrossed
04-06-11, 04-28-11	
H0098 Breweries to Sell Malt Beverages on Premises.	H Passed 2nd Reading
04-20-11	
H0116 Coastal Wetland Riparian Buffer Grandfather.	H Withdrawn From Cal H Re-ref Com On Environment
04-21-11	
H0129 Level Playing Field/Local Gov't Competition.	SA Amend Adopted 1 S Amend Failed 2 S Amendment Withdrawn 3 SA Amend Adopted 4 S Amendment Withdrawn 5 S Amend Tabled 6 S Amend Tabled 7 S Withdrawn From Cal S Placed On Cal For 5/2/2011
03-23-11, 03-24-11, 03-28-11, 04-27-11, 04-28-11	
H0160 Check-Off Donation: Breast Cancer Screening.	H Passed 3rd Reading H Ordered Engrossed
04-26-11	
H0173 State Shrimp Festival-Sneads Ferry.	S Passed 2nd & 3rd Reading
H0197 School Calendar Flexibility/Inclement Weather.	H Passed 2nd & 3rd Reading
H0200 Appropriations Act of 2011.	HA Reptd Fav Com Sub 2

	H	Cal Pursuant Rule 36(b)
04-26-11, 04-28-11		
H0270 Amend Conditions of Probation.	H	Concurred In S/Com Sub
03-17-11, 03-23-11, 04-20-11		
H0306 Miscellaneous Service/Process	H	Passed 2nd & 3rd Reading
Amendments.		
H0316 Modify NCGA Police Powers.	H	Concurred In S/Com Sub
03-16-11, 03-17-11, 04-07-11, 04-20-11		
H0317 NC Family & Consumer Services	H	Withdrawn From Com
100th.	H	Placed On Cal For 5/2/2011
H0332 Clarify Development Moratoria	HA	Amend Adopted 1
Authority.	H	Passed 2nd & 3rd Reading
	H	Ordered Engrossed
04-28-11		
H0333 Adopt Official State Sport.	H	Postponed To 5/5/2011
H0336 Amend Weight Requirements-	H	Concurred In S/Com Sub
Certain Vehicles.		
03-29-11, 04-20-11		
H0422 Federal Rail Money/Report,	H	Passed 3rd Reading
Consult, Approve.	H	Ordered Engrossed
04-20-11, 04-26-11		
H0423 Enact First Evaluation	H	Withdrawn From Cal
Program.	H	Re-ref Com On Health and
		Human Services
04-20-11		
H0451 DWLR Penalties Increased/	HA	Reptd Fav Com Substitute
Vehicle Seizures.	H	Re-ref Com On Appropriations
04-28-11		
H0468 Amend Weight Limits for Farm	H	Passed 2nd & 3rd Reading
Products.		
04-27-11		
H0474 Protect Adult Care Home	HA	Amend Adopted 1
Residents.	H	Passed 2nd & 3rd Reading
	H	Ordered Engrossed
04-26-11, 04-28-11		
H0483 DNA Samples/Additional	H	Withdrawn From Cal
Felonies.	H	Fiscal Note Requested
H0497 Clarify Definition of General	H	Postponed To 5/5/2011
Contractor.		
H0509 Exclusions from Licensure:	H	Passed 2nd & 3rd Reading
Home Services.		
H0561 Medians on U.S. Highway 70.	H	Passed 2nd & 3rd Reading
H0578 Health Care Sharing	H	Passed 2nd & 3rd Reading
Organizations.		
04-27-11		
H0598 NC Highway 54 Corridor Study.	H	Passed 2nd & 3rd Reading
04-26-11		
H0619 Update/Modernize Physical	H	Serial Referral to Finance
Therapy Act.		added
H0629 Substance Abuse Treatment.	H	Passed 2nd & 3rd Reading
04-27-11		
H0667 Honor Gordon P. Allen, Sr.	H	Withdrawn From Com
	H	Placed On Cal For 5/2/2011
H0714 Legal Services.	H	Withdrawn From Com
	H	Re-ref Com On Judiciary
H0736 Amend Law Re: School	HA	Amend Adopted 1

Discipline.	HA Amend Adopted 2
	H Passed 2nd & 3rd Reading
	H Ordered Engrossed
04-20-11, 04-28-11	
H0769 High School to Work Partnership.	H Passed 2nd & 3rd Reading
04-20-11	
H0779 Electronic Recording/ Custodial Interrogations.	HA Amend Adopted 1
	H Passed 3rd Reading
	H Ordered Engrossed
04-20-11, 04-28-11	
H0806 Zoning St. of Limit./Ag. Dist. Change.	H Postponed To 5/5/2011
04-27-11	
H0808 Revise Laws on Adult Care Homes.	HA Amend Adopted 1
	H Passed 2nd Reading
04-28-11	
H0819 CAMA setback req'ts./ grandfather clause.	H Passed 2nd & 3rd Reading
04-21-11	
H0829 Streamline Education Planning Responsibility.	H Passed 2nd & 3rd Reading
04-20-11	
H0852 Lmt PJs/B1,B2,C, D, or E Felonies.	H Passed 2nd & 3rd Reading
04-27-11	
H0872 Smart Grid Job Creation and Retention Act.	H Passed 1st Reading
	H Ref to the Com on Public Utilities, if favorable, Finance
H0873 Amend Jordan Lake Reservoir H2O Quality Rules.	H Filed
H0874 Independent Energy Efficiency Administrator.	H Filed
S0049 Increase Fine for Speeding/ School Zones.	HA Conf Report Adopted
	SA Conf Report Adopted
02-28-11, 03-01-11, 03-23-11, 04-27-11	
S0060 Lupus Awareness Month.	H Passed 1st Reading
	H Ref To Com On Rules, Calendar, and Operations of the House
S0105 Increase Penalty/Certain 2nd Degree Murders.	H Passed 2nd & 3rd Reading
04-20-11	
S0110 Permit Terminal Groins.	S Failed Concur In Com Sub
	S Conf Com Appointed
03-09-11, 03-14-11, 04-19-11	
S0125 NC School of Biotechnology and Agriscience.	S Withdrawn From Com
	S Re-ref Com On Finance
04-26-11	
S0130 Wine Distribution Territories.	H Passed 2nd & 3rd Reading
03-29-11, 04-20-11	
S0137 Establish Forgivable Loan Fund.	H Passed 2nd & 3rd Reading
03-22-11, 04-06-11, 04-26-11	
S0144 Cash Converters Must Keep	S Reptd Fav Com Substitute

Purchase Records.	SA Com Substitute Adopted
	S Re-ref Com On Finance
	S Withdrawn From Com
	S Placed On Cal For 5/2/2011
04-28-11	
S0183 Selective Vegetation Removal/ State Highways .	S Reptd Fav Com Substitute
	SA Com Substitute Adopted
	S Re-ref Com On Finance
04-28-11	
S0307 Smart Card Biometrics Against Medicaid Fraud.	H Passed 1st Reading
	H Ref To Com On Health and Human Services
04-14-11, 04-21-11	
S0311 Warrantless Arrest Pretrial Release Violation.	S Reptd Fav Com Substitute
	SA Com Substitute Adopted
04-28-11	
S0323 State Hlth Plan/ Appropriations & Transfer ll.	S Conf Com Reported
	S Placed On Cal For 4/28/2011
	SA Conf Report Adopted
	H Conf Com Reported
	H Placed On Cal For 5/2/2011
03-24-11, 04-19-11, 04-20-11, 04-28-11	
S0380 ETJ/Clarify Definition of Bona Fide Farm.	S Reptd Fav Com Substitute
	SA Com Substitute Adopted
04-28-11	
S0401 ACH Pilot on Crisis Intervention Training.	S Passed 2nd & 3rd Reading
S0405 Amend Irrigation Contractors' Licensing Laws.	S Reptd Fav Com Substitute
	SA Com Substitute Adopted
	S Re-ref Com On Finance
04-28-11	
S0421 GAST Training Pilot.	S Passed 2nd & 3rd Reading
S0450 Direct Care Worker Wage and Benefit Study.	H Passed 1st Reading
	H Ref To Com On Health and Human Services
04-21-11	
S0464 Debt Reduction Act of 2011.	H Passed 2nd & 3rd Reading
S0495 District Court Dist. 25 Residency.	S Withdrawn From Com
	S Re-ref Com On Rules and Operations of the Senate
S0519 Memo of Contract/Deeds & Deeds of Trust.	S Reptd Fav
S0530 Prohibit Involuntary Annexation of Farms.	S Passed 2nd & 3rd Reading
S0607 Conform Medical Record Laws.	S Reptd Fav Com Substitute
	SA Com Substitute Adopted
04-28-11	
S0608 Health Care Sharing Organizations.	S Passed 2nd & 3rd Reading
S0749 Modify Weight Limits for Farm Operations.	S Reptd Fav Com Substitute
	SA Com Substitute Adopted
	S Re-ref Com On Finance
04-28-11	
S0750 DOT Bid Responses Not Public/ Contract Awarded.	S Reptd Fav
S0777 Crossover Deadline.	S Filed

S Passed 1st Reading
 S Placed On Cal For 4/28/2011
 S Adopted

LOCAL BILLS

H0310 Kinston Mayoral Veto. 03-31-11, 04-27-11	S	Passed 2nd & 3rd Reading
H0403 Wilmington/Contributing Structures. 04-21-11	H	Passed 2nd & 3rd Reading
H0471 Buncombe County Commission Districts.	H	Postponed To 5/2/2011
H0546 Alternative Salary Plans/ Charlotte-Meck. Sch. 04-27-11	H	Passed 2nd & 3rd Reading
S0281 Municipal Service District/ Streets. 03-29-11	H	Passed 2nd Reading
S0776 Calendar Flexibility/Greene County Schools.	S	Passed 1st Reading
	S	Ref To Com On Education/ Higher Education

SUMMARIES OF AMENDMENTS AND COMMITTEE SUBSTITUTES

HOUSE BILLS

H 8. EMINENT DOMAIN. Filed 1/26/11. House amendment makes the following changes to 2nd edition. Amends GS 40A-3(a)(1) to provide that power of condemnation for power lines includes lines to connect to customers.
 Constitutional Amendment; Local Government; State Government; Property, Land Use, and Housing; Community and Economic Development

H 129. LEVEL PLAYING FIELD/LOCAL GOV'T COMPETITION. Filed 2/17/11. Senate amendment makes the following changes to 4th edition. Amendment # 1 provides that communications services also do not include remote reading of data from utility or parking meters or provisioning energy demand reduction or smart grid services for an electric, water, or sewer system. Amendment # 4 provides that compliance with open bidding procedures for customers outside the service area applies only when the customer is a public entity, and specifies that all public entities in described service areas may receive services from a city or joint agency only after complying with public bidding procedures. Makes other clarifying changes.
 Local Government; Business and Commerce; Energy and Utilities

H 200. APPROPRIATIONS ACT OF 2011. Filed 3/1/11. The changes made by the House committee substitute, and amendments from the House Appropriations Committee meeting, will be digested in tomorrow's *Daily Bulletin*, 4/29/11.

Budget and Appropriations; State Government; Agriculture, Environment, and Natural Resources; Animal Law; Business and Commerce; Courts; Criminal Law, Procedure, and Sentencing; Education; Employment and Retirement; Energy and Utilities; Health, Social Services, and Aging; Local Government; Taxation; Transportation

H 332. [CLARIFY DEVELOPMENT MORATORIA AUTHORITY](#). Filed 3/10/11. House amendment makes the following change to 1st edition. Clarifies that a county or city may not adopt temporary moratoria on development approval for the purpose of developing and adopting new or amended plans or ordinances as to residential uses.
Local Government

H 451. [DWLR PENALTIES INCREASED/VEHICLE SEIZURES](#). Filed 3/23/11. House committee substitute makes the following changes to 1st edition. Eliminates felony and mandatory confinement provisions and provides instead for Class I misdemeanor for first or second offense and Class A1 misdemeanor for third or subsequent offense of driving while license revoked. Clarifies that a motor vehicle is subject to forfeiture if a person is convicted of a third (rather than fourth) subsequent violation, as detailed. Adds amendments to GS 20-28.2 to provide for forfeiture of vehicle for driving while license revoked after two previous convictions for the same offense. Amends GS 20-28.3 to provide for seizure of vehicle driven by a person charged with driving while license revoked after two previous convictions, with conforming amendment to subsection (e2) to provide that a petition for pretrial determination applies only when seizure was for impaired driving. Makes conforming and clarifying amendments to GS 20-28.4, 20 28.8 and 20-28.9. Enacts new subsection (a1) to GS 20-54.1, requiring the Division of Motor Vehicles to revoke registration for motor vehicles, upon notice of a third or subsequent conviction of driving with a revoked license. Changes effective date from October 1, 2011 to December 1, 2011.

H 474. [PROTECT ADULT CARE HOME RESIDENTS](#). Filed 3/24/11. House amendment makes the following change to 2nd edition. Amends the infection prevention requirements of new GS 131D-4.4A(b)(1)a. to distinguish between single use and reusable items and, specifically, to require that the infection control policy address the proper disposal of single use equipment used to puncture the skin, mucous membranes, and other tissues, and the proper disinfection of reusable patient care items that are used for multiple residents.
Health, Social Services, and Aging

H 736. [AMEND LAW RE: SCHOOL DISCIPLINE](#). Filed 4/6/11. House amendments make the following changes to 2nd edition. Amendment #1 defines school official to include superintendent or central office administrator delegated duties by the superintendent, and any principal, or assistant principal, and defines school personnel to include all school employees and all individuals working on school grounds or at school functions under contract or working for an agency to provide educational or related services. Clarifies that the person who administered corporal punishment, not the school official, is to provide explanation to parent. Rewrites amendment to GS 115C-45(c)(1) to specify that appeal to the school board is only for long-term suspension, year suspension for gun possession, or expulsion. Amendment #2 rewrites GS 115C-390.6 (short-term suspension) to provide that the local board of education may provide review or appeal of a short-term suspension to superintendent or board.
Education

H 779. [ELECTRONIC RECORDING/CUSTODIAL INTERROGATIONS](#). Filed 4/6/11. House amendment makes the following changes to 2nd edition. Amends GS 15A-211(c), specifying that the required electronic recording is to be a simultaneous visual and audio recording when reasonably feasible, but failure to have simultaneous recording is not grounds for suppression of evidence.

Criminal Law, Procedure, and Sentencing

H 808. REVISE LAWS ON ADULT CARE HOMES. Filed 4/6/11. House amendment makes the following changes to 1st edition.

Amends the bill title, clarifying that the bill authorizes (rather than requires) the Department of Health and Human Services to waive annual inspections of certain adult care homes, as detailed.
Health, Social Services, and Aging

SENATE BILLS

S 144. CASH CONVERTERS MUST KEEP PURCHASE RECORDS. Filed 2/24/11. Senate committee substitute makes the following changes to 1st edition. Rewrites GS 91A-3 to add *cash* as a new definition, delete *cash converter store* as a definition, and redefine *cash converter* as persons engaged in the business of purchasing goods from the public for cash at a permanently located retail store who hold themselves out to the public as being engaged in such business. Specifically exempts from the definition of *cash converter* the following: (1) pawnbrokers; (2) persons who purchase goods directly from manufacturers or wholesalers; (3) precious metal dealers to the extent their transactions are regulated under Article 25 of GS Chapter 66; (4) purchases by persons primarily in the business of obtaining used clothing, children's products, and children's furniture from the public for less than \$50 per item; and (5) purchases by persons primarily in the business of obtaining sporting goods and sporting equipment from the public for less than \$50 per item. Adds a purpose to the list in GS 91A-2. Makes the act effective December 1, 2011 (was, October 1, 2011).

Amends GS 91A-10 to create a new subsection (b), which forbids a cash converter from purchasing from any person any property which is known to the cash converter to be stolen, unless there is a written agreement with local or state police. Makes a violation of this provision punishable under the applicable North Carolina criminal statutes.

Makes other technical changes.

Business and Commerce

S 183. SELECTIVE VEGETATION REMOVAL/STATE HIGHWAYS. Filed 3/2/11. Senate committee substitute makes the following changes to 1st edition.

Removes section amending GS 136-129, which concerned electronic billboards. Amends GS 136-133, which concerns required permits, to specify that the fee for outdoor advertising structures must not exceed a \$150 (currently, \$120) initial fee and a \$90 annual renewal fee. Provides that \$30 of each initial and annual fee will be used for highway beautification projects. Prohibits the use of additional funds from the Highway Trust Fund for vegetation replacement. Enacts new subsection (c) to GS 136-133, providing that no electrical utility permit will be denied to an outdoor advertising sign, as described, if the Department of Transportation (DOT) has issued a permit and the sign is valid and otherwise technically compliant. Amends proposed GS 136-133.1(a)(5), clarifying that the maximum cut or removal zone for vegetation for each sign face must meet certain specifications within city limits. Amends proposed GS 136-133.4(c), clarifying that DOT will determine traffic control signage (rather than the division roadside environmental engineer). Makes other clarifying and conforming changes, and makes a conforming change to the title.

Business and Commerce;
Transportation

S 311. PRETRIAL RELEASE VIOLATION/ARREST (NEW). Filed 3/9/11. Senate committee substitute makes the following changes to 1st edition. Amends GS 15A-401(b) clarifying that an officer may arrest without a warrant any person the officer has probable cause to believe has committed a criminal offense or violated a pretrial release order entered under GS 15A-534 or GS 15A-534.1(a)(2) in the officer's presence. Makes conforming changes to the bill title.

Criminal Law, Procedure, and
Sentencing

S 323. STATE HLTH PLAN/APPROPRIATIONS & TRANSFER II. Filed 3/10/11. Conference report recommends the following changes to 4th edition to reconcile matters in controversy.

Increases the appropriations from the General Fund and the Highway Fund to the State Health Plan Reserve as follows: \$7,119,541 for 2011-12 and \$102,151,104 for 2012-13 from the General Fund, and \$332,245 for 2011-12 and \$4,767,052 for 2012-13 from the Highway Fund. The State Health Plan for Teachers and State Employees may charge up to the listed monthly premiums for partially contributory coverage in 2011-12 and 2012-13 (deletes provisions allowing active members to participate in the Basic Plan at no cost). Specifies that premium rates for

contributory coverage may increase by up to 5.3% (rather than 5.43%) in 2011-12 and by up to an additional 5.3% (rather than 5.43%) for 2012-13. Increases the copayment for generic prescriptions from \$10 to \$12. Changes employer contribution rates and amounts for 2011-13 with effective dates of July 1, 2011, and July 1, 2012. Makes conforming changes to provisions concerning noncontributory coverage.

Grants the State Treasurer authority to appoint an executive administrator, effective July 1, 2011 (was, effective when the act becomes law). Allows the State Treasurer to set a partially contributory rate of zero dollars, subject to approval by the Board of Trustees. Directs the State Treasurer and the Board of Trustees to: (1) examine the issue of moving to a calendar year, (2) find savings through wellness programs, Medicare Advantage plans, or other resources and use those savings to offer a premium-free option before July 1, 2013, and (3) strive to keep all premiums low by finding savings. Directs the State Health Plan to issue a Request for Proposals for a Medicare Advantage Plan before June 30, 2012.

Budget and Appropriations; Health,
Social Services, and Aging

S 380. ETJ/DEFINITION OF BONA FIDE FARM PURPOSES (NEW). Filed 3/17/11. Senate committee substitute makes the following changes to 1st edition.

Amends GS 153A-340(b)(2), clarifying that a Got to be NC product produced on a farm subject to a conservation agreement also is a bona fide farm purpose. Makes other clarifying changes.

Amends GS 160A-360, clarifying in new subsection (k) that *bona fide farm purposes* is defined in GS 153A-340. Defines *property* as a single tract of property or an identifiable portion of a single tract. Provides that property located in a municipality's extraterritorial jurisdiction that is used for bona fide farm purposes is exempt from compliance with the municipality's zoning authority and building code enforcement. Provides that once such property ceases to be used for bona fide farm purposes, such property is subject to the municipality's zoning authority and building code enforcement. Specifies that any of the following is sufficient evidence that property is being used for bona fide farm purposes:

- (1) A farm sales tax exemption certificate issued by the Department of Revenue.
- (2) A copy of the property tax listing showing that the property is eligible for participation in the present use value program under GS 105-277.3.
- (3) A copy of the farm owner or operator's Schedule F from the owner or operator's most recent federal income tax return.
- (4) A forest management plan.
- (5) A Farm Identification Number issued by the United States Department of Agriculture Farm Service Agency.

Removes proposed GS 160A-58.29, which prohibited the annexation of land being used for bona fide farm purposes as defined in GS 153A-340 on the date of the resolution of intent to consider annexation, without the written consent of the owner or owners of the property.

Makes other technical changes, and makes a conforming change to the title.

Agriculture, Environment, and
Natural Resources; Local
Government

S 405. AMEND IRRIGATION CONTRACTORS' LICENSING LAWS. Filed 3/23/11. Senate committee substitute makes the following changes to 1st edition. Amends GS 89G-1 by adding new definitions to the statute. Rewrites GS 89G-3 to clarify that the licensure exemption for any federal, state or local government performing irrigation construction or contracting work on public property only applies if the work is done by employees of those entities. Amends GS 89G-9(a) to clarify that any person who desires to continue to practice irrigation contracting or irrigation construction must apply for license renewal and submit the required fees. Enacts GS 89G-9(c) to increase the length of mandatory license suspension from 30 to 60 days for failure to obtain required continuing education units and makes a technical change. Amends GS 89G-10(a) by decreasing the reinstatement fee to \$250 (previously \$500). Makes other technical, organizational, and clarifying changes.

Employment and Retirement

S 607. CONFORM MEDICAL RECORD LAWS. Filed 4/14/11. Senate committee substitute makes the following changes to 1st edition.

Adds a section, amending GS 122C-52(b), clarifying that, except as authorized, no individual with access to confidential information may disclose the information; however, a HIPAA covered entity or business associate receiving confidential information that has been disclosed under GS 122C-53 through 122C-56 may use and disclose the information as allowed under 45 CFR Part 164, Subpart E. Amends GS 122C-55(a6), clarifying that

health care providers and other entities receiving confidential information that was disclosed under subsection (a6) may use and disclose the information as permitted or required under federal regulation (previously, permitted providers and entities receiving confidential information from DHHS's Community Care of North Carolina Program or other primary care case management to use and disclose the information to conduct assessment and improvement activities or coordinate care, treatment, or habitation). Makes other conforming and clarifying changes.

Health, Social Services, and Aging

S 749. MODIFY WEIGHT LIMITS FOR FARM OPERATIONS. Filed 4/19/11. Senate committee substitute makes the following changes to 1st edition. Makes a clarifying change to GS 20-118(c). Makes act effective December 1, 2011 (was, October 1, 2011).

Transportation; Agriculture,
Environment, and Natural
Resources

Legislation Enacted

SL 2011-54 (S 182). STATEWIDE EMAIL SUBSCRIPTION LISTS. AN ACT TO MAKE EFFECTIVE STATEWIDE A LOCAL ACT PROVIDING THAT A LIST OF THE E-MAIL ADDRESSES OF PERSONS SUBSCRIBING TO LOCAL GOVERNMENT E-MAIL LISTS IS OPEN TO PUBLIC INSPECTION BUT IS NOT REQUIRED TO BE PROVIDED, AND TO PROVIDE THAT THE LOCAL GOVERNMENT MAY USE THAT LIST ONLY FOR THE PURPOSE THAT IT WAS SUBSCRIBED TO. Summarized in *Daily Bulletin* 3/2/11, 4/7/11, and 4/11/11. Enacted April 28, 2011. Effective April 28, 2011.

Local Government

SL 2011-55 (S 75). PROMOTE ELECTRICITY DEMAND REDUCTION. AN ACT TO PROMOTE THE USE OF ELECTRICITY DEMAND REDUCTION TO SATISFY RENEWABLE ENERGY PORTFOLIO STANDARDS. Summarized in *Daily Bulletin* 2/15/11 and 3/15/11. Enacted April 28, 2011. Effective April 28, 2011.

Agriculture, Environment, and
Natural Resources; Energy and
Utilities

SL 2011-56 (S 406). REPEAL CROSSBOW PURCHASE PERMIT REQUIREMENT. AN ACT TO REPEAL THE REQUIREMENT THAT A PERSON OBTAIN A PERMIT TO RECEIVE, SELL, PURCHASE, OR OTHERWISE TRANSFER A CROSSBOW. Summarized in *Daily Bulletin* 3/23/11. Enacted April 28, 2011. Effective April 28, 2011.

Criminal Law, Procedure, and
Sentencing

SL 2011-57 (H 171). MUNICIPAL SELF-ANNEXATIONS. AN ACT TO CLARIFY THAT A MUNICIPALITY HAS NO AUTHORITY TO PETITION ITSELF FOR SELF-ANNEXATION OF PROPERTY IT DOES NOT OWN OR HAVE ANY LEGAL INTEREST IN, SUCH AS STATE-MAINTAINED STREETS, AND TO CLARIFY THAT A PETITION FOR VOLUNTARY SATELLITE ANNEXATION MUST BE SIGNED AND, IF NO SIGNATURE IS REQUIRED FOR CERTAIN PROPERTY, THE PROPERTY MAY NOT BE INCLUDED IN THE PETITION OVER THE OWNER'S OBJECTION. Summarized in *Daily Bulletin* 2/23/11 and 3/16/11. Enacted April 28, 2011. Effective April 28, 2011.

Local Government

SL 2011-58 (H 138). AMEND HEALTH INSURANCE RISK POOL STATUTES. AN ACT TO AMEND THE HEALTH INSURANCE RISK POOL STATUTES. Summarized in *Daily Bulletin* 2/17/11 and 3/2/11. Enacted April 28, 2011. Effective April 28, 2011.

Business and Commerce; Health,
Social Services, and Aging

SL 2011-59 (S 275). OFFICIAL HERRING FESTIVAL. AN ACT ADOPTING THE HERRING FESTIVAL HELD IN THE TOWN OF JAMESVILLE AS THE OFFICIAL HERRING FESTIVAL OF THE STATE OF NORTH CAROLINA. Summarized in *Daily Bulletin* 3/9/11 and 4/13/11. Enacted April 28, 2011. Effective April 28, 2011.

General Assembly

Index by Keyword

Agriculture, Environment, and Natural Resources

H 200, 7
H 873, 1
S 380, 9
S 749, 10
S 75, 10

Animal Law

H 200, 7

Budget and Appropriations

H 200, 7
H 873, 1
S 323, 9

Business and Commerce

H 129, 6
H 138, 10
H 200, 7
S 144, 8
S 183, 8

Community and Economic Development

H 8, 6

Constitutional Amendment

H 8, 6

Courts

H 200, 7

Criminal Law, Procedure, and Sentencing

H 200, 7
H 779, 7
S 311, 8
S 406, 10

Education

H 200, 7
H 736, 7

Employment and Retirement

H 200, 7
S 405, 9

Energy and Utilities

H 129, 6
H 200, 7
S 75, 10

General Assembly

S 275, 10
S 777, 2

Health, Social Services, and Aging

H 138, 10
H 200, 7
H 474, 7
H 808, 8
S 323, 9
S 607, 10

Local Government

H 129, 6
H 171, 10
H 200, 7
H 332, 7
H 8, 6
S 182, 10
S 380, 9

Property, Land Use, and Housing

H 8, 6

State Government

H 200, 7
H 8, 6

Taxation

H 200, 7

Transportation

H 200, 7
S 183, 8
S 749, 10

Notes

None

NEXT SESSIONS

May 2, 2011

HOUSE convenes at 7:00 p.m.

SENATE convenes at 7:00 p.m.