

Daily Bulletin

ACTIONS BY THE NORTH CAROLINA GENERAL ASSEMBLY

School of Government

The University of North Carolina at Chapel Hill

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House Legislative Day 128

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Senate Legislative Day 128

Monday, June 18, 2012

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SUMMARIES OF BILLS FILED

Public Bills

None

Local Bills

None

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ACTION ON BILLS**June 18, 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

H0007 Comm. Colleges/Opt Out of Fed'l Loan Program. 02-22-11	S Veto Overridden
H0199 Metal Theft Prevention Act of 2012. 03-31-11, 06-07-12, 06-11-12, 06-12-12	H Concurred In S/Com Sub
H0462 Contingency Contracts For Audits/Assessments.	SA Amend Adopted 2 SA Amend Adopted 3 SA Amend Adopted 4 S Withdrawn From Cal S Placed On Cal For 6/19/2012
06-07-12, 06-12-12, 06-18-12	
#H0673 Street Gang Nuisance Abatement. 05-16-11, 05-31-12	H Signed By Gov. 6/15/2012 HR Ch. SL 2012-28
H0944 DCR and DENR/Study State Attractions Savings.	H Passed 2nd & 3rd Reading
H0952 State Air Toxics Program Reforms. 05-24-12	S Withdrawn From Cal S Placed On Cal For 6/21/2012
H0975 Promote Local/Healthy Food. 06-14-12	H Passed 3rd Reading H Ordered Engrossed
H1009 MSD Amendments. 06-14-12	H Passed 2nd & 3rd Reading
H1023 Expunction/Nonviolent Offenses. 06-13-12, 06-18-12	HA Amend Adopted 3 H Amend Pending 4 H Withdrawn From Cal H Postponed To 6/19/2012
H1052 Mechanics Liens/Payment Bond Reforms. 06-13-12	H Withdrawn From Cal H Re-ref Com On Finance
H1074 Stop Waste, Fraud, and Abuse in Govt. Act. 06-13-12	H Withdrawn From Com H Cal Pursuant Rule 36(b) H Placed On Cal For 6/19/2012
H1173 Absconding Prob. Violators Forfeit Benefits.	H Withdrawn From Com H Cal Pursuant Rule 36(b) H Placed On Cal For 6/19/2012
H1225 American Liberty Memorial.	H Passed 1st Reading H Ref To Com On Rules,

		Calendar, and Operations of the House
S0077 Rental Property/Lithium Battery Smoke Alarms.	H	Passed 2nd & 3rd Reading
03-01-11, 05-30-12, 06-14-12	H	Ordered Engrossed
S0141 Concealed Carry/DA, Ass't DA, Investigator.	H	Withdrawn From Com
	H	Re-ref Com On Rules, Calendar, and Operations of the House
04-13-11		
S0229 Amend Environmental Laws 2012.	HA	Amend Adopted 9
	H	Passed 3rd Reading
	H	Ordered Engrossed
05-03-11, 06-11-12, 06-12-12, 06-13-12, 06-18-12		
S0433 Local Human Services Administration.	S	Rec To Concur H Com Sub
	S	Placed On Cal For 6/19/2012
04-06-11, 04-20-11, 04-27-11, 06-14-11, 06-13-12, 06-14-12		
S0443 NC Museum of Art/Cemetery Comm. Changes.	HA	Amend Adopted 1
	HA	Amend Adopted 2
	H	Passed 2nd Reading
06-08-11, 06-14-12, 06-18-12		
S0444 Nonappropriated Capital Projects.	S	Passed 3rd Reading
	H	Rec From Senate
	H	Passed 1st Reading
	H	Ref To Com On Finance
06-06-12, 06-14-12		
S0491 Continue Local Food Advisory Council.	H	Amend Failed 1
	H	Passed 2nd & 3rd Reading
06-13-12		
S0525 Critical Access Behavioral Health Agencies.	H	Passed 2nd & 3rd Reading
05-12-11, 06-13-12		
S0661 License Plate Agency Contracts.	H	Withdrawn From Com
	H	Re-ref Com On Rules, Calendar, and Operations of the House
05-10-11		
S0707 School Violence Prevention Act.	HA	Amend Adopted 1
	H	Amendment Withdrawn 2
	H	Passed 2nd Reading
06-07-11, 06-13-12, 06-18-12		
S0724 An Act to Improve Public Education.	S	Concurred In H/com Sub
05-05-11, 06-12-12, 06-14-12		
S0749 Various Motor Vehicle Law Changes.	H	Passed 2nd Reading
04-28-11, 06-13-12		
S0798 Various Emergency Management Changes.	S	Concurred In H Amend
06-13-12		
S0810 Regulatory Reform Act of 2012.	H	Postponed To 6/19/2012
05-24-12, 05-30-12, 05-31-12, 06-04-12, 06-14-12		
S0820 Clean Energy and Economic Security Act.	S	Rec To Concur H Com Sub
	S	Placed On Cal For 6/19/2012
06-05-12, 06-13-12, 06-14-12		
S0828 Unemployment Insurance	H	Placed On Cal For 6/19/2012

Changes.

06-06-12, 06-07-12, 06-13-12
 S0865 Honor Senator Bob Carpenter. H Withdrawn From Com
 H Cal Pursuant Rule 36(b)
 H Placed On Cal For 6/20/2012
 S0869 Remove Restriction/
 Firefighter Disability. H Passed 2nd & 3rd Reading
 06-13-12
 S0881 Transfer Evidence Warehouse HA Amend Adopted 1
 to DPS. H Passed 2nd Reading
 06-18-12
 S0890 Transportation Reform/Codify S Concurred In H/com Sub
 Executive Order.
 06-12-12
 S0895 DOT Division of Motor S Withdrawn From Com
 Vehicles Leg. Requests.-AB S Placed On Cal For 6/19/2012
 05-30-12, 06-12-12
 S0929 Firemen's Retirement Fund/ H Passed 2nd & 3rd Reading
 Board Membership.
 06-06-12

LOCAL BILLS

H1041 High Point/Archdale H Passed 3rd Reading
 Boundaries.
 H1088 Graham/Swain TVA Allocation/ H Passed 3rd Reading
 Border.
 H1090 Orange-Alamance Remaining 9% H Passed 3rd Reading
 Boundary.
 06-13-12
 H1110 Matthews/Stallings Boundary H Passed 3rd Reading
 Adjustment.
 H1122 Martin County Fire Districts. H Passed 3rd Reading
 H1123 Durham County Memorial H Passed 2nd & 3rd Reading
 Stadium.
 H1169 Town of Burgaw/Deannexation. H Passed 3rd Reading
 H1202 Roanoke Rapids Deannex/ H Passed 3rd Reading
 Halifax N'hmppt Airport.
 06-13-12
 H1206 Butner Boundary Clarification. H Passed 3rd Reading
 06-13-12
 H1217 Asheville/Woodfin Boundary H Passed 2nd Reading
 Adjustments.
 06-14-12
 S0818 Clay County Courthouse. H Passed 2nd & 3rd Reading
 S0859 Pilot Mountain/Dobson Even- H Passed 2nd & 3rd Reading
 Year Elections.
 06-05-12, 06-14-12
 S0906 Nags Head Conveyance. S Ratified

SUMMARIES OF AMENDMENTS AND COMMITTEE SUBSTITUTES

HOUSE BILLS

H 462. [CONTINGENCY CONTRACTS FOR AUDITS/ASSESSMENTS](#). Filed 3/24/11. Senate amendments make the following changes to 2nd edition, as amended.

Amendment #2 makes a clarifying change to GS 116B-8.

Amendment #3 makes a conforming change to GS 116B-6(h) (concerning Treasurer's expenditures).

Amendment #4 changes the act's effective date as follows: (1) applies to audits, determinations of liability, and assessments contracted for on or after July 1, 2013 (was, 2012) and (2) prohibits local governments and the State Treasurer from renewing such contracts after July 1, 2013 (was, 2012).

Taxation

H 1023. [EXPUNCTION/NONVIOLENT OFFENSES](#). Filed 5/21/12. House amendment makes the following changes to 2nd edition. Amends GS 15A-145.5(f) to provide that the requirement to expunge records pursuant to an expunction order does not apply to fingerprint records in addition to DNA records and samples.

Criminal Law, Procedure, and
Sentencing

SENATE BILLS

S 229. [AMEND ENVIRONMENTAL LAWS 2012](#). Filed 3/7/11. House amendment #9 makes the following changes to 3rd edition, as amended. Makes technical changes.

Agriculture, Environment, and
Natural Resources

S 443. [NC MUSEUM OF ART/CEMETERY COMM. CHANGES](#). Filed 3/28/11. House amendments make the following changes to 3rd edition. Amendment #1 adds a new section amending GS 90-182(c) to provide that the term of the veterinary technician appointed to the Veterinary Medical Board upon the recommendation of the Speaker is to begin on June 30 of the year in which the appointment is made. Effective June 30, 2012. Adds a new section amending GS 143-726(c) to increase the terms of the Speaker and President Pro Tem's appointees on the Geographic Information Coordinating Council from a term of one year to a term of three years. Makes conforming changes to the act's title.

Amendment #2 makes technical and clarifying changes to the act.

State Government

S 707. [SCHOOL VIOLENCE PREVENTION ACT](#). Filed 4/19/11. House amendment makes the following changes to 3rd edition.

Amends proposed subsection (b1) to GS 15A-301 to clarify the procedure for issuing criminal process against a school employee. Makes a technical change to a provision in Senate Bill 724, An Act to Improve Public Education. Makes a conforming change to the bill title.

Education; Criminal Law,
Procedure, and Sentencing

S 881. [TRANSFER EVIDENCE WAREHOUSE TO DPS](#). Filed 5/23/12. House amendment makes the following changes to 1st edition.

Adds new sections to make various changes related to the Department of Public Safety as follows. 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. 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. Makes a conforming change to the bill title.

Criminal Law, Procedure, and
Sentencing

Legislation Enacted

SL 2012-28 (H 673). [STREET GANG NUISANCE ABATEMENT](#). AN ACT TO PROVIDE THAT INDIVIDUALS ENGAGED IN A PATTERN OF STREET GANG ACTIVITY ARE SUBJECT TO INJUNCTIONS AS NUISANCES PURSUANT TO CHAPTER 19 OF THE GENERAL STATUTES. Summarized in *Daily Bulletin* 4/6/11, 5/16/11, and 5/31/12. Enacted June 15, 2012. Effective October 1, 2012.

Criminal Law, Procedure, and
Sentencing

SL 2012-29 (S 236). [ADOPT STATE BUTTERFLY; FESTIVALS](#). AN ACT ADOPTING THE EASTERN TIGER SWALLOWTAIL AS THE OFFICIAL STATE BUTTERFLY, DESIGNATING THE SHELBY LIVERMUSH FESTIVAL AS THE OFFICIAL FALL LIVERMUSH FESTIVAL OF THE STATE OF NORTH CAROLINA, DESIGNATING THE MARION LIVERMUSH FESTIVAL AS THE OFFICIAL SPRING LIVERMUSH FESTIVAL OF THE STATE OF NORTH CAROLINA, AND DESIGNATING THE SWANSBORO MULLET FESTIVAL AS THE OFFICIAL MULLET FESTIVAL OF NORTH CAROLINA. Summarized in *Daily Bulletin* 6/5/12. Enacted June 15, 2012. Effective June 15, 2012.

State Government

SL 2012-30 (S 906). [NAGS HEAD CONVEYANCE](#). AN ACT 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. Summarized in *Daily Bulletin* 5/29/12. Enacted June 18, 2012. Effective June 18, 2012.

Dare

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Notes

None

NEXT SESSIONS

June 19, 2012

HOUSE convenes at 2:00 p.m.

SENATE convenes at 2:00 p.m.