

Daily Bulletin

ACTIONS BY THE NORTH CAROLINA GENERAL ASSEMBLY

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House Legislative Day 131

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Senate Legislative Day 131

Thursday, June 21, 2012

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SUMMARIES OF BILLS FILED

Public Bills

SENATE BILLS

S 959. [WELCOME HOME VIETNAM VETERANS DAY.](#) Filed 6/21/12. *EXPRESSING SUPPORT FOR THE DESIGNATION OF AN ANNUAL WELCOME HOME VIETNAM VETERANS DAY.*

As title indicates. Sets the designated date as March 30.

Intro. by Pate.

SENATE RES

General Assembly

Local Bills

None

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ACTION ON BILLS

June 21, 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

H0014 Use R&R Funds for 2011-2012 Medicaid Costs.	S Reptd Fav Com Substitute SA Com Substitute Adopted S Placed On Cal For 6/21/2012 S Passed 2nd & 3rd Reading H Rec From Senate H Rec To Concur S Com Sub H Cal Pursuant Rule 36(b) H Placed On Cal For 6/21/2012 H Concurred In S/Com Sub H Ratified
02-24-11, 06-07-11, 06-21-12	
H0153 No Public Retirement for Convicted Felons.	S Withdrawn From Cal S Placed On Cal For 6/26/2012
03-31-11, 04-05-11, 04-06-11, 06-20-12	
H0177 Clean Energy Transportation Act.	H Reptd Fav To Concur H Ref To Com On Transportation
06-02-11, 06-07-12, 06-11-12	
H0203 Mortgage Satisfaction Forms/ No False Liens.	S Withdrawn From Cal S Placed On Cal For 6/26/2012
06-07-12, 06-19-12	
H0237 2012 Workers' Compensation Amendments.	H Concurred In S/Com Sub H Ratified
06-07-12, 06-11-12, 06-14-12	
H0391 Research Triangle Park District Amendments.	H Concurred On 3rd Reading H Ratified
05-30-12, 05-31-12, 06-04-12	
H0438 Accountable Co. Comms./Expand Loc. Bd. Auth.	H Concurred In S/Com Sub H Ratified
06-05-12, 06-19-12	
H0605 Expand Setoff Debt Collection Act.	S Passed 2nd & 3rd Reading H Rec From Senate H Rec To Concur In S Amend 1 H Cal Pursuant Rule 36(b)
05-18-11, 06-20-12	
H0853 End Ct. Orders/Est. Local Intake Procedures.	S Passed 2nd & 3rd Reading H Rec From Senate H Rec To Concur S Com Sub H Cal Pursuant Rule 36(b)
06-20-12	
#H0932 Honor NC USO.	H Ratified HR Ch. Res 2012-6
06-13-12	

H0950 Modify 2011 Appropriations Act.	SA Conf Report Adopted HA Conf Report Adopted H Ratified
05-29-12, 05-30-12, 06-12-12, 06-13-12, 06-20-12	
H0952 State Air Toxics Program Reforms.	S Passed 2nd & 3rd Reading H Ratified
05-24-12	
H0953 Environmental Technical Corrections 2012.	HA Reptd Fav Com Substitute H Cal Pursuant Rule 36(b) H Placed On Cal For 6/25/2012
06-21-12	
H0958 NC Zoo Public-Private Ptshp.	HA Reptd Fav Com Substitute H Cal Pursuant Rule 36(b) H Placed On Cal For 6/25/2012
06-21-12	
H0964 North Carolina Longitudinal Data System.	S Reptd Fav As Amended SA Com Amend Adopted 1
06-12-12, 06-13-12, 06-21-12	
H0971 Active Duty Death/Lease Termination.	H Ratified
06-13-12	
H0989 Permanent License Plates.	H Reptd Fav H Cal Pursuant Rule 36(b) H Placed On Cal For 6/21/2012 H Passed 2nd Reading
06-12-12	
H1015 Economic Development and Finance Changes.	H Conf Com Reported H Placed On Cal For 6/21/2012 HA Conf Report Adopted SA Conf Report Adopted H Ratified
06-05-12, 06-07-12, 06-11-12, 06-20-12, 06-21-12	
H1021 Justice Reinvestment Clarifications.	S Passed 2nd Reading
06-06-12	
H1028 Appraisal Mgmt Co Reported to Dept of Revenue.	S Passed 2nd & 3rd Reading H Ratified
05-23-12	
H1044 Motorcycle Insurance Discount/Military.	S Rec From House S Passed 1st Reading S Ref To Com On Insurance
06-19-12	
H1052 Mechanics Liens/Payment Bond Reforms.	H Passed 2nd & 3rd Reading
06-13-12, 06-20-12	
H1068 Amend UCC Article 9/Secured Transactions.	H Ratified
H1074 Stop Waste, Fraud, and Abuse in Govt. Act.	S Rec From House S Passed 1st Reading S Ref To Com On Pensions & Retirement and Aging
06-13-12, 06-20-12	
H1075 LME/MCO Governance.	S Reptd Fav Com Substitute SA Com Substitute Adopted
06-05-12, 06-11-12, 06-21-12	
H1077 Increase DOT Public-Private	H Withdrawn From Com

Partnerships.-AB	H Re-ref Com On Transportation
H1084 HOAs/Planned Community Act Amends.	HA Amend Adopted 4
	H Passed 3rd Reading
	H Ordered Engrossed
06-13-12, 06-19-12, 06-20-12, 06-21-12	
H1096 Simplify School Beverage Contract Bids.	S Reptd Fav Com Substitute
06-21-12	SA Com Substitute Adopted
H1105 Modify Taxation of HOA Property	HA Amend Adopted 3
	H Passed 3rd Reading
	H Ordered Engrossed
06-19-12, 06-20-12, 06-21-12	
H1173 Absconding Prob. Violators Forfeit Benefits.	H Passed 3rd Reading
06-20-12	H Ordered Engrossed
H1222 NC Symphony's 80th Anniversary.	HA Reptd Fav Com Substitute
06-21-12	H Cal Pursuant Rule 36(b)
#H1223 Honor State Library's 200th Anniversary.	S Passed 2nd & 3rd Reading
	H Ratified
	HR Ch. Res 2012-7
H1226 Raleigh Fire Department's 100th Anniversary.	S Rec From House
	S Passed 1st Reading
	S Ref To Com On Rules and Operations of the Senate
S0042 Mech. Liens/PVT Lien Agent.	HA Amend Adopted 1
	H Passed 2nd & 3rd Reading
	H Ordered Engrossed
03-28-11, 06-20-12, 06-21-12	
S0077 Rental Property/Lithium Battery Smoke Alarms.	S Ratified
03-01-11, 05-30-12, 06-14-12	S Pres. To Gov. 6/21/2012
S0094 PSAPS Tech Standards/Habitual Misd Larceny.	H Passed 2nd & 3rd Reading
02-23-11, 06-09-11, 06-20-12	
S0133 Juror Privacy.	HA Reptd Fav Com Substitute
	H Cal Pursuant Rule 36(b)
	H Placed On Cal For 6/25/2012
06-21-12	
S0149 No Nonmetallic Knuckles.	H Reptd Without Prejudice
	HA Reptd Fav Com Substitute
	H Re-ref Com On Rules, Calendar, and Operations of the House
05-23-11, 06-21-12	
S0187 Outlaw Red Light Camera Systems.	H Withdrawn From Com
04-06-11	H Re-ref Com On Appropriations
S0229 Amend Environmental Laws 2012.	H Conf Com Appointed
05-03-11, 06-11-12, 06-12-12, 06-13-12, 06-18-12	
S0347 Mental Health Crisis Management.	S Rec To Concur H Com Sub
06-19-12	S Placed On Cal For 6/25/2012
S0416 Amend Death Penalty Procedures.	S Ratified
03-31-11, 06-06-12, 06-11-12	S Pres. To Gov. 6/21/2012

S0433 Local Human Services Administration.	S Withdrawn From Cal
04-06-11, 04-20-11, 04-27-11, 06-14-11, 06-13-12, 06-14-12	S Placed On Cal For 6/26/2012
S0443 NC Museum of Art/Cemetery Comm. Changes.	S Ratified
06-08-11, 06-14-12, 06-18-12	S Pres. To Gov. 6/21/2012
S0444 Nonappropriated Capital Projects.	H Passed 2nd Reading
06-06-12, 06-14-12, 06-20-12	
S0447 Rewrite Landscape Contractor Laws.	HA Reptd Fav Com Substitute
	H Cal Pursuant Rule 36(b)
	H Placed On Cal For 6/25/2012
06-07-11, 06-08-11, 06-21-12	
S0472 Norwood Water Lines.	HA Reptd Fav Com Substitute
	H Cal Pursuant Rule 36(b)
	H Placed On Cal For 6/25/2012
04-19-11, 06-21-12	
S0491 Continue Local Food Advisory Council.	S Ratified
06-13-12	S Pres. To Gov. 6/21/2012
S0521 Rule in Dumpor's Case/Broker Price Opinions.	H Passed 2nd & 3rd Reading
05-02-11, 06-20-12	
S0572 County Broadband Grants.	S Rec To Concur H Com Sub
	S Placed On Cal For 6/25/2012
06-14-11, 06-19-12	
S0647 Mutual Insurance Holding Companies.	H Passed 2nd & 3rd Reading
06-07-11, 06-19-12	
S0656 Right to Choose Physical Therapist.	S Rec To Concur H Com Sub
	S Placed On Cal For 6/25/2012
06-09-11, 06-19-12	
S0661 Audit Roanoke Island Commission and Friends.	H Passed 2nd & 3rd Reading
05-10-11, 06-20-12	
S0699 Div. of Criminal Information (DCI) Changes.	HA Reptd Fav Com Substitute
	H Cal Pursuant Rule 36(b)
	H Placed On Cal For 6/25/2012
06-21-12	
S0707 School Violence Prevention Act.	S Failed Concur In Com Sub
06-07-11, 06-13-12, 06-18-12	
S0749 Various Motor Vehicle Law Changes.	S Concurred In H/com Sub
	S Ratified
04-28-11, 06-13-12, 06-19-12	
S0803 Retirement Administrative Changes.	H Placed On Cal For 6/25/2012
06-06-12, 06-20-12	
S0804 Retirement Technical Changes.	H Placed On Cal For 6/25/2012
S0810 Regulatory Reform Act of 2012.	H Amendment Withdrawn 2
	HA Amend Adopted 6
	HA Amend Adopted 7
	H Passed 3rd Reading
	H Ordered Engrossed
05-24-12, 05-30-12, 05-31-12, 06-04-12, 06-14-12, 06-20-12, 06-21-12	
S0813 DCR and DENR/Study State	S Ratified

Attractions Savings. 06-11-12	S	Pres. To Gov. 6/21/2012
S0815 Reform Workforce Development.	H	Reptd Fav
	H	Cal Pursuant Rule 36(b)
	H	Placed On Cal For 6/25/2012
S0820 Clean Energy and Economic Security Act.	S	Concurred In H/com Sub
06-05-12, 06-13-12, 06-14-12	S	Ratified
S0821 Study and Amend Fisheries Laws.	H	Rec From Senate
	H	Passed 1st Reading
	H	Ref To Com On Rules, Calendar, and Operations of the House
06-11-12, 06-20-12		
S0826 Revenue Laws Tech., Clarifying, & Admin Chngs.	H	Passed 3rd Reading
05-31-12, 06-04-12	S	Ratified
S0828 Unemployment Insurance Changes.	S	Failed Concur In Com Sub
	S	Conf Com Appointed
	H	Conf Com Appointed
06-06-12, 06-07-12, 06-13-12, 06-19-12		
S0841 Effective Utilization of PED.	S	Ratified
	S	Pres. To Gov. 6/21/2012
#S0865 Honor Senator Bob Carpenter.	S	Ratified
	SR	Ch. Res 2012-5
S0868 Wildlife Licenses/Eliminate Penalty.	S	Ratified
06-11-12	S	Pres. To Gov. 6/21/2012
S0869 Remove Restriction/ Firefighter Disability.	S	Concurred In H/com Sub
06-13-12	S	Ratified
S0881 Transfer Evidence Warehouse to DPS.	S	Ratified
06-18-12	S	Pres. To Gov. 6/21/2012
S0951 Cleveland County Corr. Facil. Prop Transfer.	H	Rec From Senate
	H	Passed 1st Reading
	H	Ref To Com On Rules, Calendar, and Operations of the House
06-20-12		
S0955 Adjournment Sine Die.	S	Passed 2nd & 3rd Reading
	H	Rec From Senate
	H	Passed 1st Reading
	H	Ref To Com On Rules, Calendar, and Operations of the House
06-20-12		
S0958 Honor Jim Forrester.	H	Placed On Cal For 6/25/2012
S0959 Welcome Home Vietnam Veterans Day.	S	Filed

LOCAL BILLS

H0180 Wilmington Voluntary Annexations.	S	Passed 2nd Reading
06-05-12, 06-20-12		

H0224 Foxfire Village Assessment Validated.	S	Passed 2nd & 3rd Reading
	H	Ratified
H0552 Asheville Airport/WNC Agricultural Center.	S	Passed 2nd Reading
04-21-11, 06-02-11, 06-03-11, 06-06-11, 06-07-12		
H0943 Davidson County Annexations.	S	Passed 2nd & 3rd Reading
	H	Ratified
H0988 Averagesboro Township TDA Changes.	S	Rec From House
	S	Passed 1st Reading
	S	Ref To Com On State and Local Government
H1018 Yadkin Valley Career Academy.	H	Ratified
H1032 Morganton Deannexation.	S	Passed 2nd Reading
H1041 High Point/Archdale Boundaries.	S	Withdrawn From Com
	S	Re-ref Com On Rules and Operations of the Senate
H1050 Elizabethtown Industr. Park Deannexation.	S	Rec From House
	S	Passed 1st Reading
	S	Ref To Com On State and Local Government
H1051 Elizabethtown Hayfields Deannexation.	S	Rec From House
	S	Passed 1st Reading
	S	Ref To Com On State and Local Government
H1087 Fontana Dam Occupancy Tax.	S	Withdrawn From Com
	S	Re-ref Com On Finance
H1088 Graham/Swain TVA Allocation/Border.	S	Passed 2nd Reading
H1106 Apex Annexation.	H	Passed 3rd Reading
	S	Rec From House
	S	Passed 1st Reading
	S	Ref To Com On State and Local Government
H1107 Granville County ABC Profits Distribution Mod.	H	Ratified
H1108 Butner Public Safety Authority Changes.	H	Ratified
H1133 Revise Pender County Commissioner Districts.	H	Ratified
H1138 Davidson County Design Build.	H	Rec To Concur S Com Sub
	H	Cal Pursuant Rule 36(b)
	H	Placed On Cal For 6/25/2012
06-19-12		
H1205 Amend Trespass/Granville County.	H	Ratified
H1207 Granville/Person Local Stormwater Fees.	S	Passed 2nd & 3rd Reading
	H	Ratified
H1212 Wake/Chatham Local Act.	S	Withdrawn From Com
	S	Re-ref Com On Rules and Operations of the Senate
06-07-12, 06-11-12		
H1215 Henderson County Occupancy Tax Changes.	HA	Reptd Fav Com Substitute
	H	Cal Pursuant Rule 36(b)
	H	Placed On Cal For 6/21/2012
	H	Passed 2nd Reading
06-21-12		

H1216 Town of Wallace/Satellite Annexations.	S Rec From House
	S Passed 1st Reading
	S Ref To Com On State and Local Government
06-14-12	
S0859 Pilot Mountain/Dobson Even-Year Elections.	S Ratified
06-05-12, 06-14-12	
S0876 Mooresville Deannexation.	S Passed 2nd Reading
S0900 Surf City Deannexation.	S Passed 3rd Reading
	H Rec From Senate
	H Passed 1st Reading
	H Ref To Com On Rules, Calendar, and Operations of the House
S0901 Ocean Isle Beach Satellite Annexations.	S Passed 3rd Reading
	H Rec From Senate
	H Passed 1st Reading
	H Ref To Com On Rules, Calendar, and Operations of the House
S0905 Currituck CAMA Setback Req'ts./Grandfather.	H Reptd Fav
S0919 Carteret Commissioner Election.	H Cal Pursuant Rule 36(b)
	H Reptd Fav
	H Cal Pursuant Rule 36(b)
	H Placed On Cal For 6/25/2012
S0932 Union County Construction Methods.	H Reptd Fav
	H Cal Pursuant Rule 36(b)
	H Placed On Cal For 6/25/2012
06-07-12	
S0934 Lower Cape Fear Design-Build.	H Reptd Fav
	H Cal Pursuant Rule 36(b)
	H Placed On Cal For 6/25/2012
S0939 Fayetteville Review Board.	HA Reptd Fav Com Substitute
	H Cal Pursuant Rule 36(b)
	H Placed On Cal For 6/25/2012
06-21-12	
S0949 Town of Boone/ETJ.	S Passed 3rd Reading
	H Rec From Senate
	H Passed 1st Reading
	H Ref To Com On Rules, Calendar, and Operations of the House
06-07-12	

SUMMARIES OF AMENDMENTS AND COMMITTEE SUBSTITUTES

HOUSE BILLS

H 14. USE R&R FUNDS FOR 2011-2012 MEDICAID COSTS (NEW). Filed 1/27/11. Senate committee substitute makes the following changes to 3rd edition. Deletes all the provisions of the 3rd edition and replaces it with *AN ACT AUTHORIZING THE DIRECTOR OF THE BUDGET TO USE REPAIRS AND RENOVATIONS FUNDS TO ENSURE ADEQUATE FUNDING IN THE STATE MEDICAID PROGRAM FOR THE 2011-2012 FISCAL YEAR.*

As the title indicates. Authorizes a transfer of up to \$94 million in funds appropriated to the Repairs and Renovations Reserve Account (RRRA) for the 2011-12 fiscal year to the State Controller for deposit in the appropriate budget code for use to ensure payment to Medicaid providers for the rest of the 2011-12 fiscal year. Limits transfers under this provision to the actual amounts needed to pay providers through the end of 2011-12 fiscal year. Declares that the authority to transfer funds lapses immediately with respect to any amounts not needed for the specified purpose of ensuring adequate Medicaid funding. Directs that any transferred funds in excess of the actual need are to be transferred back to the RRRA for allocation to state agencies. Directs the Office of State Budget and Management and the Department of Health and Human Services to report on steps taken under this section on or before October 1, 2012, to the Appropriations Base Budget Committee of the Senate, the Appropriations Committee of the House of Representatives, and the Joint Legislative Commission on Governmental Operations.

Previously: Budget and
Appropriations; Military and
Veterans Affairs; Transportation
Now: Budget and Appropriations;
Health, Social Services, and Aging

H 953. ENVIRONMENTAL TECHNICAL CORRECTIONS 2012. Filed 5/16/12. House committee substitute makes the following changes to 1st edition.

Adds a section, making a conforming change to GS 130A-309.10(k), to authorize local governments to apply to dispose of oyster shells in landfills. Clarifies, in GS 143B-344.38, that the Sustainable Communities Task Force must report to the House Committee on Commerce and Job Development, among others. Makes a conforming change to remove the reference to the Western NC Public Lands Council in GS 143B-432(a). Makes additional technical changes and a clarifying change.

Agriculture, Environment, and
Natural Resources

H 958. NC ZOO PUBLIC-PRIVATE PTSHP. Filed 5/16/12. House committee substitute makes the following changes to 1st edition.

Makes modifications to the membership of the NC Zoological Society (Society) board and caps membership at 25 members. Requires the Society to spend \$4 million from Society funds each year to cover the operation and capital improvements at the Zoo. Sets out budget-related reporting requirements for the Society. Requires prior approval by the State Treasurer of the management agreement between the Department of Environment and Natural Resources (DENR) and the Society and any other agreements with third parties on issues related to tax-exempt status. Specifies issues to be included in the management agreement. Permits the Department of Administration to authorize construction and maintenance projects on state land at the zoo and requires that Department and DENR approve a master plan before the Society begins any project (previously specified when the State retained oversight for projects). Authorizes the Department of Administration and the Society to enter into the building maintenance and construction agreement at any time before January 1, 2013. Renames Article 14 in GS Chapter 143 as *North Carolina Zoological Park*. Makes a conforming change to repeal GS 143-177.1 (Zoo Park Fund). Makes other conforming and clarifying changes.

Budget and Appropriations;
Agriculture, Environment, and
Natural Resources; State
Government

H 964. NC LONGITUDINAL DATA SYSTEM. Filed 5/16/12. Senate committee amendment makes the following changes to 3rd edition.

Adds the State Controller as a member on the NC Longitudinal Data System Board and makes conforming changes. Removes provision directing the board to appoint a director for the System.

Education

H 1075. LME/MCO GOVERNANCE. Filed 5/22/12. House committee substitute makes the following changes to 3rd edition.

Amends GS 122C-118.1, which makes changes to the structure of an area board, to permit a board of county commissioners in a multicounty area with a catchment population of at least 1.25 million to appoint area board members in a different manner from the method set out in the statute, upon receiving approval. Deletes provisions that allowed establishment of behavioral health authorities. Adds a section, amending GS 108A-70.9A

(concerning Medicaid recipients appeals process), to add a definition for *Department* and make additional clarifying changes.

Health, Social Services, and Aging

H 1084. HOAS/PLANNED COMMUNITY ACT AMENDS. Filed 5/23/12. House amendment makes the following changes to 3rd edition, as amended.

Amendment #4 amends proposed GS 47F-3-118A and GS 47F-C-103A, which concern audit requirements, to require the board of directors (was, executive board) to provide for an annual independent financial review of the association no later than 120 days (was, 90 days) after the end of the association's fiscal year.

Requires the board of directors to provide for an annual independent financial audit of the association instead of an annual independent financial review if any of the following conditions are met: (1) the declaration, bylaws, or other governing documents expressly require conducting an annual financial audit; (2) the association has annual revenues or expenditures of at least \$100,000; and (3) an audit is requested by a vote of a majority of the board, or by a vote of a majority of the lot owners present and voting in person or by proxy, at any annual meeting or any special meeting called for the purpose of a vote on the matter.

Makes conforming changes to the title.

Property, Land Use, and Housing

H 1096. SIMPLIFY BEVERAGE CONTRACT BIDS (NEW). Filed 5/23/12. Senate committee substitute makes the following changes to 1st edition.

Previous version amended GS 143-64 to remove local school administrative units from separate bid requirements for juice and water. New edition repeals GS 143-64, removing the requirement for local school administrative units, community colleges, and UNC constituent institutions. Makes a conforming change to the bill title.

Education; Health, Social Services,
and Aging

H 1105. MODIFY TAXATION OF HOA PROPERTY. Filed 5/23/12. House amendment makes the following changes to 2nd edition, as amended.

Amendment #3 makes clarifying changes to Amendment #1, concerning the assessment of extraterritorial common property.

Taxation

H 1215. HENDERSON COUNTY OCCUPANCY TAX CHANGES. Filed 5/30/12. House committee substitute makes the following changes to 1st edition.

Makes modifications to the members on the Henderson Tourism Development Authority, and makes clarifying changes to the bill title.

Henderson

H 1222. NC SYMPHONY'S 80TH ANNIVERSARY. Filed 6/5/12. House committee substitute makes the following changes to 1st edition. Adds Alice Broughton to those individuals honored by the resolution.

General Assembly

SENATE BILLS

S 42. MCH. LIENS/PVT LIEN AGENT. Filed 2/8/11. House amendment makes the following changes to 3rd edition. Amends proposed GS 44A-11.2(f)(6) to require written notice that is delivered by electronic mail to include delivery receipt. Amends (h) to clarify in the notice form set out in the statute that the description is of real property. Amends GS 58-26-41(b)(7) to amend a lien agent's duty, upon receiving notice of designation, to provide written notice of potential claimants having delivered notice, within one day of receiving a request from specified entities, to include a request from a title insurance agency issuing a policy of title insurance on the improved property. Makes a clarifying change to GS 44A-11.1.

Property, Land Use, and Housing

S 133. MODERNIZE JURY LIST PROCEDURES (NEW). Filed 2/24/11. House committee substitute makes the following changes to 1st edition. Deletes the provisions of the 1st edition and replaces it with *AN ACT TO*

ELIMINATE OBSOLETE PROVISIONS FROM, AND MAKE CLARIFYING CHANGES TO, THE LAWS GOVERNING PREPARATION AND STORAGE OF JURY LISTS.

Amends GS 9-2, 9-3, 9-5, and 9-7 as the title indicates. Repeals GS 9-2.1, which permitted the use of electronic data equipment in the jury selection process. Amends GS 9-2 to allow names on a master list to be sorted into random order for the first panel draw and then names may be selected sequentially without further randomization. Requires master list preparation procedures to be in writing, adopted by the jury commission and made available for public inspection. Allows specified functions and procedures to be performed by electronic data processing equipment. Amends GS 9-4 to restrict public access to juror information to a master list of juror names in alphabetical order. Declares that the addresses of prospective jurors are confidential and prohibits disclosure of those addresses without a court order. Amends GS 9-6(e) to direct the clerk of superior court to keep a record of the excuses proffered by persons excused from jury duty under this section on a list that is separate from the master jury list. Amends GS 9-6.1 to require that privileged medical information or protected health information described in this section concerning juror disabilities be kept confidential. Provides that such medical and health information is exempt from the provisions of GS Chapter 132 and any other provisions requiring that records held by state agencies be made public or accessible to the public. Enacts new GS 9-7.1 to provide that the trial court administrator may assist the clerk of superior court (clerk) with the performance of the clerk's duties, upon request by the clerk and with the agreement of the clerk and the senior resident superior court judge. Amends GS 9-10 to direct the clerk of court (was, register of deeds) to serve the summons to jurors by first-class mail or to deliver printed summonses or the list of prospective jurors to the county sheriff, who will then summon the persons listed. Amends GS 9-11 to require the clerk (was, the register of deeds) to keep a record of the names of additional jurors summoned to supplement the original jury pool and who report for jury service. Repeals GS 130A-121(a), which required providing a list of deceased residents to each county's jury commission. Makes conforming changes.

Courts

S 149. LENOIR & GREENE VOTER ID/SUNDAY VOTING (NEW). Filed 2/28/11. House committee substitute makes the following changes to 2nd edition.

Deletes all provisions of the previous version and replaces them with *AN ACT TO RESTORE CONFIDENCE IN GOVERNMENT BY REQUIRING THAT VOTERS IN LENOIR AND GREENE COUNTIES PROVIDE PHOTO IDENTIFICATION BEFORE VOTING; AND TO PROHIBIT EARLY VOTING ON SUNDAY IN LENOIR AND GREENE COUNTIES.*

Enacts new GS 163-166.13 to require each individual voting in person to present photo identification. Allows any voter without such identification to vote a provisional ballot. Lists the accepted forms of photo identification.

Enacts new GS 163-166.14 to require each county board of elections to issue county voter identification cards to registered voters. Details the requirements for a county voter identification card and directs the county board of elections to verify specified information from a voter.

Amends GS 163-82.6A(b) to require a voter to present valid photo identification, separate from the requirement to show proof of residence, in order to register in person and then vote at one-stop voting sites.

Makes conforming changes to GS 163-166.7(a) (requiring a person to state current name and address and to present valid photo identification upon entering the voting site) and 163-227.2(b) (requiring a person to state current name and address and to present valid photo identification upon entering an early voting site).

Enacts new GS 163-182.1A to allow a voter who cast a provisional ballot as a result of the voter's inability or refusal to provide proof of identification to personally appear at the county board of elections office before the conclusion of the election canvass in that county in order to request the provisional ballot be counted. Specifies that unless the vote is disqualified for some other reason provided by law, the county board of elections will count the provisional ballot if the voter both: (1) provides valid photo identification and (2) executes an affidavit affirming, under penalty of perjury, that the individual personally appeared to vote and cast the provisional ballot on that date. Allows a voter with a sincerely held religious objection to being photographed to submit an affidavit affirming such.

Amends GS 163-87 to also allow any registered voter of the precinct to challenge a voter who does not present proof of identification.

Amends GS 163-227.2(b) to prohibit a county board of elections from conducting one-stop voting on Sunday.

Specifies that the above provisions apply to Greene and Lenoir counties only, and apply to primaries and elections conducted on or after August 1, 2012.

Previously: Criminal Law,
Procedure, and Sentencing
Now: Lenoir; Greene

S 447. REWRITE LANDSCAPE CONTRACTORS LAWS. Filed 3/29/11. House committee substitute makes the following changes to 3rd edition.

Specifies that the proposed regulations do not apply to landscaping work costing less than \$3,500 (was, less than \$2,500) during a one-year period. Clarifies that the Landscape Contractors' Licensing Board may issue a license in the corporation's name if the licensed individuals execute contracts in the corporation's name and are readily available to exercise supervision over the work (previously required direct supervision). Deletes license fee and several other fees added in the previous version and restores fees to the types and amounts under current law. Makes conforming changes. Allows issuance of a license without exam to any person who meets one of the specified conditions on or before December 31, 2012 (was, 2011), provided the person submits an application and fee on or before August 1, 2013 (was, 2012). Clarifies that landscape contractors currently registered need not renew registration for 2013 (was, 2012) to qualify for the license. Modifies an activity in the definition for *landscape contractor* and makes other clarifying changes. Makes the repeal of the current statutes regulating landscape contractors effective August 1, 2013 (was, 2012).

Business and Commerce

S 472. KINSTON PUBLIC ENTERPRISES (NEW). Filed 3/30/11. House committee substitute makes the following changes to 2nd edition. Deletes all the provisions of the 2nd edition and replaces it with *AN ACT REGARDING THE OPERATION OF PUBLIC ENTERPRISES BY THE CITY OF KINSTON*.

Section 1 of this act amends GS 160A-312 regarding the authority to operate public enterprises. Requires that Kinston regulate and protect its operations of public enterprises via rules adopted by ordinance and adds parameters for those rules. Provides criteria for having a separate fund for a public enterprise and for use of such funds. Directs that any assets, liabilities, or equity in a public enterprise owned or operated by the city during the 2011-12 fiscal year be transferred to a separate fund as required under GS 160A-312, as amended by this act, when the act becomes law.

Prohibits the application of the provisions of Section 1 to the operation of specified systems and facilities as public enterprises. Applies only to the City of Kinston. Provides that the amendments to GS 160A-312 apply to fiscal year 2013-14 and thereafter; however, permits Kinston to implement any rate changes required by the section over a two-year period from the effective date.

Previously: Agriculture,
Environment, and Natural
Resources
Now: Lenoir

S 699. COURTS AND INVESTIGATIONS (NEW). Filed 4/19/11. House committee substitute makes the following changes to 1st edition.

Adds a section amending GS 7A-41(b) to set out the voting tabulation districts and the number of judges for specified superior court districts. Makes conforming changes to GS 7A-41(c). Applies to elections held on or after January 1, 2013. Specifies that any judge elected or appointed in 2012 or before may continue to serve the remainder of that term.

Adds a section adding subsection (n1) to GS 138A-12 to set out the process for the State Ethics Commission to share information related to an inquiry into a legislator's conduct with the Legislative Ethics Committee.

Makes conforming changes to the bill title.

Previously: Criminal Law,
Procedure, and Sentencing; State
Government
Now: Criminal Law, Procedure,
and Sentencing; State
Government; Elections Law;
Courts; Ethics and Lobbying;
General Assembly

S 810. REGULATORY REFORM ACT OF 2012. Filed 5/17/12. House amendment makes the following changes to 4th edition, as amended.

Amendment #6 codifies provisions of Section 10.1(b) of this act as new GS 95-9.1, *Notice of employer's rights during farm inspections*. Requires that the notice required to be presented to the employer at the start of an inspection of any premises engaged in agricultural employment must advise the employer of any legal rights or recourses to which the employer and employees are entitled under state or federal law. Defines agricultural employment to have the same meaning as used in this section as defined in GS 95-223(1). Deletes requirement

that the Department of Labor provide a copy of the notice and any explanation of its development it deems relevant to the Joint Regulatory Reforms Committee. Becomes effective August 1, 2012 (was, July 1, 2012) and applies to all inspections of agricultural employment premises conducted by the Department of Labor on or after that date.

Amendment #7 clarifies application of certain Jordan Lake and Falls Lake nutrient rules to small wastewater discharges and makes a conforming change to the title.

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

S 939. [FAYETTEVILLE REVIEW BOARD](#). Filed 5/30/12. House committee substitute makes the following changes to 1st edition. Changes the effective date of the act from when it becomes law to March 1, 2013. Cumberland

Legislation Enacted

SL 2012-33 (H 741). [LAW ENFORCEMENT/EMERGENCY VEHICLE LENGTH](#). AN ACT TO SET A MAXIMUM LENGTH FOR LAW ENFORCEMENT AND EMERGENCY MANAGEMENT VEHICLES. Summarized in *Daily Bulletin* 6/5/12. Enacted June 20, 2012. Effective June 20, 2012.

Transportation

SL 2012-34 (H 813). [BLDG. CODE INSPECTIONS/INDUSTRIAL MACHINERY](#). AN ACT TO EXPAND THE DEFINITION OF INDUSTRIAL MACHINERY EXEMPT FROM BUILDING CODE INSPECTION TO INCLUDE EQUIPMENT AND MACHINERY ACQUIRED BY STATE-SUPPORTED CENTERS PROVIDING TESTING, RESEARCH, AND DEVELOPMENT SERVICES TO MANUFACTURING CLIENTS. Summarized in *Daily Bulletin* 6/7/12. Enacted June 20, 2012. Effective June 20, 2012.

Business and Commerce; Property, Land Use, and Housing

SL 2012-35 (H 941). [PSEUDOEPHEDRINE AMOUNT CLARIFICATIONS](#). AN ACT TO CLARIFY THE APPROPRIATE MEASUREMENT OF PSEUDOEPHEDRINE PRODUCTS FOR PURPOSES OF THE PSEUDOEPHEDRINE TRANSACTION LIMITS, AND TO CLARIFY THE IDENTIFICATION AND ELECTRONIC RECORD-KEEPING REQUIREMENTS FOR PSEUDOEPHEDRINE PRODUCTS, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON METHAMPHETAMINE ABUSE. Summarized in *Daily Bulletin* 5/16/12 and 6/12/12. Enacted June 20, 2012. Effective June 20, 2012.

Health, Social Services, and Aging

SL 2012-36 (H 1025). [EXTEND TAX PROVISIONS](#). AN ACT TO EXTEND THE SUNSET OF CERTAIN TAX PROVISIONS. Summarized in *Daily Bulletin* 5/21/12, 5/30/12, and 6/7/12. Enacted June 20, 2012. Effective June 20, 2012.

Taxation

SL 2012-37 (S 806). [MODIFY MORTGAGE REGULATION FUNDING](#). AN ACT TO MAKE CHANGES TO THE LAW DEALING WITH THE ANNUAL ASSESSMENTS OF MORTGAGE BANKERS, MORTGAGE BROKERS, AND MORTGAGE SERVICERS, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMISSION ON THE MODERNIZATION OF NORTH CAROLINA BANKING LAWS. Summarized in *Daily Bulletin* 5/17/12. Enacted June 20, 2012. Effective October 1, 2012.

Banking and Finance

SL 2012-38 (H 149). [TERRORISM/STATE OFFENSE](#). AN ACT TO CREATE THE CRIMINAL OFFENSE OF TERRORISM. Summarized in *Daily Bulletin* 2/21/11, 4/5/11, and 6/5/12. Enacted June 20, 2012. Effective December 1, 2012.

Criminal Law, Procedure, and
Sentencing

SL 2012-39 (H 176). [REVIEW DV PROGRAM PARTICIPATION](#). AN ACT TO PROVIDE FOR REVIEW OF A DEFENDANT'S PARTICIPATION IN A COURT-ORDERED ABUSER TREATMENT PROGRAM, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMITTEE ON DOMESTIC VIOLENCE, AND TO EXPAND THE TYPES OF OFFENSES REPORTED BY THE CLERK. Summarized in *Daily Bulletin* 2/23/11, 6/7/11, and 6/5/12. Enacted June 20, 2012. Effective December 1, 2012.

Courts; Criminal Law, Procedure,
and Sentencing

SL 2012-40 (H 235). [AMEND GROUNDS/TERMINATION OF PARENTAL RIGHTS](#). AN ACT TO AMEND THE LAWS PERTAINING TO TERMINATION OF PARENTAL RIGHTS TO INCLUDE CONVICTION OF A SEXUALLY RELATED OFFENSE THAT RESULTS IN THE CONCEPTION OF THE JUVENILE AS A BASIS FOR TERMINATION OF PARENTAL RIGHTS. Summarized in *Daily Bulletin* 3/3/11, 4/5/11, and 6/7/12. Enacted June 20, 2012. Effective October 1, 2012.

Criminal Law, Procedure, and
Sentencing; Family Law

SL 2012-41 (H 261). [INTRASTATE MOTOR CARRIER MARKINGS](#). AN ACT TO REQUIRE INTRASTATE MOTOR CARRIERS TO BE MARKED. Summarized in *Daily Bulletin* 3/8/11, 3/29/11, 6/6/12, and 6/7/12. Enacted June 20, 2012. Effective December 1, 2012. Between December 1, 2012, and November 30, 2013, violators shall be given a warning of violation only.

Transportation

SL 2012-42 (H 490). [RENAME YADKIN RIVER BRIDGE](#). AN ACT TO NAME THE YADKIN RIVER BRIDGE AT THE DAVIDSON AND ROWAN COUNTY LINES THE "YADKIN RIVER VETERANS MEMORIAL BRIDGE." Summarized in *Daily Bulletin* 3/28/11 and 6/11/12. Enacted June 20, 2012. Effective June 20, 2012.

Transportation

SL 2012-43 (S 824). [EXPEDITED RULE MAKING FOR FORCED COMBINATION](#). AN ACT TO REQUIRE THE SECRETARY OF REVENUE'S INTERPRETATION OF THE LAW CONCERNING THE SECRETARY'S AUTHORITY TO ADJUST NET INCOME OR REQUIRE A COMBINED RETURN BE MADE THROUGH RULE MAKING AND TO PROVIDE AN EXPEDITED PROCESS FOR RULE MAKING ON THIS ISSUE. Summarized in *Daily Bulletin* 5/17/12 and 5/31/12. Enacted June 20, 2012. Effective June 20, 2012.

Taxation

SL 2012-44 (S 889). [RPO AREA DEFINITION](#). AN ACT 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. Summarized in *Daily Bulletin* 5/23/12. Enacted June 20, 2012. Effective June 20, 2012.

Transportation

SL 2012-45 (S 929). [FIREMEN'S RELIEF FUND/BOARD MEMBERSHIP](#). AN ACT TO REVISE THE RESIDENCY REQUIREMENTS FOR MEMBERS OF THE BOARD OF TRUSTEES OF A FIREMEN'S LOCAL RELIEF FUND. Summarized in *Daily Bulletin* 5/29/12 and 6/6/12. Enacted June 20, 2012. Effective June 20, 2012.

Emergency Services

SL 2012-46 (H 199). [METAL THEFT PREVENTION ACT OF 2012](#). AN ACT TO RECODIFY THE PROVISIONS OF THE GENERAL STATUTES THAT REGULATE PRECIOUS METALS BUSINESSES, PAWNBROKERS AND CASH CONVERTERS, AND SECONDARY METALS RECYCLERS, AND TO STRENGTHEN METALS THEFT PREVENTION BY REQUIRING PERMITTING OF NONFERROUS METALS PURCHASERS, MAKING IT A CRIME TO CUT, MUTILATE, DEFACE, OR OTHERWISE INJURE THE PROPERTY OF ANOTHER TO OBTAIN NONFERROUS METALS, CREATING RELATED CRIMINAL OFFENSES, AND MAKING OTHER RELATED CHANGES TO THE GENERAL STATUTES. Summarized in *Daily Bulletin* 6/7/12, 6/11/12, and 6/12/12. Enacted June 20, 2012. Effective October 1, 2012.

Business and Commerce; Criminal
Law, Procedure, and Sentencing

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None

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June 25, 2012

HOUSE convenes at 7:00 p.m.

SENATE convenes at 7:00 p.m.