

Daily Bulletin

ACTIONS BY THE NORTH CAROLINA GENERAL ASSEMBLY

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House Legislative Day 118

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Senate Legislative Day 118

Wednesday, May 30, 2012

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SUMMARIES OF BILLS FILED

Public Bills

HOUSE BILLS

H 1201. [CITIZENS UNITED RESPONSE](#). Filed 5/30/12. *REQUESTING THAT CONGRESS PROPOSE AN AMENDMENT TO THE UNITED STATES CONSTITUTION TO OVERTURN THE UNITED STATES SUPREME COURT RULING IN CITIZENS UNITED V. FEDERAL ELECTION COMMISSION CONCERNING CORPORATE CAMPAIGN SPENDING.*

As title indicates.

Intro. by Insko, Rapp, Harrison, **JOINT RES**
Keever.

Elections Law; General Assembly

H 1211. [LOCAL GOVERNMENTS IN STATE HEALTH PLAN \(=S 911\)](#). Filed 5/30/12. *TO ALLOW LOCAL GOVERNMENT UNITS TO ENROLL THEIR EMPLOYEES, RETIREES, AND DEPENDENTS IN THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES, SUBJECT TO CERTAIN CONDITIONS.*

Identical to S 911, filed 5/29/12.

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Intro. by Burr, Holloway, Dockham. GS 135 Local Government; Health, Social Services, and Aging

H 1213. STATE HEALTH PLAN/ADD SCHOOL. Filed 5/30/12. *TO AUTHORIZE KESTREL HEIGHTS SCHOOL TO ELECT TO PARTICIPATE IN THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES.*

As title indicates; requires that the election to participate be made no later than 30 days after the date that the act becomes effective.

Intro. by Insko. GS 135 Health, Social Services, and Aging

SENATE BILLS

S 936. STUDY STATE-OWNED BANK. Filed 5/30/12. *TO ESTABLISH A JOINT LEGISLATIVE STUDY COMMISSION TO STUDY THE FEASIBILITY OF ESTABLISHING THE "NORTH CAROLINA INVESTMENT TRUST," WHICH WOULD BE A STATE-OWNED BANK RECEIVING DEPOSITS OF STATE FUNDS.*

Creates a 16-member Commission as the title indicates. Directs the study to consider multiple issues relating to the feasibility of creating the North Carolina Investment Trust, a state-owned bank to receive deposits of state funds. Directs the Commission to hold a minimum of five public meetings in distinct geographic regions of the state. Provides that the Commission may make an interim report and any legislative recommendations to the 2012 General Assembly, 2012 Regular Session, before its convening and requires the Commission to submit its final report, including any legislative recommendations, by the end of the 2012 Regular Session of the General Assembly.

Intro. by Kinnaird. STUDY Banking and Finance; State Government

S 937. CITIZENS UNITED RESPONSE (=H 1201). Filed 5/30/12. *REQUESTING THAT CONGRESS PROPOSE AN AMENDMENT TO THE UNITED STATES CONSTITUTION TO OVERTURN THE UNITED STATES SUPREME COURT RULING IN CITIZENS UNITED V. FEDERAL ELECTION COMMISSION CONCERNING CORPORATE CAMPAIGN SPENDING.*

Identical to H 1201, filed 5/30/12.

Intro. by Kinnaird. JOINT RES Elections Law; General Assembly

S 940. IN-STATE TUITION RATE FOR VETERANS. Filed 5/30/12. *TO PROVIDE THAT CERTAIN VETERANS SHALL BE CHARGED THE RESIDENT TUITION TO ATTEND A PUBLIC INSTITUTION OF HIGHER EDUCATION IN NORTH CAROLINA WITHOUT HAVING FIRST MAINTAINED LEGAL RESIDENCE IN NORTH CAROLINA FOR AT LEAST ONE YEAR.*

Enacts new GS 116-143.3A to waive the 12-month residency requirement for in-state tuition purposes if a veteran, defined as any person honorably discharged on or after July 1, 2011, meets the following conditions: (1) lives in North Carolina, (2) was last permanently stationed in North Carolina, (3) satisfies all other domicile requirements, and (4) enrolls in a public institution of higher education within five years after discharge. Applies to academic semesters beginning on or after July 1, 2012.

Intro. by Mansfield. GS 116 Education; Military and Veterans Affairs

S 953. RESTORE METHOD OF DETERMINING SR. RES. JUDGE. Filed 5/30/12. *TO RESTORE THE METHOD FOR DETERMINING THE SENIOR RESIDENT SUPERIOR COURT JUDGE FOR A DISTRICT SO THAT THE SENIOR RESIDENT JUDGE IS THE JUDGE WHO HAS THE MOST CONTINUOUS SERVICE AS A SUPERIOR COURT JUDGE.*

Current law requires the Chief Justice of the NC Supreme Court to designate the senior resident superior court judge in districts that have two or more resident superior court judges. Amends GS 7A-41.1(b)(2) to provide as title indicates. Specifies that the older of two judges with equal seniority will be the senior resident superior court judge. Provides that any seated senior resident superior court judge, who would not qualify to hold that position when this act becomes law, continues to serve in that position.

Intro. by Meredith. GS 7A Courts

*Local Bills***HOUSE BILLS**

H 1196. ALBEMARLE MENTAL HEALTH CENTER PROPERTY. Filed 5/30/12. *TO PROVIDE A PROCESS FOR CONVEYING AN INTEREST IN REAL PROPERTY OWNED BY ALBEMARLE MENTAL HEALTH CENTER TO EAST CAROLINA BEHAVIORAL HEALTH.*

As title indicates. Authorizes the Director of Mental Health, Developmental Disabilities, and Substance Abuse Services in the Department of Health and Human Services to conclude the affairs of the Albemarle Mental Health Center, Developmental Disabilities and Substance Abuse Services, and convey the Center's real property interests in the three counties to East Carolina Behavioral Health.

Intro. by Owens. CAMDEN, CURRITUCK, Camden; Currituck; Perquimans
PERQUIMANS

H 1197. ADD STOKES CTY TO TAX CERT BEFORE RECORDATION (=S 857). Filed 5/30/12. *TO AUTHORIZE STOKES COUNTY TO REQUIRE THE PAYMENT OF DELINQUENT PROPERTY TAXES BEFORE RECORDING DEEDS CONVEYING PROPERTY.*

Identical to S 857, filed 5/22/12.

Intro. by Holloway. STOKES Stokes

H 1198. WORKERS COMP/VOLUNTEER FIRE DEPARTMENTS. Filed 5/30/12. *PROVIDE THAT VOLUNTEER FIREFIGHTERS SERVING WITH THE CITY OF RAEFORD FIRE DEPARTMENT MAY PARTICIPATE IN THE VOLUNTEER SAFETY WORKERS COMPENSATION FUND.*

Amends GS 58-87-10(a) as the title indicates. Applies only to the city of Raeford.

Intro. by Pierce. HOKE Hoke

H 1199. LAKE LURE CONVEY PROPERTY. Filed 5/30/12. *AUTHORIZING THE TOWN OF LAKE LURE TO CONVEY CERTAIN DESCRIBED PROPERTY BY GIFT, PRIVATE SALE, OR LONG-TERM LEASE.*

As title indicates. Authorizes Lake Lure to convey the described property to The Challenge Foundation Properties of NC LLC or Lake Lure Classical Academy for a public school.

Intro. by Hager. RUTHERFORD Rutherford

H 1200. WINSTON-SALEM FIREFIGHTERS RETIREMENT. Filed 5/30/12. *TO AMEND THE PROVISIONS OF THE WINSTON-SALEM FIREMEN'S RETIREMENT FUND.*

Makes the following changes to the provisions of the Winston-Salem Firemen's Retirement Fund Association (Association) (Sections 1 through 32 of SL 1973-388 as amended). Amends Section 17 to provide that beginning July 1, 2011, the amount of the payroll deduction from each member of the Association is to be determined by the Trustees based on advice from the Association's actuary as of the first day of each payroll period. Amends Section 28A to add provisions regarding death benefits and differential wage payments so as to comply with the requirements of the Heroes Earnings Assistance and Relief Tax Act of 2008. Effective July 1, 2011.

Intro. by McGee. FORSYTH Forsyth

H 1202. ROANOKE RAPIDS DEANNEX/HALIFAX N'HMPT AIRPORT. Filed 5/30/12. *TO DEANNEX FROM THE CITY OF ROANOKE RAPIDS A PARCEL PREVIOUSLY ANNEXED BY A LEGISLATIVE ANNEXATION AND AMENDING THE AUTHORIZING LEGISLATION FOR THE HALIFAX-NORTHAMPTON REGIONAL AIRPORT AUTHORITY.*

As title indicates. Effective June 30, 2013, removes the property annexed by SL 2005-9 from the corporate limits of Roanoke Rapids.

Amends SL 1997-275, as amended, to expand and modify the powers of the Halifax-Northampton Regional Airport Authority to include, among other things, the power to jointly own facilities with private parties. Makes a conforming change.

Intro. by Bryant, Bradley. HALIFAX, NORTHAMPTON Halifax; Northampton

H 1203. MODIFY MARTIN COUNTY OCCUPANCY TAX. Filed 5/30/12. *TO MODIFY THE AMOUNT OF THE MARTIN COUNTY OCCUPANCY TAX REVENUE THAT MAY BE RETAINED BY THE COUNTY FOR ADMINISTRATIVE EXPENSES.*

Amends SL 1991-80, as title indicates, to allow 6% (was, 3%) of the first \$500,000 of gross proceeds collected each year to be retained for administrative costs.

Intro. by E. Warren, Tolson. MARTIN Martin

H 1204. UNION COUNTY CONSTRUCTION METHODS. Filed 5/30/12. *AUTHORIZING UNION COUNTY TO CONSTRUCT LAW ENFORCEMENT AND HUMAN SERVICES FACILITIES USING DESIGN-BUILD DELIVERY METHODS.*

As the title indicates. Authorizes Union County to enter into build-to-suit capital leases of real or personal property for use as law enforcement facilities or human services facilities. Provides requirements for the process of seeking and selecting design-build teams with which to contract for projects and requirements for entering into build-to-suit capital leases.

Intro. by Horn, McGuirt, Burr. UNION Union

H 1205. AMEND TRESPASS/GRANVILLE COUNTY. Filed 5/30/12. *TO MAKE IT UNLAWFUL TO GO ON CERTAIN POSTED PROPERTY WITHOUT WRITTEN PERMISSION.*

Amends GS 14-159.6 to make it a Class 2 misdemeanor to willfully, without written permission, go on to another person's land, waters, ponds, or waterfowl blind located in Granville County that has been posted in accordance with GS 14-159.7. Effective in Granville County only; applies to offenses committed on or after October 1, 2012.

Intro. by Crawford. GRANVILLE Granville

H 1206. BUTNER BOUNDARY CLARIFICATION. Filed 5/30/12. *TO MORE ACCURATELY DESCRIBE THE CORPORATE LIMITS OF THE TOWN OF BUTNER.*

Amends Article II of the Butner Town Charter, to adjust descriptions of the town boundaries, extraterritorial jurisdiction, and restrictions on annexation as to Creedmoor.

Intro. by Crawford. GRANVILLE Granville

H 1207. GRANVILLE/PERSON LOCAL STORMWATER FEES. Filed 5/30/12. *TO ALLOW GRANVILLE COUNTY, PERSON COUNTY, THE CITY OF CREEDMOOR, THE TOWN OF BUTNER, AND THE TOWN OF STEM TO COLLECT DELINQUENT STORMWATER UTILITY FEES IN THE SAME MANNER AS DELINQUENT PERSONAL AND REAL PROPERTY TAXES.*

As title indicates. Amends GS 153A-277(a1) (regarding county's authority to fix rates) to authorize Granville and Person counties to treat stormwater utility fees in the same way as property taxes. Makes conforming changes to GS 153A-277(c).

Amends SL 2005-441, as amended, to grant Creedmor, Butner, and Stem the same authority.

Intro. by Crawford, Wilkins. GRANVILLE, PERSON Granville; Person

H 1208. ROCKINGHAM LANDFILL FEE USE. Filed 5/30/12. *TO AUTHORIZE ROCKINGHAM COUNTY TO USE FEES FOR THE USE OF DISPOSAL FACILITIES PROVIDED BY THE COUNTY FOR PUBLIC SCHOOL AND OTHER COUNTY PURPOSES BY LEVYING A SURCHARGE ON THE FEE.*

As title indicates. Amends GS 153A-292(b) to authorize the Rockingham County Board of Commissioners to levy a surcharge on the fee imposed for the use of a county disposal facility and use those funds for public school or other purposes.

Intro. by Jones, Holloway. ROCKINGHAM Rockingham

H 1209. ROCKINGHAM LANDFILL FUND BALANCE. Filed 5/30/12. *TO AUTHORIZE ROCKINGHAM COUNTY TO MAKE APPROPRIATIONS FROM A UTILITY OR PUBLIC SERVICE ENTERPRISE FUND USED FOR OPERATION OF A LANDFILL TO THE COUNTY GENERAL FUND UPON CERTAIN FINDINGS.*

Amends GS 159-13(b)(14) as title indicates.

Intro. by Jones, Holloway. ROCKINGHAM Rockingham

H 1210. HYDE COUNTY FOX TRAPPING. Filed 5/30/12. *TO AMEND THE SEASON FOR THE TAKING OF FOXES BY TRAPPING IN HYDE COUNTY.*

Amends SL 1997-132 to set the Hyde County fox trapping season as December 1 through the last day of February (was, from the day after the close of gun deer season until February 28). Makes a conforming repeal of Section 2 of SL 1989-229 (establishing the season for the taking, hunting, or killing of foxes). Effective October 1, 2012.

Intro. by Spear. HYDE Hyde

H 1212. [CHATHAM LOCAL GOVERNMENT INFO/MINORS](#). Filed 5/30/12. *AS TO THE COUNTY OF CHATHAM 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 EMAIL ADDRESSES OF MINORS IN SUCH PROGRAMS.*

Amends GS 132-1.12 as the title indicates. Applies only to Chatham County.

Intro. by Hackney. CHATHAM Chatham

H 1214. [SANFORD/CONVEY PROPERTY](#). Filed 5/30/12. *AUTHORIZING THE CITY OF SANFORD TO CONVEY CERTAIN PROPERTY AT A PUBLIC OR PRIVATE SALE.*

As title indicates. Details the notice and bidding requirements for the sale and applies only to the Whitten Roberts site in Sanford.

Intro. by Stone. LEE Lee

H 1215. [HENDERSON COUNTY OCCUPANCY TAX CHANGES](#). Filed 5/30/12. *TO SUPPORT THE STATE THEATER OF NORTH CAROLINA KNOWN AS THE FLAT ROCK PLAYHOUSE.*

Amends SL 1987-172, as amended, to authorize the Henderson County Board of Commissioners to levy an additional room occupancy and tourism development tax of up to 1%. Provides that both the existing and additional tax must be levied, administered, collected, and repealed as provided in GS 153A-155 (uniform provisions for room occupancy taxes). Requires the Henderson County Tourism Development Authority (TDA) to use at least two-thirds of the tax proceeds to promote travel and tourism (primarily marketing activity) in the county 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 county and at least one-half must be currently active in the county's travel and tourism promotion. Makes other conforming and clarifying changes.

Intro. by McGrady. HENDERSON Henderson

H 1216. [TOWN OF WALLACE/SATELLITE ANNEXATIONS](#). Filed 5/30/12. *REMOVING CERTAIN RESTRICTIONS ON SATELLITE ANNEXATIONS FOR THE TOWN OF WALLACE.*

Amends GS 160A-58.1(b) to remove four restrictions as the title indicates. Applies only to the town of Wallace.

Intro. by Dixon. DUPLIN, PENDER Duplin; Pender

H 1217. [ASHEVILLE/WOODFIN BOUNDARY ADJUSTMENTS](#). Filed 5/30/12. *TO ADJUST THE BOUNDARIES OF THE TOWN OF WOODFIN AND THE CITY OF ASHEVILLE, AS REQUESTED BY THE GOVERNING BOARDS OF THOSE MUNICIPALITIES, BY (1) ANNEXING INTO THE CITY OF ASHEVILLE CERTAIN STATE-OWNED PROPERTY, (2) REMOVING CERTAIN STATE-OWNED PROPERTY FROM THE TOWN OF WOODFIN AND ANNEXING IT INTO THE CITY OF ASHEVILLE, (3) REMOVING CERTAIN STATE-OWNED AND PRIVATE PROPERTY FROM THE CITY OF ASHEVILLE AND ANNEXING IT INTO THE TOWN OF WOODFIN, AND (4) UPON PETITION OF THE OWNER AND WITH THE CONCURRENCE OF THE TOWN OF WOODFIN, ALLOWING THE CITY OF ASHEVILLE TO ANNEX CERTAIN PROPERTY IN THE TOWN OF WOODFIN THAT, AS A RESULT OF THE OPERATION OF THIS ACT, IS SURROUNDED BY THE CITY OF ASHEVILLE OR A COMBINATION OF THE CITY OF ASHEVILLE AND UNINCORPORATED AREA, AND PROVIDING FOR THE CITY OF ASHEVILLE AND THE TOWN OF WOODFIN TO ENTER INTO AGREEMENTS REGARDING THE PROVISION OF MUNICIPAL SERVICES TO CERTAIN PROPERTIES IN EACH OTHER'S JURISDICTION .*

As title indicates. Details the areas affected by the act. Effective June 30, 2012.

Intro. by Fisher, Moffitt, Keever. BUNCOMBE Buncombe

SENATE BILLS

S 932. [UNION COUNTY CONSTRUCTION METHODS \(=H 1204\)](#). Filed 5/30/12. *AUTHORIZING UNION COUNTY TO CONSTRUCT LAW ENFORCEMENT AND HUMAN SERVICES FACILITIES USING DESIGN-BUILD DELIVERY METHODS.*

Identical to H 1204, filed 5/30/12.

Intro. by Tucker. UNION Union

S 933. HWY. AIRSPACE ENCROACHMENT IN PERQUIMANS CO. Filed 5/30/12. *TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO PERMIT ENCROACHMENT OF AIRSPACE ABOVE STATE ROAD 1224, CHAPANOKE ROAD, IN PERQUIMANS COUNTY FOR THE CONSTRUCTION OF A MATERIAL CONVEYANCE SYSTEM.*

As the title indicates. Provides factors that the Department of Transportation is to consider in determining whether or not to permit the encroachment. Applies only to Perquimans county.

Intro. by Jenkins. PERQUIMANS Perquimans

S 934. LOWER CAPE FEAR DESIGN-BUILD. Filed 5/30/12. *TO PERMIT THE LOWER CAPE FEAR WATER AND SEWER AUTHORITY TO UTILIZE THE DESIGN-BUILD METHOD OF CONSTRUCTION FOR A FOURTEEN-MILE PARALLEL WATER TRANSMISSION LINE WITHIN ITS SERVICE AREA.*

As the title indicates. Provides guidelines for prequalifying and soliciting bids from design-build teams for the project. Authorizes the Lower Cape Fear Water and Sewer Authority to contract for the construction of a 14-mile parallel water transmission line within its service area. This act expires December 31, 2015.

Intro. by Rabon. BLADEN, BRUNSWICK, Bladen; Brunswick; Columbus;
COLUMBUS, NEW HANOVER, New Hanover; Pender
PENDER

S 935. ABOLISH AVERY COUNTY CORONER. Filed 5/30/12. *TO ABOLISH THE OFFICE OF CORONER IN AVERY COUNTY.*

As the title indicates. Provides that GS Chapter 152 does not apply to Avery County.

Intro. by Hise. AVERY Avery

S 938. REPS/NEW HANOVER WASTE TO ENERGY FACILITY. Filed 5/30/12. *TO PROVIDE THAT ENERGY PRODUCED BY A WASTE-TO-ENERGY FACILITY UTILIZING MUNICIPAL WASTE IS A RENEWABLE ENERGY RESOURCE FOR PURPOSES OF COMPLIANCE WITH THE RENEWABLE ENERGY AND ENERGY EFFICIENCY PORTFOLIO STANDARDS.*

Amends GS 62-133.8, as title indicates. Applies to New Hanover County only and applies to renewable energy certificates created on or after the date that the act becomes law.

Intro. by Goolsby. NEW HANOVER New Hanover

S 939. FAYETTEVILLE REVIEW BOARD. Filed 3/30/12. *TO PERMIT THE CITY OF FAYETTEVILLE TO DISCLOSE LIMITED PERSONNEL INFORMATION TO THE MEMBERS OF THE CITIZEN REVIEW BOARD TO FACILITATE ITS REVIEW OF POLICE DISCIPLINARY CASES.*

As title indicates. Amends GS 160A-168(c) to allow information related to the outcome of disciplinary charges against an officer to be released to specified parties to assist citizen review of the police disciplinary process.

Intro. by Meredith. CUMBERLAND Cumberland

S 941. GRAHAM/SWAIN TVA ALLOCATION/BORDER (=H 1088). Filed 5/30/12. *CONCERNING THE DIVISION BETWEEN GRAHAM AND SWAIN COUNTIES OF TVA PAYMENTS IN LIEU OF TAXES, AND CLARIFYING THE COMMON BOUNDARY BETWEEN THOSE COUNTIES.* Identical to H 1088, filed 5/23/12.

Intro. by Davis. GRAHAM, SWAIN Graham; Swain

S 942. FONTANA DAM OCCUPANCY TAX (=H 1087). Filed 5/30/12. *TO AUTHORIZE THE TOWN OF FONTANA DAM TO LEVY AN OCCUPANCY TAX.*

Identical to H 1087, filed 5/23/12.

Intro. by Davis. GRAHAM Graham

S 943. MODIFY MARTIN COUNTY OCCUPANCY TAX (=H 1203). Filed 5/30/12. *TO MODIFY THE AMOUNT OF THE MARTIN COUNTY OCCUPANCY TAX REVENUE THAT MAY BE RETAINED BY THE COUNTY FOR ADMINISTRATIVE EXPENSES.*

Identical to H 1203, filed 5/30/12.

Intro. by Jenkins. MARTIN Martin

S 944. TOWN OF WALLACE/SATELLITE ANNEXATIONS (=H 1216). Filed 5/30/12. *REMOVING CERTAIN RESTRICTIONS ON SATELLITE ANNEXATIONS FOR THE TOWN OF WALLACE.*

Identical to H 1216, filed 5/30/12.

Intro. by Jackson. DUPLIN, PENDER Duplin; Pender

S 945. MODIFY SOUTHPORT OCCUPANCY TAX. Filed 5/30/12. *TO MODIFY THE SOUTHPORT OCCUPANCY TAX.*

Amends SL1989-639 to require Southport to use the proceeds of the additional room occupancy tax for beach renourishment and protection. Makes a conforming change.

Intro. by Rabon. BRUNSWICK Brunswick

S 946. TOWN OF BURGAW/DEANNEXATION (=H 1169). Filed 5/30/12. *REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF BURGAW.*

Identical to H 1169, filed 5/29/12.

Intro. by Rabon. PENDER Pender

S 947. LOWER CAPE FEAR DESIGN-BUILD (=H 1016). Filed 5/30/12. *TO PERMIT THE LOWER CAPE FEAR WATER AND SEWER AUTHORITY TO UTILIZE THE DESIGN-BUILD METHOD OF CONSTRUCTION OF WATER PROJECTS.*

Identical to H 1016, filed 5/21/12.

Intro. by Rabon. UNCODIFIED Bladen; Brunswick; Columbus; New Hanover; Pender

S 948. HENDERSON COUNTY OCCUPANCY TAX CHANGES (=H 1215). Filed 5/30/12. *TO SUPPORT THE STATE THEATER OF NORTH CAROLINA KNOWN AS THE FLAT ROCK PLAYHOUSE.*

Identical to H 1215, filed 5/30/12.

Intro. by Apodaca. HENDERSON Henderson

S 949. TOWN OF BOONE/ETJ. Filed 5/30/12. *PROVIDING THAT THE TOWN OF BOONE SHALL NOT EXERCISE THE POWERS OF EXTRATERRITORIAL JURISDICTION.*

As title indicates.

Intro. by Soucek. WATAUGA Watauga

S 950. SANFORD/CONVEY PROPERTY (=H 1214). Filed 5/30/12. *AUTHORIZING THE CITY OF SANFORD TO CONVEY CERTAIN PROPERTY AT A PUBLIC OR PRIVATE SALE.*

Identical to H 1214, filed 5/30/12.

Intro. by Atwater. LEE Lee

S 951. CLEVELAND COUNTY CORR. FACIL. PROP TRANSFER. Filed 5/30/12. *TO TRANSFER THE CLEVELAND COUNTY CORRECTIONAL FACILITY TO CLEVELAND COMMUNITY COLLEGE.*

As the title indicates. Directs the state of North Carolina to convey all of its right, title, and interest in the former Cleveland County Correctional Facility to the Board of Trustees of the Cleveland Community College for consideration of one dollar. Describes the property to be conveyed. Provides that the property is to be conveyed without warranty. Effective July 1, 2014.

Intro. by Westmoreland. CLEVELAND Cleveland

S 952. WAKE TOWNS LOCAL GOV'MT INFO/MINORS. Filed 5/30/12. *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 EMAIL ADDRESSES OF MINORS IN SUCH PROGRAMS IN THE TOWNS OF CARY, GARNER, KNIGHTDALE, MORRISVILLE, ROLESVILLE, WAKE FOREST, WENDELL, AND ZEBULON.*

Amends GS 132-1.12 as the title indicates. Applies only to the towns as indicated in the title.

Intro. by Stein, Stevens. WAKE Wake

ACTION ON BILLS

May 30, 2012

(Calendar Action as of 11:16 p.m.)

- 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

H0142 Economic Development and Finance Changes	HA Reptd Fav Com Substitute H Cal Pursuant Rule 36(b) H Placed On Cal For 5/31/2012
05-30-12	
H0302 Charitable Licensing Exemption Clarification.	S Reptd Fav Com Substitute SA Com Substitute Adopted
04-14-11, 05-30-12	
H0340 Utilities Commission/Criminal Records Check.	S Passed 2nd & 3rd Reading
03-24-11, 05-19-11	
H0391 Dept. of Admin/Procurement Modernization.-AB	S Reptd Fav Com Substitute SA Com Substitute Adopted S Com Sub Ruled Material
05-30-12	
H0503 Nutrition Stds./All Foods Sold at School.	S Reptd Fav Com Substitute SA Com Substitute Adopted
05-18-11, 05-24-11, 06-01-11, 05-30-12	
H0517 Magistrates/Calendaring.	H Rec From Senate
05-25-11, 05-24-12	
H0637 Adoption Law Changes.	S Passed 2nd & 3rd Reading
04-20-11, 05-29-12	
H0778 Amend Innocence Commission Laws.	H Ratified
06-02-11, 06-03-11	
H0821 Allow DOT to Use Recycled Asphalt.	S Reptd Fav
H0925 Annexation Reform 2	H Ratified
05-26-11, 05-16-12	
H0942 Pseudoephedrine Record-Keeping Clarification.	HA Reptd Fav Com Substitute H Cal Pursuant Rule 36(b) H Placed On Cal For 5/31/2012
05-30-12	
H0944 DCR and DENR/Study State Attractions Savings.	H Withdrawn From Com H Re-ref Com On Government
H0950 Modify 2011 Appropriations Act.	HA Amend Adopted 1 HA Amend Adopted 2 H Amend Failed 4 HA Amend Adopted 5 H Amend Failed 6 H Amend Failed 7 H Amend Failed 8 H Amend Failed 9 H Amend Failed 10 H Amend Failed 3 H Amend Failed 12

	H Amend Failed 14
	H Amend Failed 15
	HA Amend Adopted 16
	HA Amend Adopted 17
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	H Amend Failed 19
	H Amend Failed 20
	HA Amend Adopted 21
	H Amendment Withdrawn 11
	HA Amend Adopted 22
	H Passed 2nd & 3rd Reading
	H Ordered Engrossed
05-29-12, 05-30-12	
H0952 State Air Toxics Program Reforms.	S Rec From House
	S Passed 1st Reading
	S Ref To Com On Agriculture/ Environment/Natural Resources
05-24-12	
H0966 Repeal Prohibition on Teacher Prepayment.	S Withdrawn From Com
	S Re-ref to Rules and Operations of the Senate. If fav, re-ref to Appropriations/Base Budget
H1015 Set Public Utility and Insurance Reg. Fees.	S Rec From House
	S Passed 1st Reading
	S Ref To Com On Finance
H1025 Extend Tax Provisions.	HA Reptd Fav Com Substitute
	H Cal Pursuant Rule 36(b)
	H Placed On Cal For 5/31/2012
05-30-12	
H1034 Confirm Tamara Nance to Industrial Comm.	H Reptd Fav
	H Cal Pursuant Rule 36(b)
	H Placed On Cal For 5/30/2012
	H Passed 2nd & 3rd Reading
H1058 Reform Workforce Development.	H Withdrawn From Com
	H Re-ref Com On Commerce and Job Development
H1066 Passing Title by Will.	H Reptd Fav
	H Cal Pursuant Rule 36(b)
	H Placed On Cal For 5/31/2012
H1067 Co-owners/Unequal Shares/ Simultaneous Death.	H Reptd Fav
	H Cal Pursuant Rule 36(b)
	H Placed On Cal For 5/31/2012
H1068 Amend UCC Article 9/Secured Transactions.	H Reptd Fav
	H Cal Pursuant Rule 36(b)
	H Placed On Cal For 5/31/2012
H1069 Intestate Property/Child's Year's Allowance.	H Reptd Fav
	H Cal Pursuant Rule 36(b)
	H Placed On Cal For 5/31/2012
H1149 New Markets Job Act.	H Assigned To Commerce and Job Development Subcommittee on Business and Labor
H1154 Cape Fear CC Annex Funds.	H Passed 1st Reading
	H Ref To Com On Appropriations
H1155 Motor Vehicle Loan Balloon	H Passed 1st Reading

Payments.	H	Ref To Com On Judiciary Subcommittee C
H1156 Save Lives!/Fund Tobacco Prevention Programs.	H	Passed 1st Reading
H1157 Behavior Analysis Practice Act.	H	Ref To Com On Appropriations
	H	Passed 1st Reading
	H	Ref to the Com on Health and Human Services, if favorable, Finance
H1158 Modify 2011 Appropriations Act.	H	Passed 1st Reading
	H	Ref To Com On Appropriations
H1159 UNC Resident Tuition/Veterans & Dependents.	H	Passed 1st Reading
	H	Ref To Com On Appropriations
H1160 Infant Mortality Prevention/Funds.	H	Passed 1st Reading
	H	Ref To Com On Appropriations
H1161 Restore Funds for SHP Basic Schools.	H	Passed 1st Reading
	H	Ref To Com On Appropriations
H1162 Approp: Small Business Export Opportunities.	H	Passed 1st Reading
	H	Ref To Com On Appropriations
H1163 No Merger Without MPA Relief.	H	Passed 1st Reading
	H	Ref To Com On Rules, Calendar, and Operations of the House
H1164 Meth Team Expansion/Dept. of Justice Funds.	H	Passed 1st Reading
	H	Ref To Com On Appropriations
H1165 Internet Crimes Agnst Child./SBI Respond Team.	H	Passed 1st Reading
	H	Ref To Com On Appropriations
H1166 Temporarily Raise Income Tax on Millionaires.	H	Passed 1st Reading
	H	Ref To Com On Rules, Calendar, and Operations of the House
H1167 Tax Airplanes/Boats/RVs Equal to Automobiles.	H	Passed 1st Reading
	H	Ref to the Com on Finance, if favorable, Appropriations
H1168 Maximize Fed GI Education Benefits.	H	Passed 1st Reading
	H	Ref to the Com on Education, if favorable, Appropriations
H1171 Extend Sunset for EITC.	H	Passed 1st Reading
	H	Ref to the Com on Finance, if favorable, Appropriations
H1172 Remove League & Co. Comm. from LGERS.	H	Passed 1st Reading
	H	Ref To Com On Rules, Calendar, and Operations of the House
H1173 Absconding Prob. Violators Forfeit Benefits.	H	Passed 1st Reading
	H	Ref to the Com on Judiciary Subcommittee C, if favorable, Finance
H1175 COPD Awareness.	H	Cal Pursuant 32(a)
	H	Placed On Cal For 5/30/2012
	H	Adopted
H1176 UNC Tuition/Out-of-State Veterans.	H	Passed 1st Reading
	H	Ref to the Com on Education, if favorable, Appropriations
H1177 Legislative Buildings Access Study.	H	Passed 1st Reading
	H	Ref To Com On Rules, Calendar, and Operations of

		the House
H1178	Western Carolina/Univ. Participant Program.	H Passed 1st Reading
		H Ref To Com On Appropriations
H1179	Indian Cultural Center/Terminate Lease.	H Passed 1st Reading
		H Ref To Com On Finance
H1180	Video Sweepstakes Entertainment Tax.	H Passed 1st Reading
		H Ref to the Com on Judiciary Subcommittee B, if favorable, Finance
H1182	UNC & Comm Colleges/Savings Incentives.	H Passed 1st Reading
		H Ref To Com On Finance
H1183	Funds for NCCAT Teacher Leadership Initiative.	H Passed 1st Reading
		H Ref to the Com on Education, if favorable, Appropriations
H1184	Clarify Underground Injection Ban.	H Passed 1st Reading
		H Ref to the Com on Environment, if favorable, Judiciary Subcommittee C, if favorable, Commerce and Job Development
H1185	Fracking contracts/against public policy.	H Passed 1st Reading
		H Ref to the Com on Environment, if favorable, Judiciary Subcommittee C, if favorable, Commerce and Job Development
H1186	Restore Budget Cuts/Add Temp. Sales Tax.	H Passed 1st Reading
		H Ref to the Com on Commerce and Job Development, if favorable, Appropriations, if favorable, Finance
H1187	NC Toxic-Free Kids Act.	H Passed 1st Reading
		H Ref to the Com on Environment, if favorable, Judiciary Subcommittee C, if favorable, Appropriations
H1188	Casino Night for Nonprofits.	H Passed 1st Reading
		H Ref To Com On Judiciary Subcommittee B
H1189	Timely Payment/UNC Special Bonds.	H Passed 1st Reading
		H Ref To Com On Appropriations
H1191	Resolution of Disapproval of Reorganization.	H Passed 1st Reading
		H Ref To Com On Judiciary Subcommittee C
H1192	Amend Castle Doctrine/Repeal Stand Ground.	H Passed 1st Reading
		H Ref To Com On Judiciary Subcommittee C
H1193	Increase Small Brewery Limits.	H Passed 1st Reading
		H Ref To Com On Commerce and Job Development Subcommittee on Alcoholic Beverage Control
H1194	Envir. Justice/Repurposing Existing Landfill.	H Passed 1st Reading
		H Ref to the Com on Environment, if favorable, Judiciary
H1195	Governor's Budget.	H Passed 1st Reading

	H	Ref To Com On Appropriations
H1201 Citizens United response.	H	Filed
H1211 Local Governments in State Health Plan.	H	Filed
H1213 State Health Plan/Add School.	H	Filed
S0077 MDPV/Schedule I Controlled Substance.	HA	Reptd Fav Com Substitute
03-01-11, 05-30-12	H	Cal Pursuant Rule 36(b)
S0231 Interconnection of Public Water Systems.	H	Withdrawn From Com
06-08-11	H	Re-ref Com On Government
S0486 Release Subdivided Lots From Tax Liens.	HA	Reptd Fav Com Substitute
04-26-11, 06-08-11, 05-30-12	H	Re-ref Com On Finance
S0525 Streamline Oversight/DHHS Service Providers.	H	Withdrawn From Com
05-12-11	H	Re-ref Com On Health and Human Services
S0582 Authorize Indian Gaming/Revenue.	HA	Reptd Fav Com Substitute
05-16-12, 05-30-12	H	Cal Pursuant Rule 36(b)
S0755 Ed. Employees Ass'n./Equal Access Act.	H	Placed On Cal For 5/31/2012
06-08-11	H	Withdrawn From Com
S0795 Excellent Public Schools Act.	H	Re-ref Com On Education
05-29-12, 05-30-12	SA	Reptd Fav Com Substitute
S0806 Modify Mortgage Regulation Funding.	SA	Com Substitute Adopted
S0810 Regulatory Reform Act of 2012.	S	Re-ref Com On Finance
05-24-12, 05-30-12	S	Reptd Fav
S0824 Expedited Rule Making for Forced Combination.	S	Reptd Fav
S0886 Strengthen Bd. of Trans. Ethics Policy.	S	Reptd Fav
S0889 RPO Area Definition.	S	Reptd Fav
S0890 Sec. of Transportation Project Approval.	S	Reptd Fav
S0891 Update Ch. 136 with Term "Chief Engineer."-AB	S	Reptd Fav
S0892 Require DOT Strategic Prioritization Process.	S	Reptd Fav
S0893 Privacy of Turnpike Authority Toll Data.-AB	SA	Reptd Fav Com Substitute
05-30-12	SA	Com Substitute Adopted
S0895 DOT Division of Motor Vehicles Leg. Requests.-AB	SA	Reptd Fav Com Substitute
05-30-12	SA	Com Substitute Adopted
S0903 Restore Funds/Women's Preventive Health Svcs.	S	Passed 1st Reading
	S	Ref To Com On Appropriations/ Base Budget

S0904	The Woman's Right to Choose Act.	S	Held As Filed
S0907	Governor's Budget.	S	Passed 1st Reading
		S	Ref To Com On Appropriations/ Base Budget
S0908	Matching Funds Repeal.	S	Passed 1st Reading
		S	Ref To Com On Judiciary I
S0909	Increase Deduction for Rescue Workers.	S	Passed 1st Reading
		S	Ref To Com On Finance
S0910	Sale of a Child/Felony Offense.	S	Passed 1st Reading
		S	Ref To Com On Rules and Operations of the Senate
S0911	Local Governments in State Health Plan.	S	Passed 1st Reading
		S	Ref To Com On Rules and Operations of the Senate
S0912	Transportation Amendments.	S	Held As Filed
S0913	Expand Aviation Sales Tax Exemption.	S	Passed 1st Reading
		S	Ref To Com On Finance
S0914	Coverage for Hearing Aid Specialists.	S	Held As Filed
S0915	Public Infrastructure Oversight Commission.	S	Passed 1st Reading
		S	Ref To Com On Program Evaluation
S0916	Correct Animal Lovers Special Plate Shortfall.	S	Held As Filed
S0917	Spay/Neuter Program Funding.	S	Held As Filed
S0920	Increase Replacement Cycle/ School Buses.	S	Passed 1st Reading
		S	Ref To Com On Education/ Higher Education
S0921	Study Grandparents' Rights/ Child Custody.	S	Held As Filed
S0922	Sex Trafficking/Sex Offender Registration.	S	Passed 1st Reading
		S	Ref To Com On Judiciary I
S0923	End Collection/Traffic Enforcement Statistics.	S	Passed 1st Reading
		S	Ref To Com On Judiciary I
S0924	Handgun on Ed. Prop/Limited Exception.	S	Passed 1st Reading
		S	Ref To Com On Rules and Operations of the Senate
S0925	Public Hospital Use Debt Setoff.	S	Passed 1st Reading
		S	Ref To Com On Finance
S0926	Reform Workforce Development.	S	Held As Filed
S0927	Rental Property/Lithium Battery Smoke Alarms.	S	Passed 1st Reading
		S	Ref To Com On Commerce
S0928	Repeal/Streamline DPI Reporting Requirements.	S	Held As Filed
S0929	Firemen's Retirement Fund/ Board Membership.	S	Passed 1st Reading
		S	Ref To Com On Pensions & Retirement and Aging
S0930	Indian Cultural Center/ Terminate Lease.	S	Held As Filed
S0931	NC Businesses First/Small Business Funds.	S	Passed 1st Reading
		S	Ref To Com On Appropriations/ Base Budget
S0936	Study State-Owned Bank.	S	Filed
S0937	Citizens United response.	S	Filed
S0940	In-State Tuition Rate for	S	Filed

Veterans.

S0951 Cleveland County Corr. Facil. S Filed
Prop Transfer.
S0953 Restore Method of Determining S Filed
Sr. Res. Judge.

LOCAL BILLS

H0005 Local Deannexations H Ratified
02-10-11, 05-16-12
H1152 Cap on Charter Schools/Durham H Passed 1st Reading
County. H Ref to the Com on Education,
if favorable, Finance
H1153 Standards for Charter Schools/ H Passed 1st Reading
Durham County. H Ref to the Com on Education,
if favorable, Government
H1169 Town of Burgaw/Deannexation. H Passed 1st Reading
H Ref to the Com on Government,
if favorable, Finance
H1170 Pender County ABC Law. H Passed 1st Reading
H Ref To Com On Commerce and
Job Development Subcommittee
on Alcoholic Beverage Control
H1174 Scotland Co: Privilege Tax H Passed 1st Reading
for Sweepstakes. H Ref to the Com on Government,
if favorable, Finance
H1181 Emerald Isle Local Option H Passed 1st Reading
Sales Tax. H Ref to the Com on Government,
if favorable, Finance
H1190 North Topsail Beach Occupancy H Passed 1st Reading
Tax Change. H Ref To Com On Finance
H1196 Albemarle Mental Health H Filed
Center Property.
H1197 Add Stokes Cty to Tax Cert H Filed
Before Recordation.
H1198 Workers Comp/Volunteer Fire H Filed
Departments.
H1199 Lake Lure Convey Property. H Filed
H1200 Winston-Salem Firefighters H Filed
Retirement.
H1202 Roanoke Rapids Deannex/ H Filed
Halifax N'hmpt Airport.
H1203 Modify Martin County H Filed
Occupancy Tax.
H1204 Union County Construction H Filed
Methods.
H1205 Amend Trespass/Granville H Filed
County.
H1206 Butner Boundary Clarification. H Filed
H1207 Granville/Person Local H Filed
Stormwater Fees.
H1208 Rockingham Landfill Fee Use. H Filed
H1209 Rockingham Landfill Fund H Filed
Balance.
H1210 Hyde County Fox Trapping. H Filed
H1212 Chatham Local Government Info/ H Filed

Minors.			
H1214	Sanford/Convey Property.	H	Filed
H1215	Henderson County Occupancy Tax Changes.	H	Filed
H1216	Town of Wallace/Satellite Annexations.	H	Filed
H1217	Asheville/Woodfin Boundary Adjustments.	H	Filed
S0805	Isothermal Community College Fed Loan Program.	S	Reptd Fav Com Substitute SA Com Substitute Adopted
	05-30-12		
S0905	Currituck CAMA Setback Req'ts./Grandfather.	S	Passed 1st Reading S Ref To Com On Agriculture/ Environment/Natural Resources
S0906	Nags Head Conveyance.	S	Passed 1st Reading S Ref To Com On State and Local Government
S0918	Amend Durham County Occupancy Tax Uses.	S	Passed 1st Reading S Ref To Com On State and Local Government
S0919	Carteret Commissioner Election.	S	Passed 1st Reading S Ref To Com On State and Local Government
S0932	Union County Construction Methods.	S	Filed
S0933	Hwy. Airspace Encroachment in Perquimans Co.	S	Filed
S0934	Lower Cape Fear Design-Build.	S	Filed
S0935	Abolish Avery County Coroner.	S	Filed
S0938	REPS/New Hanover Waste to Energy Facility.	S	Filed
S0939	Fayetteville Review Board.	S	Filed
S0941	Graham/Swain TVA Allocation/ Border.	S	Filed
S0942	Fontana Dam Occupancy Tax.	S	Filed
S0943	Modify Martin County Occupancy Tax.	S	Filed
S0944	Town of Wallace/Satellite Annexations.	S	Filed
S0945	Modify Southport Occupancy Tax.	S	Filed
S0946	Town of Burgaw/Deannexation.	S	Filed
S0947	Lower Cape Fear Design-Build.	S	Filed
S0948	Henderson County Occupancy Tax Changes.	S	Filed
S0949	Town of Boone/ETJ.	S	Filed
S0950	Sanford/Convey Property.	S	Filed
S0952	Wake Towns Local Gov'mt Info/ Minors.	S	Filed

SUMMARIES OF AMENDMENTS AND COMMITTEE SUBSTITUTES

HOUSE BILLS

H 142. ECONOMIC DEVELOPMENT & FINANCE CHARGES (NEW). Filed 2/17/11. House committee substitute makes the following changes to 1st edition.

Deletes all provisions of the previous edition and replaces them with *AN ACT TO PROMOTE ECONOMIC DEVELOPMENT AND TO PROVIDE FISCAL RELIEF TO CITIZENS OF THE STATE BY (1) TEMPORARILY CAPPING THE GAS TAX, (2) DELAYING THE IMPOSITION OF TOLLS ON FERRY ROUTES, (3) EXEMPTING CERTAIN MOTIONS FROM CIVIL MOTIONS FILING FEE, (4) WAIVING THE FILING FEE OTHERWISE DUE FROM UNEMPLOYED INDIVIDUALS ORGANIZING LIMITED LIABILITY COMPANIES, (5) CLARIFYING AND EXTENDING THE APPROPRIATE FILING PERIOD FOR AN ECONOMIC INCENTIVE, (6) EXPANDING THE USE OF INDUSTRIAL DEVELOPMENT FUNDS FOR CERTAIN PROJECTS, AND (7) MAKING A TECHNICAL CORRECTION TO THE PORT ENHANCEMENT ZONE.*

Caps the motor fuel tax rate at 37 1/2¢ a gallon for July 1, 2012, through June 30, 2013.

Prohibits the Department of Transportation, Ferry Division, from collecting increased tolls required by the Appropriations Act of 2011 in 2012-13.

Amends GS 7A-305(f) (regarding costs in civil actions) to also exempt motions to withdraw as counsel of record, and motions to withdraw condemnor's deposit in condemnation proceedings from the \$20 filing fee imposed on certain motions filed with the clerk. Makes corresponding changes to GS 7A-306(g) (costs in special proceedings) and GS 7A-307(a)(4) (costs in administration of estates). Applies to motions filed on or after August 1, 2012.

Adds new subsection (a1) to GS 57C-1-22 to prohibit the Secretary of State from collecting a fee for filing articles of organization from organizers who are unemployed at the time of filing. Applies to articles of organization filed on or after August 1, 2012.

Allows interstate passenger air carriers, as described, a refund on sales tax paid on fuel in excess of \$1.25 million from January 1, 2011, through June 30, 2011, provided the request is made before July 1, 2012; makes this provision effective on January 1, 2011, and applicable to purchases made on or after that date. Clarifies the refund applicable to certain interstate passenger air carriers for 2010.

Amends GS 143B-437.01(a)(1) to provide that sewer infrastructure will be eligible for funds from the Industrial Development Fund if located on the building site, or if directly related to the eligible industrial activity even if located in another county.

Amends GS 143B-437.013(a) to clarify that a port enhancement zone must be comprised of *part or all of one* or more contiguous census tracts, census block groups, or both, among other requirements. Effective in tax years beginning on or after January 1, 2013.

Business and Commerce; Taxation

H 302. CHARITABLE LICENSING EXEMPTION CLARIFICATION. Filed 3/9/11. Senate committee substitute makes the following changes to 2nd edition.

Changes the title of the act to *AN ACT TO BROADEN THE EXEMPTION FROM CHARITABLE LICENSING REQUIREMENTS FOR CERTAIN NONPROFIT ADULT RESIDENTIAL TREATMENT FACILITIES AND TO EXTEND THE SUNSET ON A WAIVER RELATING TO ALTERNATIVE STAFFING REQUIREMENTS FOR FACILITIES THAT USE ELECTRONIC SUPERVISION DEVICES.*

Amends Section 4 of SL 2009-490 to extend the sunset on a waiver relating to alternative staffing requirements as indicated in the title to December 31, 2015 (was, December 31, 2012). Changes the effective date of the act to July 1, 2012 (was, July 1, 2011).

Business and Commerce

H 391. RTP DISTRICT AMENDMENTS (NEW). Filed 3/16/11. Senate committee substitute makes the following changes to 1st edition.

Deletes all provisions of the previous version and replaces them with *AN ACT TO REVISE THE LAWS RELATING TO COUNTY RESEARCH AND PRODUCTION SERVICE DISTRICTS TO REFLECT CHANGED CIRCUMSTANCES AND TO ALLOW FLEXIBILITY IN PROVISION OF SERVICES IN URBAN AREAS OF SUCH DISTRICTS.*

Enacts new provisions in Part 2 of Article 16 in GS Chapter 153A to authorize the establishment of urban research service districts (URSD) and provide for the regulation, extension, and taxing of the districts. Permits a county board of commissioners to establish one or more URSDs if the following conditions are met: the URSD (1) is within a county research and production service district located partly within the county, (2) is located wholly within that county, and (3) is not contained within another URSD. Requires the board of commissioners to produce a report, as specified, on the URSD, and to hold a public hearing before adopting a resolution to define the URSD. Provides for an advisory committee of at least 10 members for the URSD. Permits the board to annex territory to a URSD if certain conditions are met, including a requirement that 100% of the real property owners in

the area to be annexed have petitioned for annexation. Also permits the board to remove territory from a URSD in a similar manner. Sets out the report and public hearing requirements for these procedures. Provides for contracting to furnish services within the URSD. Authorizes the abolishment of a URSD, as detailed. Allows a county to levy property taxes in the URSD that are in addition to taxes levied by the county and the taxes levied in the research and production service district. Details the property tax rate and the uses authorized for the proceeds.

Makes conforming and clarifying changes to the current provisions in Part 2 that establish and govern a research and production service district. Permits a developer of such a district, established before June 1, 2012, to amend the covenants limiting the use of district property to allow additional listed uses, including commercial, residential, or institutional purposes. Clarifies that the removal of territory from a district is allowed if, among other things, removal was recommended by a two-thirds vote of the owners and tenant association (was, the owners of the territory to be removed expect to use the territory for residential purposes).

Previously: State Government

Now: Local Government

H 503. PARENT CHOICE/CLARIFY PRE-K (NEW). Filed 3/29/11. Senate committee substitute makes the following changes to 3rd edition.

Deletes all provisions of previous edition and replaces them with *AN ACT TO EXEMPT PARENTALLY SUPPLIED FOODS FROM NUTRITION STANDARDS AND EVALUATIONS, AND TO CLARIFY ELIGIBILITY AND REPEAL CO-PAY REQUIREMENTS FOR THE NC PRE-K PROGRAM*.

Amends GS 110-91(2) (concerning health-related activities of child care facilities) to clarify that the Child Care Commission (Commission) must adopt rules regulating food and beverages provided by child care facilities. Expands and clarifies the exception from such rules currently provided to parents as follows: (1) allows parents and guardians to provide food and beverages to their child that do not meet Commission standards and to opt out of any supplemental food program and (2) prohibits the Commission or other entity from evaluating the nutritional value of food or beverages provided by a parent, as indicated. Makes organizational changes.

Amends Section 10.7(f) in the Appropriations Act of 2011 to direct the Division of Child Development and Early Education to establish income eligibility requirements for the NC Pre-K program that do not exceed 75% of the state median income; allows up to 20% of enrolled children to have family incomes above the cutoff if they have other designated risk factors (currently, the Division serves at risk-children regardless of income). Repeals Section 10.7(h) in the Appropriations Act of 2011, which established a parent co-payment requirement.

Education

H 942. PSEUDOEPHEDRINE RECORD KEEPING CLARIFICATION. Filed 5/16/12. House committee substitute makes the following change to 1st edition.

Amends GS 90-113.52(c) to clarify that every person who purchases a pseudoephedrine product must show a valid, unexpired, government-issued photo identification, and must state or print his or her current residential address (previously required photo identification only). Makes a conforming change to the bill title.

Health, Social Services, and Aging

H 950. MODIFY 2011 APPROPRIATIONS ACT. Filed 5/16/12. House amendments make the following changes to 2nd edition.

Amendment #1 deletes the special provision requiring The Golden LEAF Foundation to adopt job creation standards that underwrite economic activities that create jobs and support small businesses.

Amendment #2 directs the NC Partnership for Children to establish eligibility criteria for Read NC funds, based on child poverty, child population, and the most economically distressed counties. Makes a clarifying change to the provision concerning the Partnership's salary schedule for directors.

Amendment #5 amends the Highway Fund availability statement as follows: (1) provides for a reduction of \$46,650,000 as a reserve for House Bill 142, Economic Development and Finance Changes, and (2) adjusts the Revenue line accordingly. Amends the Highway Trust Fund availability statement as follows: (1) provides for a reduction of \$15,550,000 as a reserve for HB 142, and (2) adjusts the Revenue line accordingly. Appropriates \$30,520,000 (rather than \$19,120,000) from the *U.S. v. Bank of America* settlement funds to the Housing Finance Agency for housing counselors and other assistance for distressed homeowners. Directs \$5,740,000 in civil penalties to be deposited in the Civil Penalty and Forfeiture Fund (rather than directed to the public schools).

Amendment #16 adds a new section authorizing the Legislative Research Commission to study the funding and alignment of membership of specified regional economic development commissions.

Amendment #17 adds a new section to reduce funds appropriated to the NC Forest Service for 2012-13 by \$100,000, and directs the Department of Agriculture and Consumer Services to reduce payments accordingly.

Adds a new section to increase funding by \$100,000 for the operation of a pavilion at the Southeastern NC Agricultural Center in Lumberton.

Amendment #21 amends the Child Care Allocation Formula provision to direct the Division of Child Development and Early Education to base the allocation formula provided for in the Appropriations Act of 2011 on the same data used for 2011-12, and requires the Department of Health and Human Services to allocate to counties all state funds appropriated for child care subsidy.

Amendment #22 adds that \$134,592 from the Social Services Block Grant will be allocated to the Carousel Center for Abused Children, makes a conforming reduction in the County Department of Social Services allocation, and adjusts totals accordingly. Adds that these funds are exempt from the rule requiring matching rates.

Budget and Appropriations

H 1025. EXTEND TAX PROVISIONS. Filed 5/21/12. House committee substitute makes the following changes to 1st edition. Amends GS 105-129.39 to provide that Article 3D (Historic Rehabilitation Tax Credit) expires for qualified rehabilitation expenditures and rehabilitation expenses incurred on or after January 1, 2015 (was, January 1, 2014). Amends GS 105-129.75 to provide that Article 3H (Mill Rehabilitation Tax Credit) expires for rehabilitation projects for which an application for eligibility certification is submitted on or after January 1, 2015 (was, January 1, 2014). Amends the title to read, *AN ACT TO EXTEND THE SUNSET OF CERTAIN TAX PROVISIONS*.

Taxation

SENATE BILLS

S 77. RENTAL PROPERTY/LITHIUM BATTERY SMOKE ALARMS (NEW). Filed 2/16/11. House committee substitute makes the following changes to 2nd edition.

Deletes all provisions in the previous edition and replaces them with *AN ACT PROVIDING THAT AFTER DECEMBER 31, 2012, LANDLORDS SHALL, WHEN INSTALLING A NEW SMOKE ALARM OR REPLACING AN EXISTING SMOKE ALARM, INSTALL A TAMPER-RESISTANT, TEN-YEAR LITHIUM BATTERY SMOKE ALARM EXCEPT IN CERTAIN CASES, AND PROVIDING THAT LANDLORDS MAY DEDUCT FROM THE TENANT SECURITY DEPOSIT DAMAGE TO A SMOKE ALARM OR CARBON MONOXIDE ALARM, AS RECOMMENDED BY THE NORTH CAROLINA CHILD FATALITY TASK FORCE*.

Amends GS 42-42 to require a landlord installing a new smoke alarm or replacing an existing alarm after December 31, 2012, to install a tamper-resistant, 10-year lithium battery smoke alarm, unless the dwelling unit is equipped with a (1) hardwired smoke alarm with a battery backup or (2) smoke alarm combined with a carbon monoxide alarm that meets specified statutory requirements. Makes conforming changes. Amends GS 42-43 to add that a tenant is not required to replace an alarm battery of this type in the dwelling unit. Changes the term detector to alarm throughout the applicable statutes.

Amends GS 42-51 to allow a tenant's security deposit to be used to cover damage or destruction of a smoke or carbon monoxide alarm.

Effective December 31, 2012.

Previously: Criminal Law,
Procedure, and Sentencing
Now: Property, Land Use, and
Housing

S 486. RELEASE SUBDIVIDED LOTS FROM TAX LIENS. Filed 3/31/11. House committee substitute makes the following changes to 3rd edition. Amends GS 105-362(b)(2) to provide that tax supervisors have ten business days (was, five) from receipt of a written request for valuation to provide the valuation. Provides that the county may collect personal property taxes owed by the listing taxpayer before releasing a lien on the taxpayer's real property. Changes the effective date to July 1, 2012 (was, 2011).

Taxation; Property, Land Use, and
Housing

S 582. AUTHORIZE INDIAN GAMING/REVENUE. Filed 4/12/11. House committee substitute makes the following change to 2nd edition.

Amends proposed GS 14-292.2, which regulates gaming on Indian lands, to limit to three the number of Class III gaming facilities authorized by a gaming compact on the lands of any single Indian tribe.

Lottery and Gaming

S 795. EXCELLENT PUBLIC SCHOOLS ACT. Filed 4/23/12. Senate committee substitute makes the following changes to 2nd edition.

Appropriates \$33,914,503 (was, \$34,087,650) from the General Fund to the Department of Public Instruction for 2012-13 to implement the requirements as indicated in section one of this act. Amends GS 105-134.6(b) (other deductions) to delete proposed subdivision (23) which allowed an eligible educator a tax deduction of up to \$250 for specified educational supplies. Instead, creates a new subdivision (9) to GS 105-134.6(d) (other adjustments) to allow an eligible educator to claim up to a \$250 deduction for the expense of specified educational supplies to the extent that a deduction has not been claimed for educator expenses in determining federal adjusted gross income. Makes a technical correction.

Education; Elections Law; Budget and Appropriations

S 805. ISOTHERMAL COMMUNITY COLLEGE FED LOAN PROGRAM. Filed 5/16/12. Senate committee substitute makes the following changes to 1st edition. Makes technical changes only.

Education; Rutherford

S 810. REGULATORY REFORM ACT OF 2012. Filed 5/17/12. House amendment makes the following change to 2nd edition.

Adds a section amending GS 150B-33(b)(11) to clarify that an administrative law judge may assess attorneys' and witnesses' fees against a state agency when the judge finds that the agency substantially prejudiced the petitioner's rights and acted arbitrarily or capriciously, or as otherwise provided under current law.

APA/Rule Making; Agriculture, Environment, and Natural Resources; Business and Commerce; Property, Land Use, and Housing; Health, Social Services, and Aging

S 893. PRIVACY OF TURNPIKE AUTHORITY TOLL DATA. Filed 5/23/12. Senate committee substitute makes the following changes to 1st edition. Amends GS 136-89.213(a1) to provide that a party may inspect and examine confidential account information under authority of either a proper court order or a subpoena (was, authority of a proper court order).

Transportation

S 895. DOT DIVISION OF MOTOR VEHICLES LEG. REQUESTS. Filed 5/23/12. Senate committee substitute makes the following changes to 1st edition.

Amends GS 20-7 to reinstate differentiating requirements for obtaining a motorcycle endorsement based on the persons age. Eliminates provision allowing a person younger than 18 to obtain a motorcycle endorsement by passing a road test in addition to a knowledge test about motorcycles. Requires a person younger than 18 years old to both pass a knowledge test and provide proof of successful completion of safety courses as indicated in the act. Requires an applicant for a motorcycle learner's permit, who is younger than 18 years old, to complete either the NC Motorcycle Safety Education Program Course or any course approved by the Commissioner of Motor Vehicles that is consistent with the Motorcycle Safety Instruction Program established under GS 115D-72.

Transportation

Legislation Enacted

SL 2012-3 (H 5). LOCAL DEANNEXATIONS. AN ACT TO EXERCISE THE POWER OF THE GENERAL ASSEMBLY UNDER SECTION 1 OF ARTICLE VII OF THE NORTH CAROLINA CONSTITUTION TO FIX THE BOUNDARIES OF CITIES AND GIVE SUCH POWERS TO CITIES AS IT DEEMS ADVISABLE BY DEANNEXING SPECIFIED LOCAL INVOLUNTARY ANNEXATION AREAS, BY REPEALING SPECIFIED INVOLUNTARY ANNEXATION ORDINANCES, AND BY PROHIBITING MUNICIPAL INITIATION OF ANY

PROCEDURE TO INVOLUNTARILY ANNEX THOSE AREAS FOR TWELVE YEARS. Summarized in *Daily Bulletin* 1/26/11, 2/10/11, and 5/16/12. Enacted May 30, 2012. Effective July 1, 2012.

Davidson; Lenoir; Edgecombe;
Nash; New Hanover; Buncombe;
Martin; Wayne; Cumberland;
Brunswick

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None

NEXT SESSIONS

May 31, 2012

HOUSE convenes at 1:00 p.m.

SENATE convenes at 12:00 p.m.