

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
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House Legislative Day 114

Vol. 2012, No. 5

Senate Legislative Day 114

Wednesday, May 23, 2012

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SUMMARIES OF BILLS FILED

Public Bills

HOUSE BILLS

H 1074. [STOP WASTE, FRAUD, AND ABUSE IN GOVT. ACT.](#) Filed 5/22/12. TO MAKE CHANGES TO THE STATUTES GOVERNING THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, THE LOCAL GOVERNMENTAL EMPLOYEES RETIREMENT SYSTEM, AND THE DISABILITY INCOME PLAN OF NORTH CAROLINA TO ENHANCE THE OPERATION OF THE MEDICAL BOARD; TO ESTABLISH GUIDELINES FOR FRAUD INVESTIGATIONS THAT WILL ENHANCE THE DEPARTMENT OF STATE TREASURER'S CAPABILITY TO PREVENT AND DETECT FRAUD, WASTE, AND ABUSE; TO CREATE A REBUTTABLE PRESUMPTION OF FRAUD IN THE AVERAGE FINAL COMPENSATION CALCULATION; AND TO MAKE IT A CLASS 1 MISDEMEANOR TO FRAUDULENTLY RECEIVE THE RETIREMENT BENEFIT OF A DECEASED DISABILITY RETIREE AT LEAST TWO MONTHS AFTER THE RETIREE'S DEATH.

Enacts new GS 128-38.6 to set out protections and remedies against retaliation for employees who provide information to the Retirement Systems Division about possible violations of retirement law.

Makes the following changes to the Local Governmental Employees' Retirement System and makes corresponding changes to the Teachers' and State Employees' Retirement System. Enacts three new

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subsections in GS 128-28 to (1) detail the powers and access of the Retirement Systems Division (Division) and staff when conducting a fraud investigation; (2) require the Division to maintain fraud investigative reports for 10 years and provide for the management of relevant work papers; and (3) keep the identity of the person reporting fraud, waste, or abuse confidential. Adds a definition for *fraud investigation* to GS 128-21. Amends the definition for *compensation* in GS 128-21(7a) to create a rebuttable presumption that any salary or remuneration paid for the principal purpose of enhancing a member's benefits under the plan is not compensation. Amends GS 128-28(l) to authorize the Board of Trustees to structure appointment requirements and term durations for medical board members.

Amends GS 135-18.11 to make a person guilty of a Class 1 misdemeanor if the person fraudulently receives a decedent's monthly benefit under the Disability Income Plan at least two months after the retiree's death.

Effective July 1, 2012.

Intro. by Moffitt.

GS 128, 135

State Government; Employment
and Retirement

H 1075. LME GOVERNANCE. Filed 5/22/12. *TO MAKE CHANGES IN GOVERNANCE OF LOCAL MANAGEMENT ENTITIES WITH RESPECT TO THE IMPLEMENTATION OF STATEWIDE EXPANSION OF THE 1915(B)/(C) MEDICAID WAIVER, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON HEALTH AND HUMAN SERVICES.*

Amends GS 122C-115(a) (concerning duties of counties) to clarify that a county must provide mental health, developmental disabilities, and substance abuse services through an area authority or county program in accordance with statute and with statewide reform of services delivery under a 1915(b)/(c) Medicaid Waiver. Amends GS 122C-116(a) to remove condition that a single county area authority is a department of the county in which the authority is located. Rewrites GS 122C-118.1 (structure of area authority boards) to provide that an area board must have between 11 and 21 voting members (rather than 11 to 25, and up to 30 in certain multicounty authorities) appointed by the board or boards of county commissioners. Modifies the qualifications for board members and requires members to live in the catchment area. Directs all area boards to meet the revised requirements by July 1, 2013. Makes clarifying changes to GS 122C-119.1, requiring annual training for board members, and directs the NC Department of Health and Human Services (DHHS), the UNC School of Government, and local management entities (LMEs) to develop the training course.

Provides that no member on the Consumer and Family Advisory Committees may serve more than three (rather than two) consecutive terms under GS 122C-170(b). Authorizes area authorities to add one or more counties to their catchment area if a majority of the existing member counties agree.

Prohibits DHHS from approving a county's request to withdraw from a multicounty area authority operating under a 1915(b)/(c) Medicaid waiver, beginning July 1, 2012, and extending for two years. Requires a process for county disengagement, as detailed, by January 1, 2014. Makes a conforming change to GS 122C-112.1 (duties of Secretary).

Amends GS 122C-147(c) (concerning area authority property) to provide that the area authority (rather than the county) has title to real property purchased for the authority's use. Amends GS 122C-117 (powers and duties of area authority) to grant authorities the power to borrow money with approval of the Local Government Commission and removes approval requirement for the director appointment. Also modifies the delivery procedure for the authority's quarterly report. Amends GS 122C-115.2, allowing the Secretary to waive any provisions of the LME business plan requirements that are inconsistent with contracts between DHHS and the area authority. Enacts new GS 122C-126.1 to provide that all competitive health information is confidential and not a public record, with the exception of contracts of area authorities. Sets out the procedure for area authorities to follow after a request for disclosure.

Amends GS 122C-121(a1) to allow the area director a salary in excess of the salary ranges established by the State Personnel Commission. Makes conforming changes to GS 126-5(a) and GS 122C-154 (allowing area authority employees a higher salary).

Amends GS 153A-76 to prohibit a board of county commissioners from consolidating an area board into a consolidated human services board or from abolishing an area board. Makes conforming changes to GS 153A-77 and removes the limitation to counties with populations over 425,000.

Repeals GS 122C-122 (public guardians) and directs any successor guardian to try to continue existing contracts if in the best interest of the incompetent person. Amends GS 35A-1213 (qualifications of guardians for incompetent persons) to add that individuals contracting to provide services to LMEs may not serve as guardians for individuals receiving those services. Makes a clarifying change, and modifies the definition of *disinterested public agent* in GS 35A-1202. Makes clarifying changes to GS 35A-1292 (resignation of guardian).

Intro. by Dollar, Burr.

GS 35A, 122C, 126, 153A

Health, Social Services, and Aging

H 1076. AUTHORIZE RECIPROCITY AGREEMENTS FOR TOLLS. Filed 5/22/12. *TO AUTHORIZE RECIPROCITY AGREEMENTS FOR TOLL PAYMENTS BETWEEN THE NORTH CAROLINA TURNPIKE AUTHORITY AND OTHER TOLL AGENCIES, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE.*

Enacts new GS 136-89.220 allowing the Turnpike Authority (Authority) to enter into agreements with other tolling jurisdictions, to enforce toll violations. Requires that the agreement provide that when another agency certifies that the owner of a vehicle registered in North Carolina has failed to pay a toll, fee, or penalty, then the toll, fee, or penalty may be enforced by the Authority placing a renewal block. Requires the following in order for the agreement to be enforceable: (1) the other agency has its own reciprocal procedure for violation enforcement and does reciprocate by withholding registration renewal for vehicle owners in that state, (2) the other agency provides due process and appeal for vehicle owners in North Carolina, (3) the owner of vehicles registered in North Carolina may present evidence to the other agency via mail instead of appearing personally, and (4) each party charges the other for their registration hold costs. Makes conforming changes.

Intro. by Frye, Mills.

GS 136

Transportation

H 1077. INCREASE DOT PUBLIC-PRIVATE PARTNERSHIPS. Filed 5/22/12. *TO INCREASE PUBLIC-PRIVATE PARTNERSHIPS FOR TOLLING AND OTHER FINANCING METHODS ON TRANSPORTATION INFRASTRUCTURE PROJECTS, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE.*

Amends GS 136-18(39), which concerns the Department of Transportation's (DOT) power to enter into public-private partnership agreements, to permit any such agreement to comply with certain conditions, including the provision of performance and payment security, the ability to assign rights, the power to set and revise tolls, and the use of unallocated revenues from transportation infrastructure. Also authorizes the DOT to exercise powers and duties under Article 6H (public toll roads and bridges) independently of the Turnpike Authority, and to contract with vendors to exercise such powers.

Intro. by Frye, Mills.

GS 136

Transportation

H 1078. PRIVACY OF TURNPIKE AUTHORITY TOLL DATA. Filed 5/22/12. *TO ENSURE THE PRIVACY OF TOLL DATA COLLECTED BY THE DEPARTMENT OF TRANSPORTATION THROUGH THE NORTH CAROLINA TURNPIKE AUTHORITY, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE.*

Amends GS 136-89.213 to require the Turnpike Authority (Authority) to keep all information related to electronic toll collection confidential. Allows an account holder to examine his own information and allows the Authority to use the account information in order to collect and enforce tolls. Also allows a party with a court order to examine confidential information.

Intro. by Frye, Mills.

GS 136

Transportation

H 1079. DOT DIVISION OF MOTOR VEHICLES LEG. REQUESTS. Filed 5/22/12. *TO AMEND STATUTES RELATED TO MOTORCYCLE LICENSES, TO ELIMINATE A REQUIREMENT TO LIST RACE ON DRIVERS LICENSES, AND TO DELAY THE IMPLEMENTATION OF TWO CHANGES TO DRIVERS LICENSES PENDING AN INFORMATION TECHNOLOGY SYSTEM UPGRADE, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE.*

Amends GS 20-7 to modify the requirements for a motorcycle endorsement, currently differentiated by age, and instead requires all persons to (1) pass a knowledge (was, written or oral) test on motorcycles and (2) pass a road test or provide proof of successful completion of a specified safety course. Removes the Motorcycle Safety Foundation Basic Rider Course or Experienced Rider Course from the list of safety courses. Makes conforming changes to the provision governing motorcycle learner's permits. Amends GS 20-7(n) (driver's license format) to remove requirement that license include applicant's race. Effective July 1, 2012.

Amends SL 2011-35 (requirement to include military veteran status on licenses) and SL 2011-228 (requirement that commercial license and hazardous materials endorsement expire at the same time) to delay the effective date for those requirements until the later of (1) January 1, 2013, or (2) the first day of the month 30 days after the Commissioner of Motor Vehicles certifies that the Division of Motor Vehicles completed the implementation of the Next Generation Secure Driver License System.

Intro. by Frye, Mills.

GS 20

Transportation

H 1080. UPDATE CH. 136 WITH TERM "CHIEF ENGINEER". Filed 5/22/12. *TO UPDATE CHAPTER 136 OF THE GENERAL STATUTES WITH THE TERM "CHIEF ENGINEER," WHICH REPLACES THE TERM "STATE*

HIGHWAY ADMINISTRATOR," AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE.

As title indicates.

Intro. by Frye, Mills.

GS 136

Transportation

H 1081. PROVISIONAL LICENSURE CHANGES MEDICAID (=S 832). Filed 5/22/12. RELATING TO CHANGES PERTAINING TO LICENSED CLINICAL SOCIAL WORKERS, CLINICAL ADDICTION SPECIALISTS, AND PSYCHOLOGISTS, AS RECOMMENDED BY THE JOINT OVERSIGHT COMMITTEE ON HEALTH AND HUMAN SERVICES.

Identical to S 832, filed 5/21/12.

Intro. by Burr, Dollar.

GS 90, 90B

Health, Social Services, and Aging

H 1083. FUNDS TO IMPROVE BIRTH OUTCOMES. Filed 5/23/12. APPROPRIATING FUNDS TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF PUBLIC HEALTH, TO CONTINUE FUNDING FOR THE HIGH-RISK MATERNITY CLINIC AT THE EAST CAROLINA UNIVERSITY SCHOOL OF MEDICINE.

Appropriates \$375,000 in recurring funds for 2012-13 from the General Fund to the Department of Health and Human Services, Division of Public Health, as title indicates. Effective July 1, 2012.

Intro. by Wainwright.

APPROP

Budget and Appropriations; Health, Social Services, and Aging

H 1084. HOAS/PLANNED COMMUNITY ACT AMENDS. Filed 5/23/12. TO: (1) REQUIRE ASSOCIATIONS TO RELEASE LIENS UPON PAYMENT IN FULL; (2) REQUIRE ALL ASSOCIATIONS TO CONDUCT FINANCIAL REVIEWS OR FINANCIAL AUDITS; (3) ALLOW USE OF ALTERNATIVE DISPUTE RESOLUTION FOR CONFLICTS ARISING UNDER THE PLANNED COMMUNITY ACT OR CONDOMINIUM ACT; AND (4) SIMPLIFY THE COLLECTION OF PROPERTY TAXES THAT ARE DUE ON PROPERTY OWNED BY CERTAIN NONPROFIT HOMEOWNERS' ASSOCIATIONS, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON HOMEOWNERS ASSOCIATIONS.

Planned Community Act and Condominium Act. Makes the following changes to GS Chapter 47F (Planned Community Act) and makes corresponding changes to GS Chapter 47C (Condominium Act). Enacts new GS 47F-3-116.1 to require an association that has filed a claim of lien for unpaid assessments to acknowledge satisfaction of the claim of lien within 30 days after the association receives full payment or performance of the debt. Makes an association liable for actual damages caused by the failure to acknowledge satisfaction of the claim of lien. Also makes the association liable for \$1,000 and reasonable attorneys' fees and court costs, provided (1) the lot owner notifies the association of full payment and demands the association acknowledge satisfaction with the clerk of superior court and (2) the association does not acknowledge satisfaction with the clerk within 30 days after receipt of notification from the lot owner. Amends GS 47F-3-118(a) to delete language allowing a more extensive review of association records upon a majority vote. Enacts new GS 47F-3-118A, requiring the board of directors to provide for an annual independent financial review of the association, or, in the alternative, for an annual independent financial audit if any specified condition is met. Amends GS 47F-3-108 to require meeting notices to also include notice of any material matter for which a vote will be taken. Repeals GS 47F-3-110 (concerning voting). Enacts new GS 47F-3-110A to set out the procedures for voting at a meeting, by absentee ballot, by proxy, or without a meeting. Enacts new GS 47F-3-120.1 to authorize parties to resolve disputes through any form of alternative dispute resolution, as detailed. Makes corresponding changes to GS Chapter 47C, the Condominium Act. Effective July 1, 2012.

Taxation. Enacts new subsection (a1) to GS 105-277.8 (taxation of nonprofit homeowners' association property) to provide that the value of real property owned by a nonprofit homeowners' association, which meets specified conditions, is subject to taxation in the jurisdiction in which the property is entirely contained, and only in the amount of the local tax of that jurisdiction. Makes conforming changes. Effective for taxes imposed for taxable years beginning on or after July 1, 2012.

Intro. by Jordan, Justice, R.

GS 47C, 47F, 105

Property, Land Use, and Housing; Taxation

Moore, Spear.

H 1085. STATE HEALTH PLAN/STATUTORY CHANGES. Filed 5/23/2012. FOR THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES, WHICH COVERS RETIREES WITHIN THE RETIREMENT SYSTEM, (1) AMEND THE DEFINITION OF "DEPENDENT CHILD" IN ORDER TO COMPLY WITH THE AFFORDABLE CARE ACT, (2) LIMIT ENROLLMENT WITHOUT A QUALIFYING EVENT TO THE ANNUAL

ENROLLMENT PERIOD, (3) REPEAL THE OPTIONAL PROGRAM OF LONG-TERM CARE BENEFITS, AND (4) MAKE A CLARIFYING CHANGE RELATED TO COINSURANCE.

Amends GS 135-48.1(9), defining "dependent child," as the title indicates.

Amends GS 135-48.41(g), 135-48.42, and 135-48.43 with regards to limiting health plan enrollment by eligible employees and eligible dependents to the annual enrollment period unless there is a qualifying event. Permits eligible employees to change their elections, including adding or removing dependents, during the Plan year only if there is a qualifying event as defined under federal law.

Repeals GS 135-48.5(c), subdivisions (a5) and (16) of GS 135-48.30, and Part 6 of Article 3B of GS Chapter 135 to remove the optional program of long-term care benefits. Makes conforming changes. Provides that any employee, retired employee, or dependent enrolled under long-term care at the time of the repeal of Part 6 of Article 3B of GS Chapter 136 (Part 6) is entitled to a nongroup plan of long-term care benefits. Authorizes the Executive Administrator and the Board of Trustees of the Plan to decide how the conversion rights are to be administered. Directs that any unencumbered administrative fees collected by the Plan under Part 6 be transferred to the Public Health Benefit Fund created under GS 135-48.5(a).

Amends GS 135-48.22(2) and 135-48.30(2) to make a clarifying change related to coinsurance as the title indicates.

Effective July 1, 2012.

Intro. by Dollar.

GS 135

Health, Social Services, and Aging

H 1089. STUDY ONLINE HIGHER EDUCATION. Filed 5/23/12. *TO ESTABLISH THE JOINT LEGISLATIVE STUDY COMMISSION ON ONLINE HIGHER EDUCATION.*

Creates a 13-member Commission as the title indicates. Provides for the appointment of members to the Commission. Directs the study to consider multiple issues relating to current online education classes, courses of study, and certificate and degree programs offered by the University of North Carolina's constituent institutions and by the state's community colleges. Requires that the Commission make a final report to the General Assembly no later than its 2013 convening. Provides that the Commission will terminate upon filing its final report or upon the convening of the 2013 General Assembly, whichever comes earlier.

Appropriates \$70,000 from the General Fund to the General Assembly for the 2012-13 fiscal year for the Commission's expenses.

Effective July 1, 2012.

Intro. by K. Alexander.

STUDY; APPROP

Education; Budget and Appropriations

H 1092. RESTORE FUNDING/SERVICES FOR WOMEN. Filed 5/23/12. *RESTORE FUNDING FOR BUDGET ITEMS IN THE DEPARTMENT OF PUBLIC SAFETY AND THE DEPARTMENT OF ADMINISTRATION, REVERSING BUDGET CUTS THAT ADVERSELY IMPACT PROGRAMS PROVIDING SERVICES TO WOMEN.*

Appropriates \$1,498,068 for 2012-13 from the General Fund to the Department of Public Safety. Restores funding to the following programs: (1) Women at Risk, (2) Summit House, and (3) Harriet's House.

Appropriates \$536,412 for 2012-13 from the General Fund to the Department of Administration. Restores full biennial funding to the following programs: (1) North Carolina Council for Women, (2) Displaced Homemakers Program, and (3) Rape Crisis Program.

Effective July 1, 2012.

Intro. by Insko.

APPROP

Budget and Appropriations

H 1093. AGRICULTURAL REGULATORY REFORM. Filed 5/23/12. *TO PROVIDE REGULATORY RELIEF FOR FARMERS BY DESIGNATING THAT AN ADDITIONAL REPRESENTATIVE OF AGRICULTURE SHALL BE INCLUDED AMONG THE GENERAL ASSEMBLY'S APPOINTMENTS TO THE ENVIRONMENTAL MANAGEMENT COMMISSION; BY REQUIRING THAT NOTICE BE GIVEN TO THE BOARD OF AGRICULTURE WHEN ANY PROPOSED RULE WOULD DIRECTLY AFFECT AGRICULTURE; AND BY CLARIFYING THAT THE POWER TO ISSUE CIVIL PENALTIES CONFERRED BY STATUTE ON THE COMMISSIONER, BOARD OF AGRICULTURE, PESTICIDE BOARD OR STRUCTURAL PEST CONTROL COMMITTEE INCLUDES THE POWER FOR THOSE BODIES TO DETERMINE THAT NON-MONETARY SANCTIONS, EDUCATION, OR TRAINING ARE SUFFICIENT TO ADDRESS A VIOLATION OF RULE OR STATUTE AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON AGRICULTURAL REGULATIONS.*

Amends GS 143B-283(d) (Environmental Management Commission membership) to provide for a Commission member with agriculture experience, as title indicates.

Enacts new subsection (a1) to GS 150B-21.2 (procedure to adopt a permanent rule), requiring an agency to provide notice, as indicated, to the Board of Agriculture (Board) if a proposed rule would have a direct impact on agriculture.

Enacts new GS 106-22.6, permitting the Commissioner of Agriculture, the pesticide Board, the Structural Pest Control Committee, or the Board to impose a non-monetary, educational, or training condition instead of a monetary penalty, upon the violation of a specified GS Chapter.

Intro. by Bradley, Dixon. GS 106, 143B, 150B Agriculture, Environment, and Natural Resources

H 1094. CONTINUE LOCAL FOOD ADVISORY COUNCIL. Filed 5/23/12. *TO RENAME THE NORTH CAROLINA SUSTAINABLE LOCAL FOOD ADVISORY COUNCIL AS THE NORTH CAROLINA LOCAL FOOD ADVISORY COUNCIL AND TO EXTEND THE SUNSET ON THE LAW ESTABLISHING THE COUNCIL, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON AGRICULTURAL REGULATIONS.*

Amends Article 70 of GS Chapter 106 as title indicates. Extends the sunset on the law creating the Council from July 31, 2012 to July 31, 2017. Makes conforming changes.

Intro. by Bradley, Dixon. GS 106 Agriculture, Environment, and Natural Resources

H 1095. SMALL FARM PROFITABILITY/EGG SALES. Filed 5/23/12. *TO INCREASE SMALL FARM PROFITABILITY BY INCREASING THE EXEMPTION FOR SALES OF UNGRADED EGGS AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON AGRICULTURAL REGULATIONS.*

Amends GS 106-245.15 (grade and class labeling requirements) to increase the exemption allowed for the sale of ungraded eggs from 30 dozen to 150 dozen per week.

Intro. by Bradley, Dixon. GS 106 Agriculture, Environment, and Natural Resources

H 1096. SIMPLIFY SCHOOL BEVERAGE CONTRACT BIDS. Filed 5/23/12. *TO SAVE MONEY BY REMOVING LOCAL SCHOOL ADMINISTRATIVE UNITS FROM THE SEPARATE BID REQUIREMENTS FOR JUICE AND WATER, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON CHILDHOOD OBESITY.*

Amends GS 143-64 as the title indicates.

Intro. by Sanderson, LaRoque. GS 143 Education; Health, Social Services, and Aging

H 1097. FUND CHILD NUTRITION SALARY & BENEFIT COST INC. Filed 5/23/12. *TO APPROPRIATE FUNDS TO THE DEPARTMENT OF PUBLIC INSTRUCTION TO OFFSET THE COST OF SALARY AND BENEFIT INCREASES REQUIRED BY THE STATE FOR CHILD NUTRITION PERSONNEL IN LOCAL SCHOOL ADMINISTRATIVE UNITS, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON CHILDHOOD OBESITY.*

Appropriates funds in an unspecified amount for 2012-13 from the General Fund to the Department of Public Instruction as the title indicates. Effective July 1, 2012.

Intro. by Sanderson, LaRoque. APPROP Budget and Appropriations; Education

H 1098. CONTINUE THE SUSTAINABLE LOCAL FOOD ADVISORY. Filed 5/23/12. *TO CONTINUE THE WORK OF THE SUSTAINABLE LOCAL FOOD ADVISORY COUNCIL, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON CHILDHOOD OBESITY.*

SL 2009-530 added a new Article 70 to GS Chapter 106 that established the North Carolina Sustainable Local Food Advisory Council. Extends the expiration date of Article 70, GS Chapter 106, to July 31, 2015 (was, July 31, 2012).

Intro. by Sanderson, LaRoque. GS 106 Agriculture, Environment, and Natural Resources; Health, Social Services, and Aging

H 1099. SUPPORT PROCUREMENT & FARM TO SCHOOL/FUNDS. Filed 5/23/12. *TO REDUCE CHILD NUTRITION PROGRAM FOOD COSTS BY ENCOURAGING PARTICIPATION IN THE NORTH CAROLINA PROCUREMENT ALLIANCE AND BY APPROPRIATING FUNDS FOR ADMINISTRATIVE SUPPORT FOR THE PROCUREMENT ALLIANCE; AND TO ENCOURAGE USE OF THE FARM TO SCHOOL PROGRAM AND APPROPRIATE FUNDS FOR CHILD NUTRITION PROGRAM EQUIPMENT TO ENCOURAGE PREPARATION*

AND CONSUMPTION OF LOCALLY GROWN FRUITS AND VEGETABLES, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON CHILDHOOD OBESITY.

Directs the State Board of Education (SBE) and the Department of Public Instruction (DPI) to work collaboratively with local boards of education and school administrative units to reduce the food costs for the Child Nutrition Program as the title indicates. Requires the SBE and DPI to report on their progress in reducing food costs to the Joint Legislative Education Oversight Committee on or before November 1, 2013.

Appropriates \$80,000 for 2012-13 from the General Fund to DPI to provide administrative support to the NC Procurement Alliance.

Appropriates \$575,000 for 2012-13 from the General Fund to DPI to be used to provide \$5,000 to each local school administrative unit for the purchase of food preparation equipment that would encourage the purchase of locally grown fresh fruits and vegetables for consumption by school children.

Effective July 1, 2012.

Intro. by Sanderson, LaRoque. APPROP Education; Budget and Appropriations; Health, Social Services, and Aging

H 1100. FUNDS FOR NC FOOD BANKS. Filed 5/23/12. *TO APPROPRIATE FUNDS FOR NORTH CAROLINA FOOD BANKS.*

Appropriates \$3,773,001 for 2012-13 from the General Fund or from any available federal Block Grant funds to the Department of Health and Human Services to provide additional funding for the North Carolina food banks. Effective July 1, 2012.

Intro. by Earle. APPROP Budget and Appropriations

H 1101. FUNDS/CHILDREN'S ADVOCACY CENTERS. Filed 5/23/12. *APPROPRIATE FUNDS FOR CHILDREN'S ADVOCACY CENTERS.*

Appropriates \$375,000 for 2011-12 from the General Fund or from any available federal Block Grant funds to the Department of Health and Human Services to be allocated equally among the 22 fully certified child advocacy centers in the state. Effective July 1, 2012.

Intro. by Earle. APPROP Budget and Appropriations

H 1102. FUNDS/ONE NC SMALL BUSINESS ACCOUNT. Filed 5/23/12. *APPROPRIATE FUNDS TO THE ONE NORTH CAROLINA SMALL BUSINESS ACCOUNT.*

Appropriates \$2 million for 2012-13 from the General Fund to the One North Carolina Small Business Account created in the One North Carolina Fund under GS 143B-437.71. Directs that the funds are to be used for the North Carolina SBIR/STTR Incentive Program and the SBIR/STTR Matching Funds Program. Effective July 1, 2012.

Intro. by Wilkins. APPROP Budget and Appropriations

H 1103. APPROP: NC INDIAN ECONO. DEV. INITIATIVE. Filed 5/23/12. *TO APPROPRIATE FUNDS FOR THE NORTH CAROLINA INDIAN ECONOMIC DEVELOPMENT INITIATIVE.*

Appropriates \$150,000 for 2012-13 from the General Fund to the Department of Commerce for the NC Indian Economic Development Initiative to advocate and facilitate economic development in NC's American Indian communities, as detailed. Effective July 1, 2012.

Intro. by Wilkins, Graham, Wray. APPROP Budget and Appropriations

H 1104. SCHOLARSHIP FUNDING CORPORATE TAX CREDIT. Filed 5/23/12. *CREATE A TAX CREDIT FOR CORPORATIONS MAKING DONATIONS TO FUND EDUCATION SCHOLARSHIPS.*

Adds new Article 31, *Equal Opportunity Scholarship Tax Credit*, to GS Chapter 105.

Defines a scholarship-funding organization as an organization certified by the Division of Nonpublic Education of the Department of Administration under proposed GS 115C-562.2.

Prescribes the criteria to be met under which a taxpayer corporation may qualify for a tax credit for making a monetary donation to a non-profit scholarship-funding organization. Sets out the formula for calculating the taxpayer's tax credit based on the amount of the taxpayer's monetary donation to a scholarship-funding organization. Requires the taxpayer to substantiate a donation to a scholarship-fund with written certification of the donation obtained from the Secretary of Revenue. Sets caps on the total allowable tax credits under proposed Article 31. Prohibits a taxpayer claiming a credit under this section from deducting the donation under any other provision of GS Chapter 105 so as to receive a double benefit. Effective for taxable years beginning on or after January 1, 2012 and applies to donations made after July 1, 2012.

Amends Article 39 of GS Chapter 115C, adding a new Part 2A, *Scholarship-Funding Organizations*. Includes the definitions of terms as they apply in this Part. Defines a *scholarship-funding organization* as a NC charitable organization certified by the Division of Nonpublic Education, Department of Administration (Division) for eligibility to receive donations. Defines an eligible student as one that has not yet received a high school diploma and (1) was a full time public school student the previous semester; (2) received a scholarship from an eligible funding organization; or (3) is entering kindergarten or first grade. Student must also belong to a household with an income not exceeding 225% of the federal poverty level. Requires a North Carolina charitable organization to apply annually to the Division for certification as a scholarship-funding organization. Provides criteria the Division is to use to determine an organization's eligibility for certification as an eligible scholarship-funding organization. Specifies information that a scholarship-funding organization must submit to the Division. Limits scholarships to \$4,000 per year, per student. Delineates the obligations of nonpublic schools that receive scholarship funds.

Requires the nonpublic school scholarship-funding organization to remit at minimum twice each school year a scholarship payment certificate to the nonpublic school to be endorsed by at least one of the attending student's parents or guardians. Includes Division reporting requirements. Includes requirement that the Division report to the Department of Public Instruction (DPI) each year no later than August 1, how many students have received scholarships through a scholarship-funding organization that previously attended a local school administrative unit or a charter school. Directs DPI to decrease the local per pupil allocation to public schools, including charter schools based on the number of students receiving scholarships who attended public schools the previous semester and who are currently enrolled in on public schools. Also requires the Division to report annually, no later than October 1, to DPI and the Joint Legislative Oversight Committee on the learning gains of students receiving donation scholarships; makes the first report due October 1, 2014. Provides guidelines for conducting the evaluation for the report.

Includes additional specifications and deadlines regarding certifications and applications that are the responsibility of the Division.

Intro. by Stam, Brisson, Hager, Brandon. GS 105, 115C

Education; Business and Commerce; Taxation

H 1105. [ELECTROLYSIS PRACTICE ACT CHANGES/FEEs](#). Filed 5/23/12. *AMENDING THE ELECTROLYSIS PRACTICE ACT TO AUTHORIZE THE BOARD OF ELECTROLYSIS EXAMINERS TO HOLD AND USE FUNDS, TO CLARIFY CONTINUING EDUCATION REQUIREMENTS, AND TO AFFECT CERTAIN FEES.*

Amends GS Chapter 88A, the Electrolysis Practice Act, as follows: (1) repeals GS 88A-7 which made funds collected by the North Carolina Board of Electrolysis Examiners [the Board] subject to the Executive Budget Act and oversight by the State Auditor; (2) amends GS 88A-8 to authorize the Board to directly control expenditures of funds held by the Board and to require the Board treasurer or executive director to deposit Board funds in an insured financial institution; (3) amends GS 88A-9 to establish a \$100 reexamination fee and a \$25 returned check fee; (4) amends GS 88A-11.1 to authorize the Board to waive the laser hair practitioner certification course requirement upon documentation of laser hair removal experience before October 1, 2007; (5) amends GS 88A-13 to authorize the Board to approve all continuing education requirements and changes the annual continuing education requirement from a minimum of 10 hours to a maximum of 10 hours; (6) amends GS 88A-17.1 to provide that serving as a qualified instructor may satisfy practice requirement for licensure; and (7) makes other technical and conforming changes. Effective October 1, 2012.

Intro. by Justice. GS 88A

Employment and Retirement

H 1111. [RESTORE MILITARY MORALE & WELFARE FUND](#). Filed 5/23/12. *TO RESTORE FUNDING TO THE MILITARY MORALE AND WELFARE FUND.*

Appropriates \$500,000 for 2012-13 from the General Fund to the Office of State Budget and Management as title indicates. Effective July 1, 2012.

Intro. by Floyd, Lucas, Glazier. APPROP

Budget and Appropriations; Military and Veterans Affairs

H 1112. [ARTS EDUCATION AS A GRADUATION REQUIREMENT \(=S 874\)](#). Filed 5/23/12. *DIRECTING THE STATE BOARD OF EDUCATION TO REQUIRE ONE ARTS EDUCATION CREDIT FOR GRADUATION FROM HIGH SCHOOL, AS RECOMMENDED BY THE ARTS EDUCATION COMMISSION.*

Identical to S 874, filed 5/22/12.

Intro. by Carney.

UNCODIFIED

Education

H 1113. IMPLEMENTATION OF COMPREHENSIVE ARTS EDUC. Filed 5/23/12. *DIRECTING LOCAL SCHOOL ADMINISTRATIVE UNITS TO IMPLEMENT A COMPREHENSIVE ARTS EDUCATION PLAN, AS RECOMMENDED BY THE ARTS EDUCATION COMMISSION.*

As title indicates. Sets out reporting requirements for the local school administrative units and the Department of Public Instruction.

Intro. by Carney, Johnson.

UNCODIFIED

Education

H 1114. NCEMPA/USE OF RATE REVENUE (=S 867). Filed 5/23/12. *PROVIDING THAT THE CITIES AND TOWNS THAT ARE MEMBERS OF THE NORTH CAROLINA EASTERN MUNICIPAL POWER AGENCY SHALL USE REVENUE DERIVED FROM RATES FOR ELECTRIC SERVICE FOR PAYING THE DIRECT AND INDIRECT COSTS OF OPERATING THE ELECTRIC SYSTEM, TRANSFERRING AMOUNTS THAT REPRESENT A RATE OF RETURN ON THE INVESTMENT IN THE ELECTRIC SYSTEM, AND MAKING DEBT SERVICE PAYMENTS.*

Identical to S 867, filed 5/22/12.

Intro. by Brawley.

UNCODIFIED

Energy and Utilities

H 1116. SMALL BUSINESS JOBS CREDIT. Filed 5/23/12. *TO PROVIDE A TAX CREDIT FOR SMALL BUSINESSES THAT CREATE JOBS.*

Enacts new GS 105-129.16K to allow an eligible business a tax credit for each new eligible job created and filled by a qualified employee, equal to 6.2% of the employee's wages. Requires the person to hold the new job for at least 12 months. Caps the credit allowed per job at \$5,000 and caps the total credits allowed to a taxpayer under the statute at \$200,000. Defines *eligible business* as one (1) with 500 or fewer full-time employees at the beginning of the tax year, and (2) who employed five or more full-time employees on December 31, 2011. Defines *eligible new job* as a job that pays at least \$20,000. Defines *qualified employee* as one that is (1) unemployed or employed for less than 40 hours for the 180 days prior to employment; or (2) was in military service in a combat zone after September 11, 2001, and was discharged or released from duty during the 5 years before employment. Defines *new job* and *qualified employee* and several other terms. Details a business's eligibility for the credit following a change in ownership, and states that the acquisition of a business creates new eligibility in the acquiring taxpayer, as detailed. Makes conforming changes to GS 105-129.17(a). Effective for tax years beginning on or after January 1, 2013.

Intro. by Wray.

GS 105

Business and Commerce; Taxation

H 1117. ENHANCE R&D TAX CREDIT FOR SMALL BUSINESSES. Filed 5/23/12. *TO ENHANCE THE TECHNOLOGY DEVELOPMENT TAX CREDITS FOR SMALL BUSINESSES.*

Amends the definition for *small business* in GS 105-129.50(10) to include businesses with annual receipts up to \$2.5 million (was, up to \$1 million). Amends GS 105-129.55(a) to increase the tax credit allowed to small businesses to 5% (was, 3.25%) and the tax credit allowed for university research to 25% (was, 20%). Effective for tax years beginning on or after January 1, 2013.

Intro. by Wray.

GS 105

Business and Commerce; Taxation

H 1118. SMALL BUSINESS START-UP TAX RELIEF. Filed 5/23/12. *PROVIDE TAX RELIEF FOR SMALL START-UP BUSINESS.*

Adds new subdivision (23) to GS 105-134.6(b) to expand taxpayer deductions in calculating North Carolina taxable income for qualified businesses.

Recodifies GS 105-163.013 as 105-163.010A and GS 105-163.015 as 105-163.010B. Makes conforming changes to GS 105-163.010 (Definitions).

Amends the title for Part 5 of Article 4 of GS Chapter 105 (Part 5) to read, *Tax Incentives (was, Credits) for Qualified Business Investments.*

Amends the list of requirements in GS 105-163.010A(b) that a business must meet to be a qualified business venture to require that the business cannot have been formed for the primary purpose of acquiring any ownership interest of an existing business. Also amends the requirements for qualifying as a qualified grantee business. Provides that no credit or *exclusion of gain* is allowed for an investment made before the effective date of the registration as a qualified business venture or as a qualified grantee business or after either registration is revoked. Provides that application forms must be signed by the owners, a manager, or an executive officer of the business (was, for a corporation, the president, vice president, or secretary).

Extends the sunset date for Part 5 to January 1, 2016 (was, January 1, 2013). Amends GS 105-163.012 to increase the amount of total tax credits allowed under GS 105-163.011 for investments in a single calendar to be no more than \$10 million (was, \$7.5 million).

Enacts new GS 105-163.020 providing criteria for when an exclusion of gain from the sale of qualified securities is allowed to the taxpayer. Includes criteria relevant to pass-through entities, the recapture of credit, and qualified securities. Sets out requirements for qualified securities, including that it was originally issued by the business on or after January 1, 2012. Also provides rules regarding limitations as to contributions and exchanges of property, and transactions that substantially reduce the risk of loss.

Effective for taxable years beginning on or after January 1, 2012.

Intro. by Wray. GS 105 Business and Commerce; Taxation

H 1119. LEAS REQUIRED TO ENHANCE ARTS EDUCATION. Filed 5/23/12. *DIRECTING LOCAL SCHOOL ADMINISTRATIVE UNITS AND PUBLIC SCHOOLS IN NORTH CAROLINA TO ENHANCE THEIR ARTS EDUCATION PROGRAMS, AS RECOMMENDED BY THE ARTS EDUCATION COMMISSION.*

As title indicates. Sets out reporting requirements for local school administrative units and the State Board of Education.

Intro. by Johnson, Carney. UNCODIFIED Education

H 1120. FUNDS FOR MEDICALLY UNDERSERVED PATIENTS. Filed 5/23/12. *APPROPRIATING FUNDS TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO PROVIDE SERVICES FOR MEDICALLY UNDERSERVED AND INDIGENT PATIENTS.*

Appropriates \$1.5 million for 2012-13 from the General Fund to the Department of Health and Human Services, Division of Public Health, for community health centers. Also appropriates \$350,000 for 2012-13 from the General Fund to the Department of Health and Human Services, Division of Public Health, for the ECU School of Medicine to continue to operate a high-risk maternity clinic to serve eastern North Carolina. Effective July 1, 2012.

Intro. by Gill, Insko, Earle, Farmer-Butterfield. APPROP Budget and Appropriations

SENATE BILLS

S 851. BOARDS & COMMISSIONS EFFICIENCY ACT OF 2012. Filed 5/21/12. *TO IMPROVE THE EFFICIENCY OF STATE GOVERNMENT BY ABOLISHING CERTAIN STATE BOARDS, COMMISSIONS, AND COMMITTEES, REORGANIZING THE MEMBERSHIP OF SOME STATE BOARDS, COMMISSIONS, AND COMMITTEES, AND MAKING CONFORMING CHANGES, AS RECOMMENDED BY THE JOINT REGULATORY REFORM COMMITTEE.*

PART 1. Elimination of Certain State Boards and Commissions

Includes a statement of legislative intent and findings regarding the need to eliminate and diminish membership of certain boards and commissions in order to promote efficiency and eliminate financial waste.

Eliminates the Governor's Advisory Council on Aging (Council). Repeals the following provisions of GS Chapter 143B having to do with the creation and operation of the Council: Part 14 of Article 3 of GS Chapter 143B, 143B-138.1(b)(2), 143B-180, and 143B-181.

Eliminates the NC Agricultural Hall of Fame Board of Directors (Hall of Fame Board). Repeals GS 106-568.14 (creating the Hall of Fame Board) and 106-568.15 (regarding membership terms). Amends GS 106-568.16 and GS 105-568.17 to delegate the responsibilities and functions of the Hall of Fame Board to the Board of Agriculture.

Repeals Article 19 of GS Chapter 120 and GS 120-150 through 120-54 to eliminate the Agriculture and Forestry Awareness Study Commission. Makes a conforming change repealing GS 143-318.14A(a)(15).

Repeals Part 13 of Article 2, GS Chapter 143B, to eliminate America's Four Hundredth Anniversary Commission. Makes a conforming change to GS 143B-53 and repeals GS 143B-51(b)(15).

Eliminates the Commission of Anatomy. Repeals Part 1 of Article 1B of GS Chapter 130A except for GS 130A-33.32 (Commission of Anatomy-Reference to former Board of Anatomy in testamentary disposition). Recodifies GS 130A-33.32 as GS 130A-33.1 and replaces references to the Commission of Anatomy with Commission for Public Health. Amends GS 130A-29 to direct the Department of Public Health to adopt rules regarding the distribution of human bodies and parts in order to promote the study of anatomy in North Carolina. Makes conforming changes to GS 130A-398, 130A-412.13, 130A-415, 130A-416, 130A-418, and 143B-138.1.

Amends GS Chapter 94 (Apprenticeship) to eliminate the NC Apprenticeship Council. Makes conforming changes to GS 94-3, 94-5, and 94-6, authorizing the Commissioner of Labor to assume responsibilities previously delegated to the Apprenticeship Council. Also makes a conforming change to GS 94-7 and repeals GS 143A-71.

Repeals GS 105-275(41), which designated objects of art held by the North Carolina State Art Society, Inc., as among the special classes of property excluded from tax. Makes the provisions of subsection (d) of GS 135-27 regarding permitting certain associations, upon meeting specified requirements, to elect to become members of the Teachers' and State Employees' Retirement System, inapplicable to the North Carolina State Art Society (Art Society). Repeals Article 3 of GS Chapter 140 regarding the operations of the Art Society and makes conforming changes to GS 143B-51(b)(7), Part 15 of Article 2 of GS Chapter 143B and GS 143B-53. Effective October 1, 2012.

Repeals GS 113-291.10 to eliminate the Beaver Damage Control Advisory Board.

Eliminates the Consumer and Advocacy Advisory Committee for the Blind, repealing Part 9 of GS Chapter 143B, GS 143B-163, 143B-164, and 143B-131.1(b)(5). Amends GS 143B-157 (Commission for the Blind - creation, powers, and duties) to direct the Commission for the Blind to make a continuing study of the needs and range of problems for the blind and advise a variety of state entities including schools, boards, and commissions on the needs of visually impaired persons in the state or those who will become visually impaired.

Repeals Sections 3 and 4 of SL 2003-404, thereby eliminating the Blount Street Historic District Oversight Committee.

Repeals Part 33 of Article 3 of GS Chapter 143B to eliminate the North Carolina Brain Injury Advisory Council.

Repeals Part 3 of Article 9 of GS Chapter 143B, thereby eliminating the NC Capital Planning Commission.

Amends GS 90-171.71 abolishing the policy setting board for the governing of the NC Center for Nursing (Center). Directs the University of North Carolina to administer the Center. Makes conforming change to GS 126-5.

Eliminates the NC Child Fatality Task Force (Task Force). Repeals GS 7B-1402 (creation), 7B-1403 (duties), and 7B-1412 (reporting requirements). Makes conforming changes to GS 7B-1401 and 7B-1404. Amends GS 7B-1405 to redirect the NC Child Fatality Prevention Team to report to the Department of Health and Human Services on its activities and recommendations (was, report to the Task Force). Makes additional conforming changes to GS Chapter 7B. Effective June 30, 2013.

Abolishes the NC Community Development Council, repealing Part 2A of Article 10 of GS Chapter 143B. Makes conforming changes repealing GS 143B-432(c)(1) and 143B-433(2)b.

Repeals GS 58-33-135, thereby eliminating the Continuing Education Advisory Committee.

Repeals GS 143B-715, which specified the duties and membership of the NC Board of Correction. Makes a conforming change removing reference to the Board of Correction from GS 143B-711.

Abolishes the NC Courts Commission by repealing GS 7A-506 through GS 7A-510. Makes a conforming change to GS 15A-266.5.

Eliminates the Governor's Crime Commission, repealing GS 143B-1100 through GS 143B-1103. Makes conforming changes to GS 143A-244, 143B-600, 143B-602, 15A-1336, and 164-42.1(a).

Repeals GS 115C-64.6 through GS 115C-64.9, abolishing the Committee on Dropout Prevention.

Repeals GS 143-355.1, thereby eliminating the Drought Management Advisory Council. Amends GS 143-355.2 to make conforming changes.

Eliminates the Edenton Historical Commission, repealing GS 143B-95 through GS 143B-98.

Directs the Secretary of State to abolish the Advisory Council on Electronic Notary Standards no later than 30 days after the date this act becomes effective.

Amends GS 47-16.5 to abolish the Electronic Recording Council. Makes a conforming change.

Amends GS 96-4 to abolish the Employment Security Advisory Council. Makes a conforming change.

Eliminates the North Carolina Farmworkers Council, repealing GS 143B-426.25 and 143B-426.26.

Abolishes the Justus-Warren Heart Disease and Stroke Prevention Task Force, repealing GS 143B-216.60.

Repeals GS 122E-4 to eliminate the North Carolina Housing Partnership (Partnership). Makes conforming changes to GS 122E-2, 122E-5, and 120-123(34b). Also amends GS 122E-6, 122E-7, and 122E-8 to assign functions of the Partnership to the North Carolina Housing Finance Agency (Agency). Amends GS 122A-5 to provide that the Agency's authority includes the power to promote development of a low-income housing plan for the state and to obtain necessary housing information from other state agencies.

Eliminates the Committee on Inaugural Ceremonies, repealing GS 143-532 through GS 143-539.

Abolishes the Interagency Coordinating Council of Children from Birth to Five with Disabilities and Their Families. Repeals GS 143B-179.5 and GS 143B-179.6. Makes conforming changes to GS 143B-139.6A.

Eliminates the Governor's Management Council, repealing GS 143B-426.22.

Dissolves the Legislative Commission on Methamphetamine Abuse (Commission), repealing GS 120-226. Amends GS 90-113.64 and 114-19.01 directing that required reports from the State Bureau of Investigation be submitted to the Joint Legislative Oversight Committee on Justice and Public Safety in lieu of the dissolved Commission.

Abolishes the Mine Safety and Health Advisory Council, repealing GS 74-24.2(2) and GS 74-24.6.

Dissolves the Motor Vehicle Dealer's Advisory Board, repealing GS 20-305.4. Makes conforming changes to GS 20-305.5.

Repeals GS 153B-4, eliminating the Mountain Area Resources Technical Advisory Council. Repeals GS 153B-1 through GS 153B-3, eliminating the Mountain Resources Commission.

Amends GS 143B-426.9 to eliminate the Board of Public Telecommunications Commissioners (Board). Makes conforming changes to GS 143B-426.8 and 143B-426.11. Repeals GS 120-123(4) to delete a reference to the dissolved Board.

Abolishes the Board of Directors Certification Entity for Phase II Settlement Fund Certification Board, established under SL 1999-333.

Dissolves the NC Small Business Contractor Authority (Authority). Repeals GS 143B-472.102. Amends GS 143B-472.10 to delete the definition for the Authority and to add that Department refers to the Department of Commerce. Amends GS 143B-472.103, 143B-472.104, and 143B-472.105 to designate responsibilities of the Authority to the Department.

Abolishes the NC Sustainable Communities Task Force, repealing GS 143B-344.34 through 143-344.38. Makes a conforming change repealing GS 120-123(79).

Eliminates the NC Sustainable Local Food Advisory Council, repealing GS 106-830 through 106-833.

Repeals GS 120-275 through 120-279, abolishing the Joint Legislative Commission on the Department of Transportation Disadvantaged Minority-Owned and Women-Owned Business Program.

Repeals GS 143B-434.1 dissolving the NC Travel and Tourism Board. Makes a conforming change repealing GS 143B-434(a)(4).

Declares that the following boards, committees, and commissions have met statutory requirements and are no longer authorized to operate in any capacity: (1) Legislative Task Force on Childhood Obesity, (2) Commission to Study the Governance and Adequacy of the Investment Authority of Various State-Owned Funds for the Purposes of Enhancing the Return on Investments, (3) "More at Four" Pre-K Task Force, (4) National Heritage Area Designation Commission, (5) Pilot Accreditation Advisory Board; (6) Public Funding Council of State Elections Commission, and (7) Legislative Commission on Global Climate Change. Effective June 30, 2012.

PART II. Reorganization of Various Boards and Commissions

Subpart A. Advisory Boards

Amends GS 115C-296.6 to make the following changes to the Board of Trustees (Board) for the NC Center for the Advancement of Teaching (NCCAT): (1) designates the State Superintendent of Public Instruction or the Superintendent's designee to serve on the Board *ex officio* (was, the Chairman of the State Board and the Superintendent or their designees), (2) one member (was, two) appointed on the recommendation of the President Pro Tempore of the Senate, and (3) one member (was, two) appointed upon the recommendation of the Speaker of the House of Representatives.

Amends GS 143B-88 to reduce the membership of the North Carolina Arts Council (Council) to 12 members (was, 24) appointed by the Governor. Staggers the term expiration dates for the initial members of the Council. Authorizes the Council to designate a member to be chair (was, chair designated by the Governor).

Amends GS 113A-105 to reduce the members of the Coastal Resources Advisory Council to 24 members (was, 45). Makes adjustments to the designation or appointment of members.

Amends GS 143B-216.32 to reduce the members of the Council for the Deaf and the Hard of Hearing to 19 (was, 28) members appointed by the Governor. Designates that one appointee must be a deaf education teacher (was, an educator who trains deaf education teacher) and one appointment must be a licensed doctor with a primary specialty in providing treatment to deaf or hard of hearing patients. Makes additional changes to the appointment requirements and provides that all members are to serve a four year term. Provides that the Council is to designate the chair (was, designated by the Secretary of the Department of Health and Human Services).

Amends GS 143B-179 to reduce the membership of the Council on Developmental Disabilities to 18 (was, 32). Also amends the criteria for the appointment of members.

Amends GS 143B-434 to reduce the Economic Development Board (EDB) to 21 members (was, 39). Provides that all terms are to be for four years. Makes additional changes regarding beginning dates for terms and appointments to the EDB.

Amends GS 114-51 to reduce the members of the North Carolina Financial Literacy Council to nine (was, 18). Deletes requirement for at least one member from the Department of Commerce, the Department of Justice, and the Department of Labor. Makes additional changes to membership requirements.

Amends GS 143A-66.2 to change the membership of the North Carolina Forestry Council to 12 members (was, 18). Authorizes the Forestry Council to select a member as chair (was, the Governor designated the chair). Amends the criteria for the appointment of members.

Amends GS 143-726, reducing the members of the NC Geographic Information Coordinating Council to 20 (was, 35). Makes additional changes to the composition of the members of the Coordinating Council. Provides that the Governor is to appoint a chair from the membership of the Council to serve for a one-year term. Directs the Office of Geospatial and Technology Management, Division of Emergency Management, and the Department of Public Safety to provide staff support as needed. Expands on the report recipients.

Amends GS 143B-63. Reduces the members of the NC Historical Commission to seven (was, 11). Makes adjustments to the requirements for membership on the Historical Commission.

Amends GS 143A-48.1, reducing the members of the NC Council on the Holocaust to 12 (was, 24). Makes adjustments to the number of appointments made by the Governor, the Speaker of the House of Representatives, and the President Pro Tempore of the Senate.

Amends GS 122A-5.11 to reduce the members of the NC Housing Coordination and Policy Council to nine (was, 15).

Amends GS 143B-392 to provide that the NC Human Relations Commission (HRC) consists of 11 members (was, 22). Authorizes the members of the HRC to appoint the chair (was, the Governor appointed the chair). Amends the criteria for the appointment of members and for setting members' term lengths.

Amends GS 115C-210.1 to reduce the members of the State Advisory Council on Indian Education to 11 (was, 15). Reduces the number of Indian parents on the Advisory Council to four (was, eight).

Amends GS 143B-418 to provide that the NC Internship Council consists of 13 members (was, 17). Amends GS 143B-91 to provide that the State Library Commission consists of 11 members (was, 15). Amends GS 130A-34.1 reducing the members of the Local Health Department Accreditation Board to nine (was, 17). Makes adjustments to the number of appointments by each appointing authority.

Amends GS 143B-289.57 (establishes the Marine Fisheries Commission Advisory Committee) to combine the Crustacean Committee and the Shellfish Committee into a single Shellfish/Crustacean Advisory Committee. Directs the Marine Fisheries Advisory Commission Chair to appoint a Northern Advisory Committee and a Southern Advisory Committee and specifies the geographic areas that each Committee is to encompass (was, appoint a regional advisory committee for three designated coastal areas and an advisory committee for the part of the state not included in the three coastal regions). Directs the Chair of the Marine Fisheries Advisory Commission to appoint no more than 11 members to the Northern Advisory Committee and the Southern Advisory Committee.

Under current law, the NC Advisory Commission on Military Affairs consists of 21 voting members who serve on the Executive Committee and 17 nonvoting ex-officio members. Amends GS 127C-2 to reduce the number of voting members on the Executive Committee to 15.

Amends GS 130A-33.44 to provide that the Minority Health Advisory Council consists of nine members (was, 15). Makes adjustments to the number of appointments by each appointing authority.

Amends GS 140-5.13, effective October 1, 2012, to provide that the Board of Trustees consists of 11 members (was, 29). Makes adjustments to the number of appointments by each appointing authority. Provides that the terms of currently serving members expire September 30, 2012, and that members appointed under GS 140-5.13 as amended are to begin serving their terms on October 1, 2012.

Amends GS 143B-472.81 to provide that the NC Board of Science and Technology consists of the Governor, the Secretary of Commerce, and 13 appointed members (was, 17). Amends GS 143B-386 to reduce the members of the State Youth Advisory Council of the Department of Administration to 10 (was, 20). Makes adjustments to the number of appointments by each appointing authority.

Except as otherwise provided, the provisions in Subpart A are effective July 1, 2012. Terms for members currently serving on the boards and commissions in this Subpart expire on June 30, 2012. Charges the appointing authorities with the responsibility for achieving the membership totals under this Subpart by August 1, 2012.

Subpart B. Executive Boards and Commissions

Amends GS 122D-4 to establish a seven-member NC Agricultural Finance Authority (was, 10 members). Specifies the appointing authorities and the number of appointments allocated to each. Makes conforming changes.

Limits the U.S.S. North Carolina Battleship Commission to 12 members. Requires the Governor to eliminate six of the Governor's appointments to the Commission by August 1, 2012.

Limits the NC Child Care Commission to 15 members. Requires the Governor to eliminate two appointments by August 1, 2012.

Amends GS 113A-104 to provide that the NC Coastal Resources Commission is to consist of nine (was, 15) members appointed by the Governor. Provides that the chair is to be designated by members of the Commission (was, designated by the Governor). Makes adjustments to the number of appointments by the Governor. Makes conforming changes.

Amends GS 143B-394.15, reducing the members of the Domestic Violence Commission (DVC) to 20 (was, 39). Eliminates nine of 12 ex-officio members of the DVC. Makes adjustments to the number of appointments by each appointing authority and to term lengths.

Amends GS 143B-166 to provide that the NC Medical Care Commission consists of 11 members (was, 17). Makes conforming changes.

Amends GS 143B-148 to reduce the members of the Commission for Mental Health, Developmental Disabilities, and Substance Abuse Services of the Department of Health and Human Services to 19 (was, 32). Retains the eight appointments by the General Assembly but decreases the number of appointments by the Governor to 11 (was, 24). Makes additional adjustments to the selection of appointees.

Amends GS 143B-168.12 to provide that the Board of Directors for the North Carolina Partnership is to consist of 20 members (was, 26). Designates that the Board members appoint the Board Chair (was, appointed by the Governor). Reduces the number of members appointed by the Governor to six (was, 12). Makes conforming changes.

Amends GS 130A-30, reducing the members of the Commission for Public Health to 11 (was, 13). Reduces the number of members appointed by the Governor to seven (was, nine).

Amends GS 116-37.1 to provide that the Board of Trustees of the University of North Carolina Center for Public Television have four members (was, 11) appointed by the Board of Governors and two members (was, four) appointed by the Governor.

Amends GS 143B-154 to provide that the Social Services Commission of the Department of Health and Human Services is to consist of nine members appointed by the Governor (was, one member from each state congressional district). Makes conforming changes.

Amends GS 115C-87, effective July 1, 2012, to reduce from 23 to 16 the number of members on the NC Textbook Commission, and makes adjustments to the appointments.

Amends GS 143-717 to reduce from 18 to 13 the number of members on the Tobacco Trust Fund Commission, and makes adjustments to the number of appointments made by each appointing authority and to the quorum. Details the staggered terms.

Amends GS 90-470 to reduce from 18 to 11 the number of members on the NC Institute of Medicine, and specifies the number of appointments for each appointing authority.

Amends GS 143B-394 to reduce from 20 to 11 the number of members on the NC Council for Women in the Department of Administration, and makes adjustments to the number of appointments made by each appointing authority.

Amends GS 143B-438.10 to reduce from 38 to 18 the number of members on the Commission on Workforce Development, and makes adjustments to the number of appointments made the Governor.

Amends GS 143B-283 to reduce from 13 to 7 to number of members on the Environmental Management Commission appointed by the Governor, and makes adjustments to the appointments made by the Governor. Makes technical changes to and amends chair appointment in GS 143B-284.

Unless otherwise indicated, makes the modifications to boards and commissions effective July 1, 2012. Directs appointing authorities to determine, by August 1, 2012, which terms to eliminate to comply with this act, if the eliminated term is not set out.

PART III. MISCELLANEOUS AND CONFORMING CHANGES

Repeals Section 1.16 of SL 2011-176 and Section 3.6 of 2011-406 (made a specific appointment to the e-NC Authority).

Amends GS 130A-440.1 (early childhood vision care) to delete requirement that school send parents information about funds from the Governor's Commission on Early Childhood Vision Care.

Makes a conforming change to GS 58-50-180 (concerning Employee Hospital and Medical Benefits Committee).

Makes clarifying changes to several provisions in Article 9 (NC Cemetery Act) of GS Chapter 65, regarding the Cemetery Commission. Clarifies that hearings are held in accordance with Article 3A of the Administrative Procedure Act, and sets out the procedure to apply for injunctive relief. Adds two powers, related to dealing with real property and purchasing supplies and equipment, to the list of the Cemetery Commission's powers. Enacts new GS 65-53.1 to appoint inspectors of the Cemetery Commission, who will determine whether businesses and licensees are in compliance. Enacts new GS 65-54.1 to add a confidentiality provision. Amends GS 143B-433(1) to remove the Cemetery Commission as an entity included in the Department of Commerce. Makes conforming changes.

Amends GS 140-5.15 to direct the five-member Director's Committee (rather than the Secretary of Cultural Resources) to appoint the Director of the NC Museum of Art; authorizes the same committee, with members as indicated, to dismiss the Director. Makes conforming changes.

Amends GS 89F-25 to prohibit examination fees imposed by the Licensing Board for Soil Scientists from exceeding the national exam fee. Makes conforming changes.

Amends GS 87-39(a) to increase from seven to eight the number of members on the State Board of Examiners of Electrical Contractors, with appointments as specified.

Enacts new GS 90-210.25B, prohibiting the Board of Funeral Service from issuing or renewing any license to a person or entity who has been convicted of a sexual offense against a minor, as detailed.

Amends GS 90-186(6) to increase ten, listed fees imposed by the Veterinary Medical Board.

Amends GS 77-92 to clarify the appointing authority for members to the Roanoke River Basin Bi-State Commission. Makes conforming changes.

Intro. by Brown, Rouzer, Soucek. GS 106, 143B, 143, 120, 130A, 94, State Government
135, 113, 90, 126, 7B, 58, 15A,
164, 115C, 47, 96, 122E, 122A,
114, 74, 20, 153B, 113A, 143A,
127C, 140, 122D, 116, 90, 65,
89F, 87, 77

S 875. LME GOVERNANCE (=H 1075). Filed 5/23/12. *TO MAKE CHANGES IN GOVERNANCE OF LOCAL MANAGEMENT ENTITIES WITH RESPECT TO THE IMPLEMENTATION OF STATEWIDE EXPANSION OF THE 1915(B)/(C) MEDICAID WAIVER, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON HEALTH AND HUMAN SERVICES.*

Identical to H 1075, filed 5/22/12.

Intro. by Pate. GS 122C, 153A, 35A Health, Social Services, and Aging

S 877. ACCOUNTABILITY FOR TAXPAYER INVESTMENT ACT (=H 1030). Filed 5/23/12. *TO REQUIRE STATE AGENCIES AND CERTAIN NON-STATE ENTITIES TO DEVELOP, IMPLEMENT, AND MAINTAIN INFORMATION SYSTEMS THAT PROVIDE UNIFORM, PROGRAM-LEVEL ACCOUNTABILITY INFORMATION REGARDING THE PROGRAMS OPERATED BY THOSE AGENCIES, AS RECOMMENDED BY THE LRC COMMITTEE ON EFFICIENCIES IN STATE GOVERNMENT.*

Identical to H 1030, filed 5/21/12.

Intro. by Hise, Soucek. GS 143, 150B Taxation

S 878. SMARTER GOV/BUSINESS INTELLIGENCE INITIATIVE (=H 1031). Filed 5/23/12. *TO ESTABLISH ENTERPRISE-WIDE BUSINESS INTELLIGENCE AS A KEY COMPONENT OF ALL STATE GOVERNMENTAL OPERATIONS IN ORDER TO MAXIMIZE DATA INTEGRATION AND ANALYTICS, THEREBY YIELDING MORE EFFICIENT GOVERNMENT AND ADVANCING INNOVATION IN NORTH CAROLINA, AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION STUDY COMMITTEE ON EFFICIENCIES IN STATE GOVERNMENT.*

Identical to H 1031, filed 5/21/12.

Intro. by Hise, Soucek, Brock. GS 75, APPROP Budget and Appropriations; State Government

S 879. ESTABLISH EFFICIENCY & COST-SAVINGS COMMN (=H 1042). Filed 5/23/12. *TO ESTABLISH THE JOINT LEGISLATIVE EFFICIENCY AND COST SAVINGS IN STATE GOVERNMENT STUDY COMMISSION, AS RECOMMENDED BY THE LRC COMMITTEE ON EFFICIENCIES IN STATE GOVERNMENT.*

Identical to H 1042, filed 5/22/12.

Intro. by Hise, Soucek. STUDY State Government

S 880. DEPT. OF PUBLIC SAFETY/TECH & OTHER CHANGES. Filed 5/23/12. *TO MAKE TECHNICAL AND OTHER CHANGES TO THE GENERAL STATUTES REGARDING THE DEPARTMENT OF PUBLIC SAFETY AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON JUSTICE AND PUBLIC SAFETY.*

Amends GS 14-202(m) to provide that certain subsections of the statute do not apply to the personnel of the Division of Juvenile Justice (Division) of the Department of Public Safety (DPS). Amends GS 15-203, stating the Secretary of Public Safety (Secretary) has the sole discretion to establish minimum experience requirements for probation officers. Amends GS 18B-500(a) to authorize appointment of regular DPS employees as alcohol law-enforcement agents. Adds new subsection (g) to GS 18B-500, permitting the transfer or consolidation of alcohol law-enforcement agents for special purposes. Amends GS 20-79.5(a) to eliminate two of the three numerically designated vehicle plates of the Secretary. Amends GS 114-19.6(a)(1) (concerning criminal history record

checks) to expand the definition of *covered person* to include independent contractors and their employees and Division volunteers.

Adds new subsection (e) to GS 120C-500, directing the Secretary to designate between one and five liaison personnel as lobbyists for DPS. Makes certain adjustments to the Governor's power to exempt managerial and policymaking positions at DPS in GS 126-5(d)(1). Amends GS 143B-600(a) to expand the responsibilities of the head of the Division of Adult Correction (Division) and to remove the Criminal Justice Partnership Program from the Grants Management Section. Amends GS 143B-704, directing the Division to establish an alcoholism and chemical dependency treatment program as specified; deletes references to the Substance Abuse Program and makes conforming changes to GS 143B-705. Amends GS 143B-710 to specify that the Secretary must appoint a chief deputy secretary to head the Division (the Secretary is the current head), and makes conforming changes to GS 143B-806, directing appointment of chief deputy secretary to head the Division of Juvenile Justice. Specifies that the Division of Juvenile Justice, rather than the Office of Juvenile Justice, must develop and implement a juvenile delinquency and substance abuse prevention plan under GS 143B-840(a). Repeals Section 19.1(hhh2) of the Appropriations Act of 2011, which directed DPS to create regional offices in the Division of Law Enforcement.

Makes additional technical and clarifying changes to various provisions related to DPS.

Intro. by Goolsby. GS 7A, 7B, 13, 14, 15, 18B, 15A, Criminal Law, Procedure, and
17C, 20, 65, 97, 105, 114, 115C, Sentencing
115D, 120, 120C, 122C, 126,
131E, 143, 143B, 146, 147, 148,
162

S 881. TRANSFER EVIDENCE WAREHOUSE TO DPS (=H 968). Filed 5/23/12. *TO TRANSFER THE WAREHOUSE FORMERLY OPERATED BY THE LAW ENFORCEMENT SUPPORT SERVICES DIVISION AND ITS CONTENTS FROM THE DEPARTMENT OF JUSTICE TO THE DEPARTMENT OF PUBLIC SAFETY AND TO ASSIGN THE RESPONSIBILITIES FOR THE STORAGE AND MANAGEMENT OF EVIDENCE HOUSED IN THE WAREHOUSE TO THE DEPARTMENT OF PUBLIC SAFETY, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON JUSTICE AND PUBLIC SAFETY.*

Identical to H 968, filed 5/16/12.

Intro. by Goolsby. GS 143B Criminal Law, Procedure, and
Sentencing

S 882. HONOR VETERANS (=H 1033). Filed 5/23/11. *EXPRESSING GRATITUDE TO THE MEMBERS OF THE MILITARY FOR THEIR SERVICE AND HONORING THE MEMORY OF THOSE KILLED IN THE LINE OF DUTY.*

Identical to H 1033, filed 5/21/12.

Intro. by Goolsby, Mansfield, Apodaca. JOINT RES General Assembly

S 886. STRENGTHEN BD. OF TRANS. ETHICS POLICY. Filed 5/23/12. *TO CODIFY THE PROVISIONS OF EXECUTIVE ORDER NO. 2 THAT STRENGTHEN THE BOARD OF TRANSPORTATION ETHICS POLICY, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE.*

Enacts new subsection (o) to GS 143B-350 to require each Board of Transportation member to sign a sworn statement that he or she will follow the disclosure, ethics, and education requirements of GS 143B-350 and in the State Government Ethics Act, as detailed.

Intro. by Harrington, Rabon. GS 143B Ethics and Lobbying;
Transportation

S 887. STRENGTHEN BD. OF TRANS. ETHICS POLICY (=S 886). Filed 5/23/12. *TO CODIFY THE PROVISIONS OF EXECUTIVE ORDER NO. 2 THAT STRENGTHEN THE BOARD OF TRANSPORTATION ETHICS POLICY, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE.*

Identical to S 886, filed 5/23/12.

Intro. by Rabon, Harrington. GS 143B Transportation; Ethics and
Lobbying

S 888. ETHICS REQUIREMENTS FOR MPOS/RPOS. Filed 5/23/12. *TO PROVIDE THAT METROPOLITAN PLANNING ORGANIZATIONS AND RURAL TRANSPORTATION PLANNING ORGANIZATIONS ARE SUBJECT TO THE STATE GOVERNMENT ETHICS ACT, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE.*

Amends GS 136-202 and GS 136-211 to provide as title indicates. Effective January 1, 2013.

Intro. by Rabon, Harrington. GS 136 Transportation; Ethics and Lobbying

S 889. RPO AREA DEFINITION. Filed 5/23/12. *TO CHANGE THE DEFINITION ON AN AREA THAT CAN BE REPRESENTED BY A RURAL PLANNING ORGANIZATION, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE.*

Amends GS 136-211(b) to provide that Rural Transportation Planning Organizations will include representatives from contiguous areas in three to fifteen counties, or a total population (previously, from contiguous areas in three to fifteen counties, with a total population) of the entire area represented of at least 50,000 persons. Makes a technical change.

Intro. by Rabon, Harrington. GS 136 Transportation

S 890. SEC. OF TRANSPORTATION PROJECT APPROVAL. Filed 5/23/12. *TO CODIFY THE PROVISIONS OF EXECUTIVE ORDER NO. 2 THAT DELEGATE TO THE SECRETARY OF TRANSPORTATION THE AUTHORITY TO APPROVE HIGHWAY CONSTRUCTION PROJECTS AND CONSTRUCTION PLANS, AND TO AWARD HIGHWAY CONSTRUCTION CONTRACTS, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE.*

Amends GS 143B-350(g) as title indicates.

Intro. by Rabon, Harrington. GS 143B Transportation

S 891. UPDATE CH. 136 WITH TERM "CHIEF ENGINEER" (=H 1080). Filed 5/23/12. *TO UPDATE CHAPTER 136 OF THE GENERAL STATUTES WITH THE TERM "CHIEF ENGINEER," WHICH REPLACES THE TERM "STATE HIGHWAY ADMINISTRATOR," AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE.*

Identical to H 1080, filed 5/22/12.

Intro. by Rabon. GS 136 Transportation

S 892. REQUIRE DOT STRATEGIC PRIORITIZATION PROCESS. Filed 5/23/12. *CODIFY THE PROVISIONS OF EXECUTIVE ORDER NO. 2 THAT REQUIRE THE DEPARTMENT OF TRANSPORTATION TO DEVELOP AND UTILIZE A STRATEGIC PRIORITIZATION PROCESS FOR SELECTION OF TRANSPORTATION PROJECTS, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE.*

Amends GS 136-18 by adding a new subdivision (42) as the title indicates. Also requires a process for standardizing or approving local methods used in metropolitan planning organization and rural transportation planning organization prioritization.

Intro. by Rabon, Harrington. GS 136 Transportation

S 893. PRIVACY OF TURNPIKE AUTHORITY TOLL DATA (=H 1078). Filed 5/23/12. *TO ENSURE THE PRIVACY OF TOLL DATA COLLECTED BY THE DEPARTMENT OF TRANSPORTATION THROUGH THE NORTH CAROLINA TURNPIKE AUTHORITY, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE.*

Identical to H 1078, filed 5/22/12.

Intro. by Rabon. GS 136 Transportation

S 894. EXEMPT CERTAIN DRUGS FOR ANIMALS. Filed 5/23/12. *TO EXEMPT FROM SALES TAX THE SALE OF MEDICINE AND DEVICES SOLD ON PRESCRIPTION BY VETERINARIANS FOR THE TREATMENT OF ANIMALS.*

Adds a definition for *medicine*, which includes vaccines, vitamins, ointments, and other medications with preventive and curative properties in the prevention, treatment, and cure of disease in animals, to GS 105-164.3. Amends GS 105-164.13 to exempt prescription medicine and devices, as defined, from sales and use tax. Applies to sales made on or after July 1, 2012.

Intro. by Rabon, Kinnaird. GS 105 Animal Law; Taxation

S 895. DOT DIVISION OF MOTOR VEHICLES LEG. REQUESTS (=H 1079). Filed 5/23/12. *TO AMEND STATUTES RELATED TO MOTORCYCLE LICENSES, TO ELIMINATE A REQUIREMENT TO LIST RACE ON DRIVERS LICENSES, AND TO DELAY THE IMPLEMENTATION OF TWO CHANGES TO DRIVERS LICENSES PENDING AN INFORMATION TECHNOLOGY SYSTEM UPGRADE, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE.*

Identical to H 1079, filed 5/22/12.

Intro. by Rabon. GS 20 Transportation

Local Bills

HOUSE BILLS

H 1082. [NAGS HEAD CONVEYANCE](#). Filed 5/22/12. *TO ALLOW THE TOWN OF NAGS HEAD TO LEASE OUT PROPERTY FOR A LICENSED NURSING HOME FOR UP TO FORTY YEARS WITHOUT TREATING IT AS A SALE.*

As title indicates.

Intro. by Spear. DARE Dare

H 1086. [CLAY COUNTY COURTHOUSE \(=S 818\)](#). Filed 5/23/12. *TO EXEMPT CLAY COUNTY FROM CERTAIN STATUTORY REQUIREMENTS IN THE RENOVATION AND RESTORATION OF ITS OLD COURTHOUSE BUILDING TO BE LEASED AND/OR USED AS A MULTIPURPOSE FACILITY.*

Identical to S 818, filed 5/17/12.

Intro. by West. CLAY Clay

H 1087. [FONTANA DAM OCCUPANCY TAX](#). Filed 5/23/12. *AUTHORIZE THE TOWN OF FONTANA DAM TO LEVY AN OCCUPANCY TAX.*

Authorizes the Fontana Dam Town Council to levy an additional room occupancy tax of up to 3%. Provides that both the existing and additional tax must be levied, administered, collected, and repealed as provided in GS 160A-215 (Uniform provisions for room occupancy taxes). Requires the Fontana Dam Tourism Development Authority (TDA) to use at least two-thirds of the occupancy tax proceeds to promote travel and tourism (primarily marketing activity) in the city and the remainder for other tourism-related expenditures (may include tourism-related capital expenditures). Mandates that at least one-third of the TDA's members must be affiliated with businesses that collect the tax in the city and at least one-half must be currently active in the city's travel and tourism promotion. Makes other conforming changes.

Intro. by West. GRAHAM Graham

H 1088. [GRAHAM/SWAIN TVA ALLOCATION/BORDER](#). Filed 5/23/12. *CONCERNING THE DIVISION BETWEEN GRAHAM AND SWAIN COUNTIES OF TVA PAYMENTS IN LIEU OF TAXES, AND CLARIFYING THE COMMON BOUNDARY BETWEEN THOSE COUNTIES.*

As title indicates. Amends GS 105-458 to detail the apportionment of Tennessee Valley Authority payments between Graham County and Swain County. Designates the boundary line between the counties. Effective June 1, 2012.

Intro. by West, Haire. GRAHAM, SWAIN Graham; Swain

H 1090. [ORANGE-ALAMANCE REMAINING 9% BOUNDARY \(=S 873\)](#). Filed 5/23/12. *TO ESTABLISH THE REMAINING NINE PERCENT OF THE COMMON BOUNDARY BETWEEN ALAMANCE COUNTY AND ORANGE COUNTY NOT ADDRESSED BY SESSION LAW 2011-88 AND AS AUTHORIZED BY THE 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.*

Identical to S 873, filed 5/22/12.

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

H 1091. [ORANGE GRANTS FOR BROADBAND \(=S 872\)](#). Filed 5/23/12. *TO AUTHORIZE ORANGE COUNTY TO PROVIDE GRANTS TO PROMOTE BROADBAND IN UNSERVED AREAS FOR ECONOMIC DEVELOPMENT IN THE COUNTY.*

Identical to S 872, filed 5/22/12.

Intro. by Insko, Hackney. ORANGE Orange

H 1106. APEX ANNEXATION. Filed 5/23/12. *TO ANNEX CERTAIN DESCRIBED TERRITORY TO THE CORPORATE LIMITS OF THE TOWN OF APEX.*

As title indicates. Describes the territory to be annexed by metes and bounds.

Intro. by Murry, Dollar, Stam. WAKE Wake

H 1107. GRANVILLE COUNTY ABC PROFITS DISTRIBUTION MOD. Filed 5/23/12. *AMENDING THE DIVISION OF ALCOHOLIC BEVERAGE CONTROL PROFITS IN GRANVILLE COUNTY.*

Rewrites SL 1963-364, as amended, as title indicates. Adds Butner to the list of towns receiving a percentage of the profits.

Intro. by Crawford. GRANVILLE Granville

H 1108. BUTNER PUBLIC SAFETY AUTHORITY CHANGES. Filed 5/23/12. *TO MAKE MODIFICATIONS TO THE BUTNER PUBLIC SAFETY AUTHORITY.*

Amends GS 122C-408 to clarify that the Butner Public Safety Authority (Authority) provides fire and police protection for the Camp Butner Reservation *and* Butner. Authorizes (rather than requires) the Authority to contract with the Secretary of Public Safety to provide fire and police protection on terms agreed to by the parties. Makes technical changes.

Intro. by Crawford. GRANVILLE Granville

H 1109. DARE CAMA SETBACK REQ'TS/GRANDFATHER. Filed 5/23/12. *TO PROTECT THE PROPERTY RIGHTS OF HOMEOWNERS BY REQUIRING THAT DEVELOPMENT PERMITS ISSUED TO REPAIR OR RECONSTRUCT SINGLE-FAMILY AND DUPLEX RESIDENTIAL DWELLINGS IN DARE COUNTY GREATER THAN FIVE THOUSAND SQUARE FEET AND CONSTRUCTED PRIOR TO AUGUST 11, 2009, SHALL INCLUDE A MINIMUM SETBACK OF SIXTY FEET OR THIRTY TIMES THE SHORELINE EROSION RATE, WHICHEVER IS GREATER.*

As title indicates. Prohibits the Coastal Resources Commission from denying a development permit to such a structure that does not meet the specified oceanfront setback, if the structure does meet the listed criteria.

Intro. by Spear. DARE Dare

H 1110. MATTHEWS/STALLINGS BOUNDARY ADJUSTMENT. Filed 5/23/12. *TO REMOVE CERTAIN DESCRIBED PROPERTIES FROM THE CORPORATE LIMITS OF THE TOWN OF MATTHEWS AND ANNEX IT TO THE TOWN OF STALLINGS, BOTH AT THE REQUEST OF THE RESPECTIVE TOWN GOVERNING BOARDS.*

Removes five parcels on Community Park Drive and the right-of-way adjacent to these parcels from the corporate limits of the Town of Matthews and adds these parcels and right-of-way to the corporate limits of the Town of Stallings. Provides that the act does not affect outstanding liens for ad valorem or special assessments levied by the Town of Matthews prior to the effective date of the act. Effective June 30, 2012.

Intro. by Horn, Brawley, Cotham, and McGuirt. MECKLENBURG Mecklenburg

H 1115. WAKE TOWNS LOCAL GOV'T INFO/MINORS. Filed 5/23/12. *AS TO THE TOWNS OF CARY, KNIGHTDALE, MORRISVILLE, ROLESVILLE, WAKE FOREST, AND ZEBULON TO BROADEN THE EXCEPTION TO THE PUBLIC RECORDS ACT FOR IDENTIFYING INFORMATION OF MINORS PARTICIPATING IN LOCAL GOVERNMENT PARKS AND RECREATION PROGRAMS TO INCLUDE ALL LOCAL GOVERNMENT PROGRAMS, AND ALSO TO PROTECT E-MAIL ADDRESSES OF MINORS IN SUCH PROGRAMS.*

Amends GS 132-1.12(a) to provide as title indicates.

Intro. by Murry, Dollar. WAKE Wake

H 1121. MECKLENBURG ABC STORES LABOR DAY 2012. Filed 5/23/12. *TO ALLOW ABC STORES IN MECKLENBURG COUNTY TO BE OPEN ON LABOR DAY IN 2012.*

As title indicates. Expires October 1, 2012.

Intro. by Samuelson, Carney, Brawley, Earle. MECKLENBURG Mecklenburg

H 1122. MARTIN COUNTY FIRE DISTRICTS (=S 883). Filed 5/23/12. *TO VALIDATE CERTAIN LEVIES AND COLLECTION OF FIRE DISTRICT TAXES IN MARTIN COUNTY AND TO ALLOW MARTIN COUNTY TO*

ABOLISH BY RESOLUTION ITS CHAPTER 69 FIRE PROTECTION DISTRICTS UPON ESTABLISHMENT OF FIRE PROTECTION SERVICE DISTRICTS UNDER CHAPTER 153A OF THE GENERAL STATUTES.

Identical to S 883, filed 5/23/12.

Intro. by E. Warren, Tolson. MARTIN Martin

H 1123. DURHAM COUNTY MEMORIAL STADIUM. Filed 5/23/12. *AMENDING THE ACT AUTHORIZING THE APPOINTMENT OF AN AUTHORITY TO CONTROL THE MANAGEMENT OF A MEMORIAL STADIUM TO BE ERECTED BY DURHAM COUNTY, TO INCREASE ITS MEMBERSHIP, AND TO AMEND ITS TERM LIMITS.*

Amends SL 1957-734, as title indicates, to increase to seven the number of members on the Memorial Stadium Authority, as detailed, and to modify term limits. Makes other clarifying changes.

Intro. by Michaux, Luebke, Hall, Wilkins. DURHAM Durham

SENATE BILLS

S 876. MOORESVILLE DEANNEXATION. Filed 5/23/12. *TO REMOVE A CERTAIN DESCRIBED TRACT FROM THE CORPORATE LIMITS OF THE TOWN OF MOORESVILLE AT THE REQUEST OF THE TOWN BOARD OF COMMISSIONERS.*

Removes described parcels from Mooresville's corporate limits. Effective June 30, 2012.

Intro. by Carney. IREDELL Iredell

S 883. MARTIN COUNTY FIRE DISTRICTS. Filed 5/23/12. *TO VALIDATE CERTAIN LEVIES AND COLLECTION OF FIRE DISTRICT TAXES IN MARTIN COUNTY AND TO ALLOW MARTIN COUNTY TO ABOLISH BY RESOLUTION ITS CHAPTER 69 FIRE PROTECTION DISTRICTS UPON ESTABLISHMENT OF FIRE PROTECTION SERVICE DISTRICTS UNDER CHAPTER 153A OF THE GENERAL STATUTES.*

As title indicates

Intro. by Jenkins. MARTIN Martin

S 884. WAKE TECH BOARD OF TRUSTEES (=H 987). Filed 5/23/12. *TO ALLOW PERSONS WHO WORK IN WAKE COUNTY TO BE ELIGIBLE FOR MEMBERSHIP ON THE BOARD OF TRUSTEES OF WAKE TECHNICAL COMMUNITY COLLEGE.*

Identical to H 987, filed 5/16/12.

Intro. by Hunt. WAKE Wake

S 885. CLEVELAND AND RUTHERFORD LOCAL ACT. Filed 5/23/12. *RELATING TO CLEVELAND AND RUTHERFORD COUNTIES.*

Blank bill.

Intro. by Westmoreland. CLEVELAND, RUTHERFORD Cleveland; Rutherford

ACTION ON BILLS

May 23, 2012

- 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

H0054 Habitual Misdemeanor Larceny. SA Reptd Fav Com Substitute

	SA Com Substitute Adopted
	S Re-ref Com On Appropriations/ Base Budget
03-09-11, 05-11-11, 05-16-11, 05-23-12	
H0177 Environmental Technical Corrections 2011.	S Withdrawn From Com
06-02-11	S Re-ref Com On Commerce
H0345 Modify Move Over Law.	SA Reptd Fav Com Substitute
	SA Com Substitute Adopted
05-11-11, 05-23-12	
H0423 Enact First Evaluation Program.	S Withdrawn From Com
	S Re-ref Com On Mental Health & Youth Services
04-20-11, 05-10-11	
H0803 Allow Court to Assess Atty Fees/50C Orders.	S Passed 2nd & 3rd Reading
04-20-11, 05-22-12	
H0925 Annexation Reform 2	H Rec To Concur S Com Sub
	H Com Sub Ruled Material
	H Cal Pursuant Rule 36(b)
	H Placed On Cal For 5/24/2012
05-26-11, 05-16-12	
H0941 Pseudoephedrine Amount Clarifications.	H Reptd Fav
	H Cal Pursuant Rule 36(b)
	H Placed On Cal For 5/24/2012
H0947 Eugenics Compensation Program.	H Reptd Fav
	H Re-ref Com On Finance
H0965 Broaden Successful AP Participation.	HA Reptd Fav Com Substitute
	H Re-ref Com On Appropriations Subcommittee on Education
05-23-12	
H0966 Repeal Prohibition on Teacher Prepayment.	H Reptd Fav
	H Cal Pursuant Rule 36(b)
	H Placed On Cal For 5/24/2012
H0970 Honor UNC-P's Anniversary.	H Adopted
H1015 Set Public Utility and Insurance Reg. Fees.	H Reptd Fav
	H Cal Pursuant Rule 36(b)
	H Placed On Cal For 5/24/2012
H1028 Appraisal Mgmt Co Reported to Dept of Revenue.	HA Reptd Fav Com Substitute
	H Cal Pursuant Rule 36(b)
	H Placed On Cal For 5/24/2012
05-23-12	
H1033 Honor Veterans.	H Passed 2nd & 3rd Reading
	S Rec From House
	S Placed On Cal For 5/23/2012
	S Passed 2nd & 3rd Reading
H1034 Confirm Tamara Nance to Industrial Comm.	H Passed 1st Reading
	H Ref To Com On Rules, Calendar, and Operations of the House
H1035 License Plate Background.	H Passed 1st Reading
	H Ref To Com On Transportation
H1036 DOT/DENR Study Expedite Water Quality Reg.	H Passed 1st Reading
	H Ref To Com On Transportation
H1037 Interest Rate on DOT Condemnation Deposits.	H Passed 1st Reading
	H Ref To Com On Transportation

H1038 Amend HOV Lane Exemptions/Alt Fuel Vehicles.	H	Passed 1st Reading
	H	Ref To Com On Transportation
H1039 Establish Alternative Fuels Study Commission.	H	Passed 1st Reading
	H	Ref To Com On Rules, Calendar, and Operations of the House
H1040 NCSU & UNC-C/Alt Fuels Research Funds.	H	Passed 1st Reading
	H	Ref To Com On Appropriations Subcommittee on Education
H1042 Establish Efficiency & Cost-Savings Commn.	H	Passed 1st Reading
	H	Ref To Com On Rules, Calendar, and Operations of the House
H1043 ETJ restriction.	H	Passed 1st Reading
	H	Ref to the Com on Government, if favorable, Finance
H1044 Motorcycle Insurance Discount/Military.	H	Passed 1st Reading
	H	Ref To Com On Insurance
H1045 Salary Increase for School Employees.	H	Passed 1st Reading
	H	Ref To Com On Appropriations
H1046 Funds for Student 2 Student Initiative.	H	Passed 1st Reading
	H	Ref To Com On Appropriations
H1047 Restore Funds for Military Business Center.	H	Passed 1st Reading
	H	Ref To Com On Appropriations
H1048 Incapacity to Proceed Amendments.	H	Passed 1st Reading
	H	Ref To Com On Judiciary Subcommittee A
H1052 Mechanics Liens/Payment Bond Reforms.	H	Passed 1st Reading
	H	Ref To Com On Judiciary Subcommittee B
H1053 Improve Property Insurance Rate Making.	H	Passed 1st Reading
	H	Ref To Com On Insurance
H1054 Clean Energy and Economic Security Act.	H	Passed 1st Reading
	H	Ref to the Com on Environment, if favorable, Finance
H1055 Eliminate LME Provider Endorsement.-AB	H	Passed 1st Reading
	H	Ref To Com On Health and Human Services
H1056 Partnership for Children Participant Records.	H	Passed 1st Reading
	H	Ref To Com On Health and Human Services
H1057 Restore Funds for Project C.A.R.E.	H	Passed 1st Reading
	H	Ref To Com On Appropriations
H1058 Reform Workforce Development.	H	Passed 1st Reading
	H	Ref To Com On Finance
H1060 North Carolina Urban Empowerment Initiative.	H	Passed 1st Reading
	H	Ref To Com On Appropriations
H1061 High Point Furniture Market Funds.	H	Passed 1st Reading
	H	Ref To Com On Appropriations
H1062 UNCG/NCA&T Nanoscience/Nanoengineering Funds.	H	Passed 1st Reading
	H	Ref To Com On Appropriations
H1064 Shale Gas/Develop Reg. Prgm./Leg. Oversight.	H	Passed 1st Reading
	H	Ref To Com On Environment
H1066 Passing Title by Will.	H	Passed 1st Reading
	H	Ref To Com On Judiciary

		Subcommittee A
H1067	Co-owners/Unequal Shares/ Simultaneous Death.	H Passed 1st Reading H Ref To Com On Judiciary Subcommittee A
H1068	Amend UCC Article 9/Secured Transactions.	H Passed 1st Reading H Ref To Com On Judiciary Subcommittee A
H1069	Intestate Property/Child's Year's Allowance.	H Passed 1st Reading H Ref To Com On Judiciary Subcommittee A
H1070	General Statutes Comm. Technical Corrections.	H Passed 1st Reading H Ref To Com On Rules, Calendar, and Operations of the House
H1072	Funds for MH/DD Services.	H Passed 1st Reading H Ref To Com On Appropriations
H1073	UNCHCS Changes.	H Passed 1st Reading H Ref To Com On Health and Human Services
H1083	Funds to Improve Birth Outcomes.	H Filed
H1084	HOAs/Planned Community Act Amends.	H Filed
H1085	State Health Plan/ Statutory Changes.-AB	H Filed
H1089	Study Online Higher Education.	H Filed
H1092	Restore Funding/Services for Women.	H Filed
H1093	Agricultural Regulatory Reform.	H Filed
H1094	Continue Local Food Advisory Council.	H Filed
H1095	Small Farm Profitability/Egg Sales.	H Filed
H1096	Simplify School Beverage Contract Bids.	H Filed
H1097	Fund Child Nutrition Salary&Benefit Cost Inc.	H Filed
H1098	Continue the Sustainable Local Food Advisory.	H Filed
H1099	Support Procurement & Farm to School/Funds.	H Filed
H1100	Funds for NC Food Banks.	H Filed
H1101	Funds/Children's Advocacy Centers.	H Filed
H1102	Funds/One NC Small Business Account.	H Filed
H1103	Approp: NC Indian Econo. Dev. Initiative.	H Filed
H1104	Scholarship Funding Corporate Tax Credit.	H Filed
H1105	Electrolysis Practice Act Changes/Fees.	H Filed
H1111	Restore Military Morale & Welfare Fund.	H Filed
H1112	Arts Education as a	H Filed

Graduation Requirement.		
H1113	Implementation of Comprehensive Arts Educ.	H Filed
H1114	NCEMPA/Use of Rate Revenue.	H Filed
H1116	Small Business Jobs Credit.	H Filed
H1117	Enhance R&D Tax Credit for Small Businesses.	H Filed
H1118	Small Business Start-Up Tax Relief.	H Filed
H1119	LEAs Required to Enhance Arts Education.	H Filed
H1120	Funds for Medically Underserved Patients.	H Filed
S0745	Beer Franchise Law Clarifications.	HA Reptd Fav Com Substitute H Cal Pursuant Rule 36(b) H Placed On Cal For 5/23/2012 H Passed 2nd & 3rd Reading S Rec To Concur H Com Sub S Placed On Cal For 5/24/2012
06-02-11, 06-07-11, 05-23-12		
S0797	Ensure Timely Payment of 2012 Medicaid Costs.	HA Reptd Fav Com Substitute H Cal Pursuant Rule 36(b) H Placed On Cal For 5/23/2012 H Passed 2nd & 3rd Reading S Rec To Concur H Com Sub S Placed On Cal For 5/24/2012
05-23-12		
S0798	Various Emergency Management Changes.	S Passed 2nd & 3rd Reading
S0816	Banking Law Modernization Act.	SA Amend Adopted 1 S Passed 2nd & 3rd Reading S Engrossed
05-23-12		
S0820	Clean Energy and Economic Security Act.	S Withdrawn From Com S Re-ref Com On Commerce
S0856	Honor Senator Bob Carpenter.	S Passed 1st Reading S Ref To Com On Rules and Operations of the Senate
S0858	State Air Toxics Program Reforms.	S Passed 1st Reading S Ref To Com On Agriculture/Environment/Natural Resources
S0860	Sales of Motor Vehicles/Units of Government.	S Passed 1st Reading S Ref To Com On Finance
S0861	High Point Furniture Market Funds.	S Passed 1st Reading S Ref To Com On Appropriations/Base Budget
S0862	UNCG/NCA&T Nanoscience/Nanoengineering Funds.	S Passed 1st Reading S Ref To Com On Appropriations/Base Budget
S0863	Modify 2011 Appropriations Act.	S Passed 1st Reading S Ref To Com On Appropriations/Base Budget
S0864	Mechanics Liens/Payment Bond Reforms.	S Passed 1st Reading S Ref to Judiciary I. If fav, re-ref to Finance
S0865	Honor Senator Bob Carpenter.	H Passed 1st Reading

	H	Ref To Com On Rules, Calendar, and Operations of the House
S0866 Modify 2011 Appropriations Act.	S	Passed 1st Reading
	S	Ref To Com On Appropriations/ Base Budget
S0867 NCEMPA/Use of Rate Revenue.	S	Passed 1st Reading
	S	Ref To Com On Commerce
S0868 Wildlife Licenses/Eliminate Penalty.	S	Passed 1st Reading
	S	Ref To Com On Agriculture/ Environment/Natural Resources
S0869 Remove Restriction/ Firefighter Disability.	S	Passed 1st Reading
	S	Ref To Com On Insurance
S0870 2012 Youth Skin Cancer Prevention Act.	S	Passed 1st Reading
	S	Ref To Com On Rules and Operations of the Senate
S0871 Restore Funding for Teaching Fellows Program.	S	Passed 1st Reading
	S	Ref To Com On Rules and Operations of the Senate
S0874 Arts Education as a Graduation Requirement.	S	Passed 1st Reading
	S	Ref To Com On Education/ Higher Education
S0875 LME Governance.	S	Filed
S0877 Accountability for Taxpayer Investment Act.	S	Filed
S0878 Smarter Gov/Business Intelligence Initiative.	S	Filed
S0879 Establish Efficiency & Cost- Savings Commn.	S	Filed
S0880 Dept. of Public Safety/Tech & Other Changes.	S	Filed
S0881 Transfer Evidence Warehouse to DPS.	S	Filed
S0882 Honor Veterans.	S	Filed
S0886 Strengthen Bd. of Trans. Ethics Policy.	S	Filed
S0887 Strengthen Bd. of Trans. Ethics Policy.	S	Filed
S0888 Ethics Requirements for MPOs/ RPOs.	S	Filed
S0889 RPO Area Definition.	S	Filed
S0890 Sec. of Transportation Project Approval.	S	Filed
S0891 Update Ch. 136 with Term "Chief Engineer."-AB	S	Filed
S0892 Require DOT Strategic Prioritization Process.	S	Filed
S0893 Privacy of Turnpike Authority Toll Data.-AB	S	Filed
S0894 Exempt Certain Drugs for Animals.	S	Filed
S0895 DOT Division of Motor Vehicles Leg. Requests.-AB	S	Filed

LOCAL BILLS

H0005 Local Deannexations	H Rec To Concur S Com Sub H Com Sub Ruled Material H Cal Pursuant Rule 36(b) H Placed On Cal For 5/24/2012
02-10-11, 05-16-12	
H1041 High Point/Archdale Boundaries.	H Passed 1st Reading H Ref to the Com on Government, if favorable, Finance
H1049 Bladen Community College Fed Loan Program.	H Passed 1st Reading H Ref To Com On Education
H1050 Elizabethtown Industr. Park Deannexation.	H Passed 1st Reading H Ref to the Com on Government, if favorable, Finance
H1051 Elizabethtown Hayfields Deannexation.	H Passed 1st Reading H Ref to the Com on Government, if favorable, Finance
H1059 Asheboro Towing.	H Passed 1st Reading H Ref To Com On Government
H1063 Excuse School Day for Johnston Co. School.	H Passed 1st Reading H Ref To Com On Education
H1065 Use Moore School Buses for 2014 US Open.	H Passed 1st Reading H Ref To Com On Education
H1071 Wake School Board Organizational Meeting.	H Passed 1st Reading H Ref To Com On Government
H1086 Clay County Courthouse.	H Filed
H1087 Fontana Dam Occupancy Tax.	H Filed
H1088 Graham/Swain TVA Allocation/Border.	H Filed
H1090 Orange-Alamance Remaining 9% Boundary.	H Filed
H1091 Orange Grants for Broadband.	H Filed
H1106 Apex Annexation.	H Filed
H1107 Granville County ABC Profits Distribution Mod.	H Filed
H1108 Butner Public Safety Authority Changes.	H Filed
H1109 Dare CAMA Setback Req'ts./Grandfather.	H Filed
H1110 Matthews/Stallings Boundary Adjustment.	H Filed
H1115 Wake Towns Local Gov'mt Info/Minors.	H Filed
H1121 Mecklenburg ABC Stores Labor Day 2012.	H Filed
H1122 Martin County Fire Districts.	H Filed
H1123 Durham County Memorial Stadium.	H Filed
S0857 Add Stokes Cty to Tax Cert Before Recordation.	S Passed 1st Reading S Ref To Com On State and Local Government
S0859 Pilot Mountain Even-Year Municipal Elections.	S Passed 1st Reading S Ref To Com On State and Local Government
S0872 Orange Grants for Broadband.	S Passed 1st Reading S Ref To Com On Rules and Operations of the Senate

S0873 Orange-Alamance Remaining 9% Boundary.	S	Passed 1st Reading
	S	Ref To Com On State and Local Government
S0876 Mooresville Deannexation.	S	Filed
S0883 Martin County Fire Districts.	S	Filed
S0884 Wake Tech Board of Trustees.	S	Filed
S0885 Cleveland and Rutherford Local Act.	S	Filed

SUMMARIES OF AMENDMENTS AND COMMITTEE SUBSTITUTES

HOUSE BILLS

H 54. [HABITUAL MISDEMEANOR LARCENY](#). Filed 2/8/11. Senate committee substitute makes the following changes to 4th edition. Amends proposed language in GS 14-72(6) to remove the provision that a conviction is not counted in the seven priors unless the defendant was represented by or waived counsel. Changes the effective date to December 1, 2012 (was, 2011).

Criminal Law, Procedure, and
Sentencing

H 345. [MODIFY MOVE OVER LAW](#). Filed 3/14/12. Senate committee substitute makes the following changes to 2nd edition. Amends GS 20-157(f) to provide that *public service vehicle* also applies to highway maintenance vehicles under contract by the state or a local government. Changes the effective date to October 1, 2012 (was, October 1, 2011).

Transportation

H 965. [BROADEN SUCCESSFUL AP PARTICIPATION](#). Filed 5/16/12. House committee substitute makes the following changes to 1st edition.

Changes bill title to add "to help eliminate achievement and access gaps" and delete the word "courses" when referencing advanced placement.

Section 1: Revises amendment to GS 115C-12(9)c1 to add reference to Advanced Placement examination participation and performance to the measures that must be reported on state and local school administrative unit annual report cards.

Section 2: Revises amendment to new GC115C-83.1 to (1) clarify that the expenditure of available funds provided in subsection (a) are for the purposes of attaining the goal of the section; (2) adds to subsection (a)(1) the requirement that exemptions from student fees for AP examinations will be provided only for AP courses in which the student is enrolled (enrollment requirement not included in previous edition); (3) revises subsection (a)(2) to authorize bonuses for teachers of AP courses when students earn scores of three or higher on AP exams (was when students earned a passing score); (4) clarifies subsection (c) to include the National Merit Scholarship Qualifying Test to eligible diagnostic tests; (5) revises subsection (g) to establish the North Carolina Advanced Placement Partnership to assist in student readiness for and access to AP courses, and requires the Partnership to provide and assist in implementation of AP and Pre-AP professional development for teachers and school administrators with prioritized assistance to low-performing schools.

Section 3: Adds new amendment to GS 115C-174.18 to add National Merit Scholarship Qualifying Test.

Section 4(b): Revises the total appropriation to \$12,206,339 (was \$11,660,921) and revises the appropriation for student AP test fees to \$7,725,252 (was \$7,179,834); deletes language providing for contingent funding for student AP test fees, and adds new requirement that the State Board of Education contract with an independent evaluator to assess the implementation and success of the AP program.

Section 5: Adds new reporting requirement for the State Board of Education to report annually to the Joint Legislative Education Oversight Committee on data relating to student enrollment in AP courses, participation in AP tests, student performance, distribution of funds for student test fees, AP teacher bonuses, and professional development, and other related information.

Makes other technical and conforming changes and renumbers Sections 3, 4, 5, and 6.

Budget and Appropriations;
Education

H 1028. APPRAISAL MGMT CO REPORTED TO DEPT OF REVENUE. Filed 5/21/12. House committee substitute makes the following changes to 1st edition.

Amends new subsection (b1) of GS 93E-2-9 to require that the NC Appraisal Board submit its annual report about registered appraisal management companies to the Department of Revenue no later than December 31. Effective when the act becomes law (was, December 1, 2012).

Taxation

SENATE BILLS

S 745. BEER FRANCHISE LAW CLARIFICATIONS. Filed 4/19/11. House committee substitute makes the following changes to 3rd edition:

Section 1: (1) deletes previous amendments to GS 18B-1303(b); (2) clarifies amendments to GS 18B-1304(10) that the definition of "discriminate" for purposes of that subsection excludes granting more favorable freight and transportation costs and price promotions for special events under limited circumstances; (3) revises amendments to GS 18B-1305(a1) to provide that a brewery's authorization to a wholesaler for distribution of its own malt beverage products reverts back to the brewery following the fifth business day after confirmed receipt of written notice of such reversion, and deletes requirement that reversion cannot take effect until brewery and wholesaler agree in writing on the fair market value of distribution rights; (4) deletes previous amendments to GS 18B-1306(b) concerning monetary damages for wrongful termination; (5) revises amendments to GS 18B-1307 to combine language in previous new subsection (b1) into existing subsection (b) and to add provision in that subsection preserving supplier's right to match and reassign to a designee the right to purchase an ownership interest subject to the limitation that that the price and conditions applicable to the purchase be the same as those proposed by the transferee; and (6) deletes previous amendments to GS 18B-1307(c) except to make technical and conforming changes to include reference to mergers.

Section 2: Adds new amendments to GS 18B-702(j) clarifying that the Alcoholic Beverage Control Commission may approve a local board general manager also serving as that local board's finance officer by a grant of a waiver and that the Commission may grant more than one waiver to a local board.

Section 4: Revises the effective date to provide that amendments to GS 18B-1304 become effective October 1, 2012.

Makes other technical and conforming changes and renumbers Sections 3 and 4.

Alcoholic Beverage Control

S 797. PYMT. OF 2012 MEDICAID COSTS/INMATE MED COSTS (NEW). Filed 5/16/12. House committee substitute makes the following changes to 1st edition.

Directs the Governor to transfer at least \$29 million (was, \$50 million) of funds available in the Department of Health and Human Services to pay Medicaid providers. Deletes the prohibition on authorizing delay of drug rebates. Adds, as the second action in the priority order, the transfer of \$21 million in unanticipated federal Children's Health Insurance Program Reauthorization Act bonus funds to the State Controller. Makes clarifying changes and modifies the order of priority for funds to be adjusted. Makes technical and clarifying changes.

Prohibits NC from issuing any request for proposals, or entering into a new contract, for the oversight or management of health care services for state prison system inmates without the General Assembly's prior approval in a legislative act. Makes a conforming change to the bill title.

Health, Social Services, and Aging

S 816. BANKING LAW MODERNIZATION ACT. Filed 5/17/12. Senate amendment makes the following changes to 1st edition.

Amends proposed GS 53C-2-7, which requires the Commissioner of Banks to keep an official record and sets out records to be kept confidential, to add that confidential records may be produced for discovery in a criminal or enforcement proceeding if two, specified actions occur.

Banking and Finance

Legislation Enacted

None

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Notes

None

NEXT SESSIONS

May 24, 2012

HOUSE convenes at 12:15 p.m.

SENATE convenes at 11:00 a.m.