

Daily Bulletin

ACTIONS BY THE NORTH CAROLINA GENERAL ASSEMBLY

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Senate Legislative Day 134

Wednesday, June 27, 2012

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SUMMARIES OF BILLS FILED

Public Bills

None

Local Bills

None

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ACTION ON BILLS**June 27, 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

H0153 No Public Retirement for Convicted Felons.	H Withdrawn From Cal H Re-ref Com On State Personnel H Reptd Fav To Concur H Cal Pursuant Rule 36(b) H Placed On Cal For 6/28/2012
03-31-11, 04-05-11, 04-06-11, 06-20-12, 06-26-12	
H0177 Clean Energy Transportation Act.	H Concurred In S/Com Sub
06-02-11, 06-07-12, 06-11-12	
H0203 Mortgage Satisfaction Forms/ No False Liens.	SA Amend Adopted 3 S Passed 3rd Reading S Engrossed H Rec From Senate H Rec To Concur S Com Sub H Cal Pursuant Rule 36(b) H Placed On Cal For 6/28/2012
06-07-12, 06-19-12, 06-27-12	
H0244 State Health Plan/Add Schools; Whistleblowers.	H Failed concur in S/Com Sub H Conf Com Appointed
06-07-11, 06-06-12, 06-07-12	
H0605 Expand Setoff Debt Collection Act.	H Ratified
05-18-11, 06-20-12	
H0690 Amend Evidence & DNA Expunction Laws.	SA Amend Adopted 1 S Passed 2nd Reading
05-18-11, 05-19-11, 06-07-12, 06-27-12	
H0737 Strengthen Child Safety Laws/ Care Facilities.	H Withdrawn From Com H Placed On Cal For 6/27/2012 H Concurred In S/Com Sub
06-06-12, 06-19-12	
H0799 Licensure by Endorsement/ Military/Spouses.	S Withdrawn From Com S Re-ref Com On Rules and Operations of the Senate
06-03-11, 06-06-11, 06-07-12	
H0853 End Ct. Orders/Est. Local Intake Procedures.	S Conf Com Appointed
06-20-12	
H0959 Streamline DOT Sale of Unused Properties.	H Reptd Fav H Cal Pursuant Rule 36(b) H Placed On Cal For 6/27/2012 H Passed 2nd & 3rd Reading
H0964 North Carolina Longitudinal	H Ratified

Data System.
06-12-12, 06-13-12, 06-21-12, 06-25-12
H0989 Permanent License Plates. S Reptd Fav
S Placed On Cal For 6/27/2012
S Passed 2nd & 3rd Reading

06-12-12
H1009 MSD Amendments. S Withdrawn From Cal
S Placed On Cal For 6/27/2012
S Passed 2nd & 3rd Reading

06-14-12
H1021 Justice Reinvestment Clarifications. H Reptd Fav To Concur
H Cal Pursuant Rule 36(b)
H Placed On Cal For 6/27/2012
H Concurred In S Amend

06-06-12, 06-26-12
H1052 Mechanics Liens/Payment Bond Reforms. SA Amend Adopted 1
S Passed 2nd & 3rd Reading
S Engrossed

06-13-12, 06-20-12, 06-26-12, 06-27-12
H1073 Modify UNCHCS Board. HA Reptd Fav Com Substitute
H Cal Pursuant Rule 36(b)
H Placed On Cal For 6/27/2012
H Passed 2nd & 3rd Reading

06-27-12
H1074 Stop Waste, Fraud, and Abuse in Govt. Act. S Reptd Fav Com Substitute
SA Com Substitute Adopted
S Placed On Cal For 6/27/2012
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 6/28/2012

06-13-12, 06-20-12, 06-27-12
H1077 Increase DOT Public-Private Partnerships.-AB HA Reptd Fav Com Sub 2
H Cal Pursuant Rule 36(b)
H Placed On Cal For 6/27/2012
H Passed 2nd Reading

06-26-12, 06-27-12
H1096 Simplify Beverage Contract Bids. H Ratified

06-21-12
H1105 Modify Taxation of HOA Property S Reptd Fav
S Placed On Cal For 6/27/2012
S Passed 2nd Reading

06-19-12, 06-20-12, 06-21-12
H1114 NCEMPA/Use of Rate Revenue. S Reptd Fav
S Placed On Cal For 6/27/2012
S Passed 2nd Reading

06-06-12
H1179 Indian Cultural Center/Terminate Lease. HA Amend Adopted 1
H Passed 2nd Reading

06-06-12, 06-13-12, 06-26-12, 06-27-12
H1191 Resolution of Disapproval of Reorganization. H Withdrawn From Com
H Placed On Cal For 7/2/2012

H1219 Express Gratitude to Members for Their Service. H Withdrawn From Com
H Placed On Cal For 7/2/2012

06-05-12
H1228 Honor Edenton's 300th Anniversary. H Passed 2nd & 3rd Reading
H1230 Reporting of EC and IE. H Ref To Com On Elections
H1231 Electronic Reporting by Candidate Comm. H Ref To Com On Elections
H1232 Honor Lousiburg College's 225th and Founders. H Filed
H1233 Honor Kinston's 250th Anniversary. H Filed
H1234 2012 Speaker's Appointments Bill. H Reptd Fav. For Introduction
H Filed
S0042 Mech. Liens/PVT Lien Agent. S Conf Com Reported
S Placed On Cal For 6/27/2012
H Conf Com Reported
H Placed On Cal For 6/27/2012
HA Conf Report Adopted
SA Conf Report Adopted

03-28-11, 06-20-12, 06-21-12, 06-27-12
S0094 PSAPS Tech Standards/Habitual Misd Larceny. S Ratified

02-23-11, 06-09-11, 06-20-12
S0105 Increase Penalties/Murder and DWI Deaths. SA Conf Report Adopted

04-20-11, 06-25-12
S0133 Modernize Jury List Procedures. HA Amend Adopted 2
H Passed 3rd Reading
H Ordered Engrossed

06-21-12, 06-26-12, 06-27-12
S0141 Law Enforcement/Various Other Changes. HA Reptd Fav Com Sub 2
H Cal Pursuant Rule 36(b)
H Placed On Cal For 6/27/2012
H Amend Failed 1
H Passed 2nd Reading

04-13-11, 06-19-12, 06-27-12
S0187 Outlaw Red Light Camera Systems. HA Reptd Fav Com Substitute
H Cal Pursuant Rule 36(b)
H Placed On Cal For 6/27/2012
HA Amend Adopted 1
H Amend Temporarily Displaced 2
H Amend Offered 3
H Objection to Consideration of Amend 3
HA Amend Adopted 2
H Passed 2nd Reading
H Ordered Engrossed

04-06-11, 06-27-12
S0231 Municipal Incorporation Standards. HA Reptd Fav Com Sub 3
H Cal Pursuant Rule 36(b)
H Placed On Cal For 6/27/2012
H Passed 2nd & 3rd Reading

06-08-11, 06-07-12, 06-19-12, 06-27-12
S0382 Amend Water Supply/Water Quality Laws. H Passed 3rd Reading
H Ordered Engrossed

05-19-11, 06-25-12, 06-26-12
S0399 Minority Appeal From County HA Reptd Fav Com Substitute

Bd Elections.	H Cal Pursuant Rule 36(b)
	H Placed On Cal For 6/27/2012
	H Passed 2nd & 3rd Reading
06-27-12	
S0426 Public Finance Laws/Municipal Service Dists.	S Concurred On 2nd Reading
05-10-11, 05-18-11, 06-19-12	
S0444 Nonappropriated Capital Projects.	S Concurred In H/com Sub
06-06-12, 06-14-12, 06-20-12	
S0521 Rule in Dumpor's Case/Broker Price Opinions.	S Concurred In H/com Sub
05-02-11, 06-20-12	
S0525 Critical Access Behavioral Health Agencies.	S Conf Com Appointed
	H Conf Com Appointed
05-12-11, 06-13-12	
S0647 Mutual Insurance Holding Companies.	S Conf Com Reported
	S Placed On Cal For 6/27/2012
	H Conf Com Reported
	H Placed On Cal For 6/27/2012
	HA Conf Report Adopted
	SA Conf Report Adopted
06-07-11, 06-19-12, 06-27-12	
S0655 Dentistry Management Arrangements.	HA Reptd Fav Com Substitute
	H Cal Pursuant Rule 36(b)
	H Placed On Cal For 6/27/2012
	HA Amend Adopted 1
	H Passed 2nd & 3rd Reading
	H Ordered Engrossed
06-27-12	
S0661 Audit Roanoke Island Commission and Friends.	S Ratified
05-10-11, 06-20-12	
S0699 Courts and Investigations.	S Concurred In H/com Sub
	S Reconsidered Concurrence
	S Placed On Cal For 6/28/2012
06-21-12	
S0738 Liability Insurance Required for ABC Permits.	HA Reptd Fav Com Substitute
	H Cal Pursuant Rule 36(b)
	H Placed On Cal For 6/27/2012
	H Passed 2nd & 3rd Reading
06-07-11, 06-08-11, 06-27-12	
S0755 Ed. Employees Ass'n./Equal Access Act.	H Passed 2nd Reading
	H Passed 3rd Reading
06-08-11, 06-05-12	
S0803 Retirement Administrative Changes.	HA Amend Adopted 3
	H Passed 3rd Reading
	H Ordered Engrossed
06-06-12, 06-20-12, 06-26-12, 06-27-12	
S0810 Regulatory Reform Act of 2012.	S Concurred In H/com Sub
05-24-12, 05-30-12, 05-31-12, 06-04-12, 06-14-12, 06-20-12, 06-21-12	
S0821 Study and Amend Fisheries Laws.	S Rec To Concur H Com Sub
	S Placed On Cal For 6/28/2012
06-11-12, 06-20-12, 06-25-12	
S0828 Unemployment Insurance Changes.	S Ratified

06-06-12, 06-07-12, 06-13-12, 06-19-12, 06-25-12	
S0836 Improve Property Insurance Rate Making.	H Passed 2nd & 3rd Reading
06-06-12, 06-11-12	
S0847 General Statutes Comm. Technical Corrections.	S Reptd Fav Com Substitute SA Com Substitute Adopted S Placed On Cal For 6/27/2012 SA Amend Adopted 1 SA Amend Adopted 2 S Amendment Withdrawn 3 SA Amend Adopted 4 S Passed 2nd Reading S Engrossed
06-27-12	
S0866 Modify 2011 Appropriations Act.	S Reptd Fav Com Substitute SA Com Substitute Adopted S Placed On Cal For 6/27/2012 S Withdrawn From Cal S Placed On Cal For 6/28/2012
06-27-12	
S0910 Sale of a Child/Felony Offense.	HA Reptd Fav Com Substitute H Cal Pursuant Rule 36(b) H Placed On Cal For 6/27/2012 HA Amend Adopted 1 H Passed 2nd Reading
06-11-12, 06-27-12	
S0951 Cleveland Cty. Prop Transfer/ABC Def.	H Passed 3rd Reading H Ordered Engrossed
06-20-12, 06-25-12, 06-26-12	
S0960 Honor Bob Shaw.	S Passed 1st Reading S Pursuant to Rule 40(b) placed on today's calendar 6/27/2012 S Passed 2nd & 3rd Reading H Rec From Senate H Placed On Cal For 6/27/2012 H Passed 1st Reading H Passed 2nd & 3rd Reading

LOCAL BILLS

H0180 Wilmington Voluntary Annexations.	H Withdrawn From Com H Placed On Cal For 6/28/2012
06-05-12, 06-20-12	
H0552 Asheville Airport/WNC Agricultural Center.	H Concurred On 2nd Reading
04-21-11, 06-02-11, 06-03-11, 06-06-11, 06-07-12	
H0945 Marion Legislative Annexation.	S Reptd Fav S Placed On Cal For 6/27/2012 S Passed 2nd Reading
H0956 Zoning/Johnston County Open Space.	S Reptd Fav Com Substitute SA Com Substitute Adopted S Placed On Cal For 6/27/2012 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 6/28/2012
05-31-12, 06-27-12		
H0963	S	Town of Columbia/Deannexation. Reptd Fav
	S	Placed On Cal For 6/27/2012
	S	Passed 2nd Reading
H0987	S	Wake Tech Board of Trustees. Passed 2nd & 3rd Reading
H0991	S	Jackson Co. Occupancy Tax Reptd Fav
	S	Changes. Placed On Cal For 6/27/2012
	S	Passed 2nd & 3rd Reading
H0994	H	Rockingham County Design-Build. Passed 2nd & 3rd Reading
06-26-12		
H1029	S	Mayodan Manager Residency. Passed 2nd & 3rd Reading
H1041	S	High Point/Archdale Reptd Fav
	S	Boundaries. Placed On Cal For 6/27/2012
	S	Passed 2nd Reading
H1050	S	Elizabethtown Industr. Park Reptd Fav
	S	Deannexation. Placed On Cal For 6/27/2012
	S	Passed 2nd Reading
H1051	S	Elizabethtown Hayfields Reptd Fav
	S	Deannexation. Placed On Cal For 6/27/2012
	S	Passed 2nd Reading
H1059	S	Asheboro Towing. Passed 2nd & 3rd Reading
H1071	S	Wake School Board Passed 2nd & 3rd Reading
		Organizational Meeting.
06-11-12		
H1087	S	Fontana Dam Occupancy Tax. Reptd Fav
	S	Placed On Cal For 6/27/2012
	S	Passed 2nd Reading
H1090	S	Orange-Alamance Remaining 9% Reptd Fav
	S	Boundary. Placed On Cal For 6/27/2012
	S	Passed 2nd Reading
06-13-12		
H1106	S	Apex Annexation. Reptd Fav
	S	Placed On Cal For 6/27/2012
	S	Passed 2nd Reading
H1109	S	Dare CAMA Setback Req'ts./ Grandfather. Withdrawn From Cal
	S	Re-ref Com On Rules and Operations of the Senate
H1110	S	Matthews/Stallings Boundary Reptd Fav
	S	Adjustment. Placed On Cal For 6/27/2012
	S	Passed 2nd Reading
H1122	S	Martin County Fire Districts. Reptd Fav
	S	Placed On Cal For 6/27/2012
	S	Passed 2nd Reading
H1123	S	Durham County Memorial Passed 2nd & 3rd Reading
		Stadium.
H1169	S	Town of Burgaw/Deannexation. Reptd Fav
	S	Placed On Cal For 6/27/2012
	SA	Amend Adopted 1
	S	Passed 2nd Reading
06-27-12		
H1181	SA	Study Municipal Local Option Amend Adopted 1
	S	Sales Tax. Passed 2nd & 3rd Reading

	H Rec From Senate
	H Rec To Concur In S Amend 1
	H Cal Pursuant Rule 36(b)
	H Placed On Cal For 6/27/2012
	H Concurred In S Amend
06-13-12, 06-27-12	
H1196 Albemarle Mental Health Center Property.	S Reptd Fav
	S Placed On Cal For 6/27/2012
	S Passed 2nd & 3rd Reading
H1197 Add Stokes Cty to Tax Cert Before Recordation.	S Reptd Fav
	S Placed On Cal For 6/27/2012
	S Passed 2nd & 3rd Reading
H1199 Lake Lure Convey Property. 06-12-12	S Passed 2nd & 3rd Reading
H1200 Winston-Salem/New Bern Firefighters Retire.	S Reptd Fav Com Substitute
	SA Com Substitute Adopted
	S Placed On Cal For 6/27/2012
	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 6/28/2012
06-13-12, 06-27-12	
H1202 Roanoke Rapids Deannex/ Halifax N'hmppt Airport.	S Reptd Fav
	S Placed On Cal For 6/27/2012
	S Passed 2nd Reading
06-13-12	
H1206 Butner Boundary Clarification.	S Reptd Fav
	S Placed On Cal For 6/27/2012
	S Passed 2nd Reading
06-13-12	
H1212 Wake/Chatham Local Act.	S Withdrawn From Cal
	S Re-ref Com On Rules and Operations of the Senate
06-07-12, 06-11-12	
H1215 Henderson County Occupancy Tax Changes.	S Reptd Fav Com Substitute
	SA Com Substitute Adopted
	S Placed On Cal For 6/27/2012
	S Passed 2nd Reading
06-21-12, 06-27-12	
H1216 Town of Wallace/Satellite Annexations.	S Reptd Fav
	S Placed On Cal For 6/27/2012
	S Passed 2nd Reading
06-14-12	
H1217 Asheville/Woodfin Boundary Adjustments.	S Reptd Fav
	S Placed On Cal For 6/27/2012
	S Passed 2nd Reading
06-14-12	
S0848 Durham City Assessments.	H Passed 2nd & 3rd Reading
S0900 Surf City Deannexation.	H Passed 3rd Reading
S0901 Ocean Isle Beach Satellite Annexations.	H Passed 3rd Reading
S0905 Currituck CAMA Setback Req'ts./Grandfather.	H Withdrawn From Com
	H Placed On Cal For 6/28/2012

SUMMARIES OF AMENDMENTS AND COMMITTEE SUBSTITUTES

HOUSE BILLS

H 203. MORTGAGE SATISFACTION FORMS/NO FALSE LIENS. Filed 3/1/11. Senate amendment #3 makes the following changes to 2nd edition, as amended. Modifies changes made by Senate amendment #1 by amending proposed GS 14-118.6(b) to clarify that an entity denying the filing of a lien for reasonable suspicion that the lien is false must allow the claimant to file a Notice of Denied Lien Filing on a form approved by the Administrative Office of the Courts; interested persons may file a special proceeding within ten business days of the Notice being filed to determine whether a contractual or statutory basis for the lien exists; and interested persons must receive at least five days' notice and opportunity to be heard on any hearing on such filing. Liens filed upon order of the court must have priority interest as of the date of the filing of Notice of Denied Lien Filing (except for liens filed under Chapter 44A of the General Statutes). Liens found to have no statutory or contractual basis must be ordered null and void and must not be recorded, and liens for which no special proceeding is filed within ten days of filing the Notice of Denied Lien Filing are deemed null and void. Proposed GS 14-118.6 also amended to add new subsection (d) providing that a violation of this statute constitutes an unfair trade practice in violation of GS 75-1.1. Makes technical conforming changes to the effective date.

Banking and Finance; Criminal
Law, Procedure, and Sentencing;
Property, Land Use, and Housing

H 690. AMEND EVIDENCE & DNA EXPUNCTION LAWS. Filed 4/6/11. Senate amendment makes the following change to 4th edition.

Deletes amendments to GS 15A-266.3A(i) and (j), which clarified the procedure to request expunction of the defendant's DNA. Retains amendment to GS 15A-266.3A(k), requiring the State Bureau of Investigation to take one of the prescribed acts within 90 days following receipt of the verification form from the district attorney.

Criminal Law, Procedure, and
Sentencing

H 956. ZONING/JOHNSTON COUNTY OPEN SPACE. Filed 5/16/12. Senate committee substitute makes the following changes to 2nd edition. Amends GS 153A-331(c) to delete previously added language requiring that any formula enacted by local ordinance to determine the amount of funds provided by a developer for open space purposes in Johnston County must be based on the value of the development for property tax purposes, and that a local ordinance may allow a combination or partial payment of funds and partial dedication of land as determined in the best interests of the citizens by the county governing board.

Johnston

H 1052. MECHANICS LIENS/PAYMENT BOND REFORMS. Filed 5/22/12. Senate amendment makes the following changes to 4th edition. Deletes proposed language amending GS 44A-24, which made a violation of that statute also constitute an unfair and deceptive trade practice in violation of GS 75-1.1 and subjected violators to civil liability.

Business and Commerce; Taxation

H 1073. MODIFY UNCHCS BOARD (NEW). Filed 5/22/12. House committee substitute makes the following changes to 1st edition.

Amends GS 116-37(b) to increase the number of board members on the board of directors of the UNC Health Care System to 24 (was, 12 in the previous edition), and makes modifications to the composition, appointment process, and terms. Deletes amendments made to other subsections in GS 116-37 and deletes amendments made to GS 116-37.2, 143-56, and 146-22. Makes the act effective when it becomes law (was, October 1, 2012), and makes conforming changes to the bill title.

Health, Social Services, and Aging;
State Government; Education

H 1074. STOP WASTE, FRAUD, AND ABUSE IN GOVT. ACT. Filed 5/22/12. Senate committee substitute makes the following changes to 3rd edition.

Amends GS 128-21 and 135-1 to add definitions for the term *authorized representatives who are assisting the Retirement Systems Division staff* (authorized representatives) to identify those persons who can gain access to information in a fraud investigation. Makes conforming changes to provide that an independent review or examination in a fraud investigation may be conducted by Retirement Systems Division staff or authorized representatives.

Amends new subsection (r) of GS 128-28 and new subsection (q) of GS 135-6 to add language relating to the treatment of social and medical services records in connection with a fraud investigation. Directs providers of social and medical services to make copies of their records available to the Retirement Systems Division or its authorized representatives upon receiving a written request for the information. Permits the provider to charge a reasonable fee as provided by GS 90-411.

Makes technical changes.

State Government; Employment
and Retirement

H 1077. PPP I-77 HIGH OCCUPANCY TOLL PROJECT (NEW). Filed 5/22/12. House committee substitute makes the following changes to 2nd edition.

Changes the bill title to *AN ACT TO ESTABLISH A PILOT PROJECT FOR TOLLING THE I-77 HIGH OCCUPANCY TOLL PROJECT*. Amends GS 136-18(39) to state that the added provisions (concerning partnership agreement and assignment) apply to an agreement entered into in connection with the I-77 High Occupancy Toll project (previously applied statewide), as defined. Makes conforming changes to delete revenues provision and the amendments to GS 136-89.183 (applicability to Turnpike Authority). Amends proposed subdivision (43) to GS 136-18 to specify that the Department of Transportation may act as a conduit issuer for private activity bonds so long as such bonds are not a debt obligation of the state.

Transportation

H 1169. TOWN OF BURGAW/DEANNEXATION. Filed 5/29/12. Senate amendment makes the following changes to 1st edition. Changes the bill title to include reference to county zoning of local deannexed areas. Adds new Section 3 authorizing the county board of commissioners in the areas deannexed under SL 2012-3 to adopt ordinances reestablishing any county zoning or other land use regulations under Article 19 of GS Chapter 160A that were in effect on the day before the date of the annexation ordinances repealed by SL 2012-3. County ordinances readopted under this authorization are not subject to the notice and other procedural requirements of GS 160A-360(f1) or GS 160A-364. Annexation ordinances repealed by SL 2012-3 (Sec. 4) are:

- (1) Kinston annexation ordinance, as described in House Bill 5, First Edition, 2011 Regular Session.
- (2) Lexington annexation ordinance, as described in House Bill 37, First Edition, 2011 Regular Session.
- (3) Rocky Mount annexation ordinance, as described in House Bill 56, First Edition, 2011 Regular Session.
- (4) Wilmington annexation ordinance, described in House Bill 180, First Edition, 2011 Regular Session.
- (5) Asheville/Biltmore Lake annexation ordinance, as described in House Bill 236, First Edition, 2011

Regular Session.

(6) Marvin annexation ordinance, affecting the area described in RS 2008-02-02, a resolution of the Village of Marvin Council.

(7) Southport annexation ordinance, affecting "Area A" and "Area B," as described in City of Southport annexation ordinance, adopted June 9, 2011.

(8) Goldsboro annexation ordinance, affecting the area described in Senate Bill 314, First Edition, 2011 Regular Session.

(9) Fayetteville Gates Four annexation ordinance, as described in House Bill 231, First Edition, 2011 Regular Session.

Previously: Pender
Now: Local Government; Pender

H 1179. INDIAN CUL. CTR/GOLF COURSE TERMINATE LEASES. Filed 5/29/12. House amendment makes the following changes to 4th edition. Authorizes the state to enter into maintenance or security agreements for properties subject to termination of state leases under Section 1 of the act until the Joint Legislative Program Evaluation Oversight Committee has submitted its report pursuant to Section 2(b) of the act and the General Assembly has enacted legislation directing action.

State Government

H 1181. STUDY MUNICIPAL LOCAL OPTION SALES TAX. Filed 5/29/12. Senate amendment makes the following changes to 2nd edition. Changes bill title to include study of taxation and valuation of leasehold interests

in exempt real property, and adds authorization for Revenue Laws Study Committee to study this subject and report recommendations to the 2013 Regular Session.

General Assembly; Local
Government; Taxation

H 1200. WINSTON-SALEM/NEW BERN FIREFIGHTERS RETIRE (NEW). Filed 5/30/12. Senate committee substitute makes the following changes to 2nd edition.

Adds a section to repeal SL 1983-551 (New Bern Firemen's Supplemental Retirement Fund) and makes a conforming change to the bill title.

Previously: Forsyth
Now: Forsyth; Craven

H 1215. HENDERSON COUNTY OCCUPANCY TAX CHANGES. Filed 5/30/12. Senate committee substitute makes the following changes to 2nd edition. Amends authority for levy of occupancy and tourism development tax by Henderson County Board of Commissioners to require that net proceeds of additional 1% room occupancy tax be remitted on a quarterly basis until July 1, 2015, to the Flat Rock Playhouse to be used for maintenance, operation, renovation and promotion of mainstage and downtown locations; limits members of the Henderson Tourism Development Authority to serve for no more than five consecutive years; changes one member of the Authority appointed by the Henderson County Board of Commissioners to be upon the recommendation of the Henderson County Chamber of Commerce (was, Greater Hendersonville Chamber of Commerce) and makes other technical and conforming changes.

Henderson

SENATE BILLS

S 42. MECH. LIENS/PVT LIEN AGENT. Filed 2/8/11. Conference report recommends the following changes to 4th edition to reconcile matters in controversy.

SECTION 1. Identical.

SECTION 2. Same as 4th edition except:

- (1) Amends proposed GS 44A-11.1(a) to exempt an owner from the requirement to designate a lien agent when making improvements to an existing single-family residential dwelling unit (as defined in GS 87-15.5(7)) that is used by the owner as a residence.
- (2) Amends proposed GS 44A-11.1(d)(2) to clarify that the owner must provide successor lien agent information to any persons who requested information from the owner relating to the predecessor lien agent.
- (3) Amends proposed GS 44A-11.2(c) to delete language providing that noncompliance with notice requirements constitutes a violation of GS 75-1.1 (unfair trade practice), and adds language providing that notice may be given either by complying with the requirements of subsection (f), or by including lien agent contact information in a written contract with lower-tier subcontractor entitled to notice, and that any contractor or subcontractor who received lien agent contact information that does not furnish that information to the lower-tier subcontractor in the time required by the subsection will be liable to that lower-tier subcontractor for any actual damages incurred as a result of failure to give notice.
- (4) Amends proposed GS 44A-11.2 by adding a new proposed subsection (g1) providing for lien agent notification requirements for contracts involving design professionals (architects, engineers, land surveyors, and landscape architects registered under Chapter 83A, 89A, or 89C of the General Statutes).

SECTION 3. Same as 4th edition except:

- (1) Amends proposed GS 58-26-41(a) to clarify that title insurance companies required to register are those that consent to serve as a lien agent upon designation by any owner.
- (2) Amends proposed GS 58-26-41(b)(2) and (b)(3) to clarify obligations of lien agents when receiving and acknowledging notices delivered by potential lien claimants.

SECTIONS 4, 5, and 6. Same as 4th edition except exempts from requirement that lien agent name and contact information be included on city-issued and county-issued building permits those projects involving improvements to an existing single-family residential dwelling unit (as defined in GS 87-15.5(7)) that is used by the permit applicant as a residence. Makes conforming changes.

SECTION 6.1. New provision amending GS 44A-23 to provide that no action of a contractor shall be effective to prejudice the rights of a subcontractor, including a second or third tier subcontractor, without the

subcontractor's written consent when all of the following have occurred in compliance with the applicable statutory requirements: (1) the subcontractor has given notice to the owner's designated lien agent (if any); (2) the subcontractor has served notice of a lien claim on the owner; and (3) the subcontractor has delivered a copy of the lien claim notice served on the owner to the owner's lien agency (if any).

Property, Land Use, and Housing

S 133. MODERNIZE JURY LIST PROCEDURES. Filed 2/24/11. House amendment #2 makes the following changes to 2nd edition, as amended. Adds new section amending GS 20-43.4, clarifying that the annual jury list provided by the Commission of Motor Vehicles to county jury commissions prepared under GS 9-2(a) is the master jury list; and adds to categories of county residents whose names the Commissioner must remove from the list provided to county jury commissions those who are issued a driver's license of limited duration under GS 20-7(s) and holders of valid permanent resident cards issued a driver's license of regular duration under GS 20-7(f); and makes technical changes to the statute by creating subsections (a), (b), and (c).

Courts

S 141. LAW ENFORCEMENT/VARIOUS OTHER CHANGES. Filed 2/24/11. House committee substitute makes the following changes to 3rd edition.

Changes the bill title to delete reference to increasing the benchmark for publically bidding lottery commission contracts and modifying lottery commission conflicts of interest provisions and adds reference to establishing a Research and Planning Section within the Department of Public Safety, designating the Section to be responsible for reentry policy initiatives, directing the Department to continue assisting offenders in reentry, and extending time for forensic sciences labs to obtain accreditation.

SECTION 1. Same as 3rd edition except: (1) changes punishment for offense under GS 14-159.12(c) from a Class I felony to a Class A1 misdemeanor; (2) deletes dam or reservoir used by an electric power supplier to generate hydroelectric power from list of premises the offense applies to; (3) rewrites subdivision (c)(2) to include actually entering a building or climbing over, going under, or otherwise surmounting a fence or other barrier to reach a facility to the elements of the offense; (4) deletes offense being committed by three or more persons acting in concert as one of the elements that elevates the offense to a Class H felony; (5) adds a new subsection (e) to define the term "facility" as meaning a building or other infrastructure; and (6) renumbers subsections accordingly and makes other technical conforming changes.

SECTION 2.(a). Same as 3rd edition except changes title of GS 15A-1413 to include assignment of motions for appropriate relief and deletes provision in subsection (e) requiring a motion for appropriate relief be assigned for review to the original presiding judge when practicable.

SECTION 2.(b). Same as 3rd edition except: (1) amends GS 15A-1420 to delete requirement in subsection (a)(2) that when a written motion for appropriate relief is made more than ten days after entry of judgment, service of the motion and a notice of hearing must be made not less than five working days before the date of the hearing; (2) revises subsection (b2)(1) to clarify that the senior resident superior court judge assigns motions for appropriate relief for initial review (was resident superior court judge); (3) adds new subdivision (b2)(4) to provide that time periods for evidentiary hearings and other procedural matters are calculated from the date of appointment of counsel when counsel is appointed and are extended for an additional 60 days; (4) adds new subdivision (b2)(5) incorporating time periods for notice of date of hearing and ruling on the motion previously contained in subdivision (b2)(3) and adds requirement that notice must be provided to the state and the defendant or defendant's counsel; and (5) renumbers subdivisions within subsection (b2) accordingly and makes other technical conforming changes.

SECTION 3. Same as 3rd edition except changes term "citation" in GS 20-13.3(c) to "charge."

SECTION 4. Deletes amendments to GS 18C-151, which increased the benchmark for publically bidding lottery commission contracts and modified the Lottery Commission conflict of interest provisions, and instead inserts language from Sec. 5 in 3rd edition providing that certain changes to payable on death contracts did not change procedures for creating those contracts.

SECTION 5.(a). New provision repeals GS 148-77, which established within the Division of Adult Correction of the Department of Public Safety organizational units responsible for statistics, research, and planning.

SECTION 5.(b). New provision amends GS 143B-600(a) to establish a Research and Planning Section within the Department of Public Safety and charges the Section with the responsibility for statistics, research, and planning for programs within the department and serving as the single agency for coordinating and implementing ex-offender reentry initiatives.

SECTION 5.(c). New provision directs the Department of Public Safety Research and Planning Section to work with local communities to form between three and ten local reentry councils to develop local reentry plans and to form a state-level advisory group.

SECTION 6. New provision extends the accreditation deadline for laboratories conducting forensic or chemical analysis for admission in state courts, other than the NC State Crime Laboratory, to July 1, 2013 (was October 1, 2012).

SECTION 7. Same as Section 6 in 3rd edition except makes Section 3 of the bill (concerning license revocation) effective October 1, 2012 (was, December 1, 2012), and applies to offenses committed on or after that date.

Criminal Law, Procedure, and
Sentencing; Courts

S 187. MODIFICATIONS/2012 APPROPRIATIONS ACT (NEW). Filed 3/2/11. House committee substitute makes the following changes to 2nd edition. Deletes all provisions of the previous edition and replaces them with *AN ACT TO MAKE TECHNICAL, CLARIFYING, AND OTHER MODIFICATIONS TO THE CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACTS*. We will not be including a summary of the committee substitute, which makes changes to House Bill 950, Modify 2011 Appropriations Act, if that bill becomes law. For the content of the committee substitute, please follow the link included in the bill's short title above.

Previously: Transportation
Now: Budget and Appropriations

S 187. MODIFICATIONS/2012 APPROPRIATIONS ACT. Filed 3/2/11. House amendments 1 and 2 make changes to 3rd edition. We will not be including a summary of the amendments. For the content of the amendments, please follow the link included in the bill's short title above.

Budget and Appropriations

S 231. INCORPORATION/ETJ STUDY (NEW). Filed 3/7/11. House committee substitute makes the following changes to 4th edition.

Deletes all provisions of the previous edition and replaces them with *AN ACT TO ESTABLISH THE HOUSE SELECT STUDY COMMITTEE ON MUNICIPAL INCORPORATIONS, EXTRATERRITORIAL JURISDICTION, AND MUNICIPAL SERVICES*. As title indicates, creates the ten-member Committee, with membership and issues to be studied as specified. Sets out reporting requirements.

Local Government

S 399. ECOSYSTEM ENHANCEMENT PROGRAM (NEW). Filed 3/22/11. House committee substitute makes the following changes to 1st edition. Deletes all of the provisions of the 1st edition and replaces it with *AN ACT TO STUDY CERTAIN ISSUES PERTAINING TO THE ECOSYSTEM ENHANCEMENT PROGRAM*.

Authorizes the Legislative Research Commission (LRC) to study the Ecosystem Enhancement Program (EEP). Specifies that the study is to address these issues: (1) the process for annual adjustments of EEP fees, including the efficacy of using the Civil Works Construction Cost Index as a basis for fee escalation; (2) whether compensatory mitigation should be permitted in any hydrologic area located in the same river basin as the site being mitigated; and (3) whether the compensatory mitigation fee payment system is the most efficient and effective way to provide compensatory mitigation and ways the program could be revised to lessen its economic impact on the state's businesses and industries. Directs the LRC to report its findings and legislative recommendations to the 2013 General Assembly.

Previously: Elections Law; Local
Government
Now: General Assembly

S 647. MUTUAL INSURANCE HOLDING COMPANIES. Filed 4/18/11. Conference report recommends the following changes to 3rd edition to reconcile matters in controversy. Amends proposed GS 58-10-300(a) by adding the requirement that mutual insurance holding companies' investments in subsidiaries, including intermediate holding companies, are not subject to any of the restrictions on investment activities established under GS 58-19-10.

Business and Commerce

S 655. DENTISTRY MANAGEMENT ARRANGEMENTS. Filed 4/19/11. House committee substitute makes the following changes to 1st edition.

Amends proposed GS 90-40.2 to make clarifying changes to the definitions for the following terms: *management arrangement, management company, and professional entity*. Adds a definition for *ancillary*

personnel. Deletes provision that prohibits a dentist, professional entity, or management company from entering into a management arrangement that does not meet the requirements previously set forth. Deletes provisions regarding the North Carolina State Board of Dental Examiners' (Board) review and determination of compliance authority over all management arrangements and deletes provisions listing criteria for the arrangements.

Requires a management agreement executed on or after January 1, 2013, to include on the written agreement, in a type size that appears more clearly and conspicuously than anything else in the document, a warning statement that the parties have the right and are encouraged to have the contract reviewed by legal counsel before signing the contract. Makes a management agreement lacking such notice invalid. Provides guidelines regarding determination of venue for actions brought under GS 90-40.1. Also provides criteria governing the actions of the Board for reporting suspected criminal acts and for cooperating with law enforcement agencies and the district attorney in conducting a criminal investigation or prosecution of unlicensed and unlawful practice of dentistry. Prohibits subjecting any Board member to examination in connection with any investigation, review, or inquiry related to the Board's review of any management arrangement.

Provides that the above provisions apply to any dentistry management arrangement, as defined under new GS 90-40.2, entered into or renewed on or after the effective date, July 1, 2012.

Amends GS 90-40.1 to provide that appropriate venue for actions brought under the statute includes Wake County.

Establishes a six-member task force on dental management arrangement rules within the Board. Specifies the composition of the task force membership. Directs the task force to study and make recommendations on the review process for dental management arrangements. Specifies issues and matters to be considered in the study. Directs the task force to report its findings and any recommendations for rules to be adopted, as well as any statutory changes, to the Board by January 1, 2013. Requires the task force to terminate upon the filing of its report. Directs the Board to submit a written report to the General Assembly on the findings and recommendations of the task force and the Board's proposed course of action by February 1, 2013.

Directs the Board to consider the task force's documented recommendations before adopting rules and to conform existing rules to the requirements of new GS 90-40.2. Makes the provisions amending GS 90-40.1 and concerning the task force effective July 1, 2012.

Amends the title to read: *AN ACT TO REQUIRE THAT DENTIST AGREEMENTS WITH MANAGEMENT COMPANIES CONFORM WITH THE DENTAL PRACTICE ACT AND TO ESTABLISH A TASK FORCE ON DENTAL MANAGEMENT ARRANGEMENT RULES.*

Health, Social Services, and Aging

S 655. DENTISTRY MANAGEMENT ARRANGEMENTS. Filed 4/19/11. House amendment makes the following changes to 2nd edition. Changes effective date from July 1, 2012, and applying Section 1 of the act to any dentistry management arrangement entered into or renewed on or after that date, to the entire act becoming effective when it becomes law.

Health, Social Services, and Aging

S 738. SOLE SOURCE ED. REQUIREMENTS/BAIL BONDSMEN (NEW). Filed 4/19/11. House committee substitute makes the following changes to 3rd edition.

Deletes all provisions of the previous edition and replaces them with *AN ACT TO PROVIDE FOR THE PRE-LICENSING AND CONTINUING EDUCATION OF BAIL BONDSMEN AND RUNNERS.*

Amends GS 58-71-71 to state that the NC Bail Agents Association will provide the education requirements under the statute. Effective October 1, 2012.

Previously: Alcoholic Beverage Control
Now: Business and Commerce; Courts

S 803. RETIREMENT ADMINISTRATIVE CHANGES. Filed 5/16/12. House amendment makes the following change to 3rd edition, as amended. Amendment #3 makes a clarifying change to GS 128-27(k) concerning cost-of-living increases.

Employment and Retirement; State Government

S 847. GSC TECHNICAL CORRECTIONS/OTHER CHANGES (NEW). Filed 5/21/12. Senate committee substitute makes the following changes to 1st edition.

Amends GS 7A-60(a1), regarding district attorneys, and GS 7A-133(c), regarding magistrates, to codify the permanent reductions to the minimum number of magistrates in various counties and the number of full-time assistant district attorneys in certain prosecutorial districts so that the General Statutes reflect the authorized numbers of magistrates and district attorneys.

Effective January 1, 2013, again amends GS 7A-133(c) regarding the reductions to the minimum number of magistrates.

Amends GS 7B-4002, which establishes the NC State Council for Interstate Juvenile Supervision, to designate the Secretary of Public Safety (was, the Secretary of the Department of Juvenile Justice and Delinquency Prevention) or the Secretary's designee as the Compact Administrator for North Carolina and as the state's Commissioner to the Interstate Commission. Makes conforming changes.

Amends GS 163-304 to clarify that the State Board of Elections has the same jurisdiction over municipal elections as over county and state elections (was, elections and election officials).

Makes a technical correction to Section 13.22(b) of SL 2011-145 retroactively effective July 1, 2011.

Recodifies GS 15A-1331A as GS 15A-1331.1. Makes conforming changes to relevant statutes. Provides that if Senate Bill 707, School Violence Prevention Act, becomes law, then GS 15A-1331B, as enacted by that act, is recodified as GS 15A-1331.2. Adds Swain County to those counties eligible for Environmental Mitigation Project grants from the Tennessee Valley Authority settlement funds. Repeals Sections 49 and 50 of SL 2012-56. Provides that if House Bill 1075, LME/MCO Governance, becomes law then GS 35A-1213(f), as enacted by that act, is amended to provide that individuals contracting to provide services to a local management entity (LME) may not serve as guardians for individuals receiving those services. However, provides that this prohibition does not apply to a member of the ward's immediate family who is under contract with an LME for delivery of services and serving as a guardian as of January 1, 2013. Provides a definition for the term *immediate family*.

Repeals GS 122C-122 if House Bill 1075 does not become law. Makes additional changes to GS 35A-1202(4), 35A-1213, and 35A-1292(a) contingent on whether House Bill 1075 does not become law. Also provides that if House Bill 1075 does not become law, requires any successor guardian to make diligent efforts to continue existing contracts entered into under the authority of GS 122C-122 consistent with the best interests of the ward as required by GS Chapter 53A.

Amends GS 66-58 to provide that the prohibitions in subsection (a) regarding the sale of merchandise or services by governmental units do not apply to the North Carolina Forest Service. Amends GS 93A-83(c), should Senate Bill 521, Rule in Dumper's Case/Broker Price Options, become law, to require that a Broker Price Opinion or Comparative Market Analysis must conform to specified standards (was, may conform to those standards).

Amends GS 116B-8, as enacted in House Bill 462, Contingency Contracts for Audits, should HB 462 becomes law, to limit the compensation of persons whom the Treasurer may employ on a contingency basis to 12% of the final assessment. Also amends the effective dates for HB 462, 2011 Regular Session, should the act become law.

Adds new GS 10B-72 to provide that certain notarial acts are nonetheless validated although the recommissioned notary did not again take the oath as a notary public. Provides that the statute applies to notarial acts performed on or after August 28, 2010 and before January 12, 2012.

Amends GS 146-30(c) to declare that the proceeds from the lease dispositions of land or facilities owned or under the supervision and control of East Carolina University's Division of Health Sciences are to be deposited in clinical accounts at ECU for use to improve access to patient care. Makes amendments to GS 143-553(a), 147-86.11(e), and 147-86.23 to provide that these provisions also apply to ECU's Division of Health Sciences.

Makes technical and clarifying changes to various statutes and legislation.

Previously: Business and Commerce; Children and Juvenile Law; Criminal Law, Procedure, and Sentencing; Elections Law; Employment and Retirement; Energy and Utilities; General Assembly; Health, Social Services, and Aging; Local Government; Property, Land Use, and Housing; State Government; Taxation; Transportation; Trusts, Estates, and Wills

Now: Includes above index terms and Courts

S 847. GSC TECHNICAL CORRECTIONS/OTHER CHANGES. Filed 5/21/12. Senate amendments make the following changes to 2nd edition.

Amendment #1 provides that if House Bill 950, the appropriations act, becomes law, then the eligibility criteria for a Medicaid recipient needing personal care services is amended to include a recipient who is eligible for personal care services under the Medicaid State Plan and who is living in a group home that is licensed as a supervised living facility for two or more adults with a primary diagnosis of mental illness, a developmental disability, or substance abuse dependency.

Amendment #2 rewrites GS 120-11.1 to provide that the regular session of the Senate and the House of Representatives is to be held biennially beginning at 9:00 A.M. on the second Wednesday in January following their election. Declares that the purpose of the meeting is to elect officers, adopt rules, and otherwise organize the session. Provides that when they adjourn on that day they will stand adjourned until noon on the third Wednesday after the second Monday in January following their election.

Amendment #4 adds a new section to Article 13A of GS Chapter 90 to prohibit the North Carolina Board of Funeral Service from issuing or renewing any licensure, permit, or registration to any person or entity convicted of a sexual offense against a minor. Defines the term *sexual offense against a minor* for purposes of this Article. Provides additional guidelines and policies regarding the responsibilities of the Board to provide disciplinary actions and sanctions in the funeral industry.

Previously: Business and Commerce; Children and Juvenile Law; Criminal Law, Procedure, and Sentencing; Elections Law; Employment and Retirement; Energy and Utilities; General Assembly; Health, Social Services, and Aging; Local Government; Property, Land Use, and Housing; State Government; Taxation; Transportation; Trusts, Estates, and Wills
Now: Includes above index terms and Courts

S 866. ESSENTIAL ADJUSTMENTS TO 2011 BUDGET (NEW). Filed 5/22/12. Senate committee substitute makes the following changes to 1st edition. Deletes the provisions of the previous edition and replaces them with *AN ACT TO MAKE ESSENTIAL ADJUSTMENTS TO THE CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACT OF 2011*. We will not be including a summary of the committee substitute, which makes adjustments to the Appropriations Act of 2011. For the content of the committee substitute, please follow the link included in the bill's short title above and select Edition 2.

Budget and Appropriations

S 910. SALE OF A MINOR/FELONY OFFENSE (NEW). Filed 5/29/12. House committee substitute makes the following changes to 2nd edition.

Amends proposed GS 14-43.14 to replace the term *child* with *minor*. Makes conforming changes, substituting minor for child in reference to establishing the offense of *unlawful sale, surrender, or purchase of a minor* (was, child). Clarifies that the statute does not apply to actions ordered by a court, authorized by statute, or otherwise lawful. Makes the violation a Class F felony (was, Class D) with a minimum fine of \$1,000 (was, \$10,000) for a first offense and \$5,000 (was, \$50,000) for a second or subsequent offense. Provides that a minor whose parent, guardian, or custodian has sold or attempted to sell a minor is an abused juvenile as defined by GS 7B-101(1) (was, a dependent, neglected, and abused child as defined by GS 7B-101).

Requires the court to consider if a person convicted of this offense is a danger to the community and whether it furthers the purposes of the sex offender registration requirement for the person to register as a sex offender. Provides if the court finds that the person is a danger to the community and that the person must register as a sex offender, then the court is to issue an order compelling the person to register.

Deletes inclusion of violations of proposed GS 14-43.14 from the definition of *sexually violent offense* in GS 14-208.6(5).

Amends the definition of *reportable conviction* in GS 14-208.6(4), as it applies to the sex offender registration statutes, to include a conviction for the sale of a minor if the court orders that the person must register as a sex offender. Provides that the abandonment of an infant less than seven days of age under the provisions of GS 7B-

500(b) or 7B-500(d) is not a prosecutable offense under proposed GS 14-43.14. Amends GS 15A-266.3A(f) to expand the list of felony offenses for which a DNA sample is to be taken upon a person's arrest. Makes the above provisions effective December 1, 2012, and applicable to offenses committed on or after that date.

Amends GS 7B-302(a1) to create exceptions to the confidentiality requirements regarding information received by the department of social services regarding child abuse. Clarifies when, to whom, and under what circumstances the identity of a person reporting child abuse may be released. Amends GS 131D-10.6C to clarify that information the Division of Social Services is required to maintain is a register of all licensed foster homes (was, a register of family foster and therapeutic foster home applicants). Provides circumstances under which the Division may withhold information in the registry. Effective October 1, 2012.

Makes conforming changes to the title to more accurately reflect the bill content.

Criminal Law, Procedure, and
Sentencing

S 910. [SALE OF A MINOR/FELONY OFFENSE](#). Filed 3/1/11. House amendment makes the following changes to 3rd edition. Makes a technical change.

Criminal Law, Procedure, and
Sentencing

Legislation Enacted

SL 2012-58 (S 919). [CARTERET COMMISSIONER ELECTION](#). AN ACT TO ALLOW THE CARTERET COUNTY BOARD OF COMMISSIONERS TO REDISTRIBUTE ITS RESIDENCY DISTRICTS FOR THE 2012 PRIMARY AND GENERAL ELECTIONS. Summarized in *Daily Bulletin* 5/29/12. Enacted June 26, 2012. Effective June 26, 2012.

Carteret

SL 2012-59 (S 932). [UNION COUNTY CONSTRUCTION METHODS](#). AN ACT AUTHORIZING UNION COUNTY TO CONSTRUCT LAW ENFORCEMENT AND HUMAN SERVICES FACILITIES USING DESIGN-BUILD DELIVERY METHODS. Summarized in *Daily Bulletin* 5/30/12 and 6/7/12. Enacted June 26, 2012. Effective June 26, 2012.

Union

SL 2012-60 (S 934). [LOWER CAPE FEAR DESIGN-BUILD](#). AN ACT 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. Summarized in *Daily Bulletin* 5/30/12. Enacted June 26, 2012. Effective June 26, 2012.

Bladen; Brunswick; Columbus; New
Hanover; Pender

SL 2012-61 (H 1032). [MORGANTON DEANNEXATION](#). AN ACT REMOVING CERTAIN DESCRIBED NONCONTIGUOUS PROPERTY FROM THE CORPORATE LIMITS OF THE CITY OF MORGANTON. Summarized in *Daily Bulletin* 5/21/12. Enacted June 26, 2012. Effective June 30, 2012.

Burke

SL 2012-62 (H 1088). [GRAHAM/SWAIN TVA ALLOCATION/BORDER](#). AN ACT CONCERNING THE DIVISION BETWEEN GRAHAM AND SWAIN COUNTIES OF TVA PAYMENTS IN LIEU OF TAXES, AND CLARIFYING THE COMMON BOUNDARY BETWEEN THOSE COUNTIES. Summarized in *Daily Bulletin* 5/23/12. Enacted June 26, 2012. Effective June 1, 2012.

Graham; Swain

SL 2012-63 (H 1138). [DAVIDSON COUNTY DESIGN-BUILD](#). AN ACT TO PERMIT THE COUNTY OF DAVIDSON TO UTILIZE THE DESIGN-BUILD METHOD OF CONSTRUCTION AND RENOVATION OF COUNTY BUILDINGS. Summarized in *Daily Bulletin* 5/24/12 and 6/19/12. Enacted June 26, 2012. Effective June 26, 2012.

Davidson

SL 2012-64 (H 971). [ACTIVE DUTY DEATH/LEASE TERMINATION](#). AN ACT TO AUTHORIZE LEASE TERMINATION FOR A SERVICE MEMBER WHO DIES WHILE ON ACTIVE DUTY, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON MILITARY AFFAIRS. Summarized in *Daily Bulletin* 5/16/12 and 6/13/12. Enacted June 26, 2012. Effective June 26, 2012.

Military and Veterans Affairs;
Property, Land Use, and Housing

SL 2012-65 (H 1028). [APPRAISAL MGMT CO REPORTED TO DEPT OF REVENUE](#). AN ACT TO REQUIRE THE NORTH CAROLINA APPRAISAL BOARD TO REPORT THE RECORDS OF APPRAISAL MANAGEMENT COMPANIES TO THE NORTH CAROLINA DEPARTMENT OF REVENUE. Summarized in *Daily Bulletin* 5/21/12 and 5/23/12. Enacted June 26, 2012. Effective June 26, 2012.

Taxation

SL 2012-66 (H 1055). [ELIMINATE LME PROVIDER ENDORSEMENT](#). AN ACT RELATING TO PROVIDER ENDORSEMENT FUNCTIONS OF LOCAL MANAGEMENT ENTITIES, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON HEALTH AND HUMAN SERVICES. Summarized in *Daily Bulletin* 5/22/12. Enacted June 26, 2012. Effective June 26, 2012.

Health, Social Services, and Aging

SL 2012-67 (H 1056). [PARTNERSHIP FOR CHILDREN PARTICIPANT RECORDS](#). AN ACT TO LIMIT ACCESS TO IDENTIFYING INFORMATION OF MINOR PARTICIPANTS IN PROGRAMS FUNDED BY THE NORTH CAROLINA PARTNERSHIP FOR CHILDREN OR OTHER LOCAL PARTNERSHIPS, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON HEALTH AND HUMAN SERVICES. Summarized in *Daily Bulletin* 5/22/12. Enacted June 26, 2012. Effective June 26, 2012.

Health, Social Services, and Aging

SL 2012-68 (H 1066). [PASSING TITLE BY WILL](#). AN ACT TO CLARIFY, MODIFY, AND CONSOLIDATE THE LAW APPLICABLE TO THE PASSING OF TITLE TO INTERESTS IN REAL AND PERSONAL PROPERTY DEvised BY A WILL AND THE RIGHTS OF LIEN CREDITORS AND PURCHASERS FOR VALUE, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION. Summarized in *Daily Bulletin* 5/22/12 and 5/31/12. Enacted June 26, 2012. Effective October 1, 2012.

Trusts, Estates, and Wills

SL 2012-69 (H 1067). [CO-OWNERS/UNEQUAL SHARES/SIMULTANEOUS DEATH](#). AN ACT TO CONFORM THE LAW GOVERNING CO-OWNERS WITH RIGHT OF SURVIVORSHIP UNDER THE SIMULTANEOUS DEATH ACT TO THE LAW GOVERNING THE HOLDING OF UNEQUAL SHARES IN A JOINT TENANCY WITH RIGHT OF SURVIVORSHIP, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION. Summarized in *Daily Bulletin* 5/22/12 and 5/31/12. Enacted June 26, 2012. Effective October 1, 2012.

Trusts, Estates, and Wills

SL 2012-70 (H 1068). [AMEND UCC ARTICLE 9/SECURED TRANSACTIONS](#). AN ACT TO AMEND ARTICLE 9 OF THE UNIFORM COMMERCIAL CODE RELATING TO SECURED TRANSACTIONS, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION. Summarized in *Daily Bulletin* 5/22/12. Enacted June 26, 2012. Effective July 1, 2013.

Business and Commerce

SL 2012-71 (H 1069). [INTESTATE PROPERTY/CHILD'S YEAR'S ALLOWANCE](#). AN ACT TO INCREASE THE MINIMUM AMOUNT OF INTESTATE PERSONAL PROPERTY PASSING TO THE SURVIVING SPOUSE AND THE AMOUNT OF THE YEAR'S ALLOWANCE FROM A DECEDENT'S ESTATE FOR A SURVIVING CHILD, TO REINSERT ERRONEOUSLY REMOVED REFERENCES TO A CHILD'S "NEXT FRIEND" IN THE STATUTES RELATING TO A CHILD'S YEAR'S ALLOWANCE, AND TO SPECIFY THAT THE CHILD'S YEAR'S ALLOWANCE MAY BE PAID TO A WIDOWER ON THE CHILD'S BEHALF AS WELL AS TO A WIDOW, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION. Summarized in *Daily Bulletin* 5/22/12. Enacted June 26, 2012. Section 2 is effective June 26, 2012. The remainder is effective January 1, 2013.

Trusts, Estates, and Wills

SL 2012-72 (H 1081). [PROVISIONAL LICENSURE CHANGES MEDICAID.](#) AN ACT RELATING TO CHANGES PERTAINING TO LICENSED CLINICAL SOCIAL WORKERS, CLINICAL ADDICTION SPECIALISTS, AND PSYCHOLOGISTS, AS RECOMMENDED BY THE JOINT OVERSIGHT COMMITTEE ON HEALTH AND HUMAN SERVICES. Summarized in *Daily Bulletin* 5/23/12. Enacted June 26, 2012. Effective June 26, 2012.

Health, Social Services, and Aging

SL 2012-73 (H 391). [RTP DISTRICT AMENDMENTS.](#) AN ACT TO REVISE THE LAWS RELATING TO COUNTY RESEARCH AND PRODUCTION SERVICE DISTRICTS TO REFLECT CHANGED CIRCUMSTANCES, TO ALLOW FLEXIBILITY IN PROVISION OF SERVICES IN URBAN AREAS OF SUCH DISTRICTS, AND TO AMEND THE COUNTY SERVICE DISTRICT ACT OF 1973 RELATING TO APPROVAL OF PROPERTY TAXES IN MULTIJURISDICTIONAL INDUSTRIAL PARK DISTRICTS. Summarized in *Daily Bulletin* 5/30/12, 5/31/12, and 6/4/12. Enacted June 26, 2012. Effective June 26, 2012.

Local Government

SL 2012-74 (H 1015). [ECONOMIC DEVPT. & FINANCE CHANGES.](#) AN ACT TO SET THE REGULATORY FEES, TO CONTINUE THE INDIVIDUAL INCOME TAX DEDUCTION FOR EDUCATOR EXPENSES, AND TO ENHANCE ECONOMIC DEVELOPMENT. Summarized in *Daily Bulletin* 5/21/12, 6/5/12, 6/7/12, 6/11/12, and 6/20/12. Enacted June 26, 2012. Effective June 26, 2012, except as otherwise provided.

Business and Commerce; Energy and Utilities; Taxation

SL 2012-75 (S 491). [CONTINUE LOCAL FOOD ADVISORY COUNCIL.](#) AN ACT TO EXTEND THE SUNSET ON THE LAW ESTABLISHING THE NORTH CAROLINA SUSTAINABLE LOCAL FOOD ADVISORY COUNCIL. Summarized in *Daily Bulletin* 6/13/12. Enacted June 26, 2012. Effective June 26, 2012.

Agriculture, Environment, and Natural Resources

SL 2012-76 (S 518). [LANDLORD/STATE BAR NOTICE OF LEASE DEFAULT.](#) AN ACT TO REQUIRE LANDLORDS TO GIVE NOTICE TO THE NORTH CAROLINA STATE BAR OF AN ATTORNEY'S DEFAULT ON A LEASE IN ORDER TO PROTECT THE CONFIDENTIALITY OF THE ATTORNEY'S FILES. Summarized in *Daily Bulletin* 6/6/12. Enacted June 26, 2012. Effective October 1, 2012.

Property, Land Use, and Housing

SL 2012-77 (S 724). [AN ACT TO IMPROVE PUBLIC EDUCATION.](#) AN ACT TO IMPLEMENT VARIOUS EDUCATION REFORMS. Summarized in *Daily Bulletin* 4/20/11, 5/5/11, 6/12/12, and 6/14/12. Enacted June 26, 2012. Effective June 26, 2012.

Education

SL 2012-78 (S 749). [VARIOUS MOTOR VEHICLE LAW CHANGES.](#) AN ACT TO AMEND THE STATE'S LAWS PERTAINING TO TRANSPORTATION. Summarized in *Daily Bulletin* 4/20/11, 4/28/11, 6/13/12, and 6/19/12. Enacted June 26, 2012. Section 11 is effective July 1, 2012. Section 1 is effective January 1, 2013. Sections 8 and 9 are effective December 1, 2012. The remainder is effective June 26, 2012.

Agriculture, Environment, and Natural Resources; Transportation

SL 2012-79 (S 826). [REVENUE LAWS TECH., CLARIFYING, & ADMIN CHNGS.](#) AN ACT TO MAKE TECHNICAL, CLARIFYING, AND ADMINISTRATIVE CHANGES TO THE TAX AND RELATED LAWS. Summarized in *Daily Bulletin* 5/17/12, 5/31/12, and 6/4/12. Enacted June 26, 2012. Effective June 26, 2012, except as otherwise provided.

State Government; Taxation

SL 2012-80 (S 841). [EFFECTIVE UTILIZATION OF PED.](#) AN ACT TO ENSURE THAT THE RESOURCES OF THE PROGRAM EVALUATION DIVISION ARE UTILIZED EFFECTIVELY BY THE GENERAL ASSEMBLY, AS RECOMMENDED BY THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE. Summarized in *Daily Bulletin* 5/21/12. Enacted June 26, 2012. Effective June 26, 2012.

General Assembly

SL 2012-81 (S 868). [WILDLIFE LICENSES/ELIMINATE PENALTY](#). AN ACT ADJUSTING THE DATES OF VALIDITY FOR LICENSES ISSUED BY THE WILDLIFE RESOURCES COMMISSION TO ELIMINATE THE PENALTY FOR EARLY RENEWAL. Summarized in *Daily Bulletin* 5/22/12 and 6/11/12. Enacted June 26, 2012. Effective July 1, 2013.

Animal Law

SL 2012-82 (S 869). [REMOVE RESTRICTION/FIREFIGHTER DISABILITY](#). AN ACT TO REMOVE THE REQUIREMENT THAT FIREFIGHTERS AND RESCUE SQUAD WORKERS HAVE ONE YEAR OF CREDITABLE SERVICE IN ORDER TO QUALIFY FOR DISABILITY RETIREMENT BENEFITS UNDER THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM FOR INJURIES INCURRED IN THE LINE OF DUTY. Summarized in *Daily Bulletin* 5/22/12 and 6/13/12. Enacted June 26, 2012. Effective July 1, 2012.

Emergency Services

SL 2012-83 (S 881). [TRANSFER EVIDENCE WAREHOUSE TO DPS](#). AN ACT TO MAKE TECHNICAL AND OTHER CHANGES TO THE GENERAL STATUTES REGARDING THE DEPARTMENT OF PUBLIC SAFETY; AND TO TRANSFER THE WAREHOUSE FORMERLY OPERATED BY THE LAW ENFORCEMENT SUPPORT SERVICES DIVISION AND ITS CONTENTS FROM THE DEPARTMENT OF JUSTICE TO THE DEPARTMENT OF PUBLIC SAFETY AND TO ASSIGN THE RESPONSIBILITIES FOR THE STORAGE AND MANAGEMENT OF EVIDENCE HOUSED IN THE WAREHOUSE TO THE DEPARTMENT OF PUBLIC SAFETY, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON JUSTICE AND PUBLIC SAFETY. Summarized in *Daily Bulletin* 5/23/12 and 6/18/12. Enacted June 26, 2012. Effective June 26, 2012.

Criminal Law, Procedure, and Sentencing

SL 2012-84 (S 890). [TRANSPORTATION REFORM/CODIFY EXECUTIVE ORDER](#). AN ACT TO CODIFY THE PROVISIONS OF EXECUTIVE ORDER NO. 2 THAT DELEGATE TO THE SECRETARY OF TRANSPORTATION THE AUTHORITY TO APPROVE HIGHWAY CONSTRUCTION PROJECTS AND CONSTRUCTION PLANS AND TO AWARD HIGHWAY CONSTRUCTION CONTRACTS, REQUIRE THE DEPARTMENT OF TRANSPORTATION TO DEVELOP AND UTILIZE A STRATEGIC PRIORITIZATION PROCESS FOR SELECTION OF TRANSPORTATION PROJECTS, AND STRENGTHEN THE BOARD OF TRANSPORTATION ETHICS POLICY, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE. Summarized in *Daily Bulletin* 5/23/12 and 6/12/12. Enacted June 26, 2012. Effective June 26, 2012.

Transportation

SL 2012-85 (S 895). [DOT DIVISION OF MOTOR VEHICLES LEG. REQUESTS](#). AN ACT TO AMEND STATUTES RELATED TO MOTORCYCLE LICENSES, TO DELAY THE IMPLEMENTATION OF TWO CHANGES TO DRIVERS LICENSES PENDING AN INFORMATION TECHNOLOGY SYSTEM UPGRADE, TO UPDATE CHAPTER 136 OF THE GENERAL STATUTES WITH THE TERM "CHIEF ENGINEER," WHICH REPLACES THE TERM "STATE HIGHWAY ADMINISTRATOR," AND TO AUTHORIZE RECIPROCITY AGREEMENTS FOR TOLL PAYMENTS BETWEEN THE NORTH CAROLINA TURNPIKE AUTHORITY AND OTHER TOLL AGENCIES, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE. Summarized in *Daily Bulletin* 5/23/12, 5/30/12, and 6/12/12. Enacted June 26, 2012. Section 1 is effective July 1, 2012. The remainder is effective June 26, 2012.

Transportation

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Notes

None

NEXT SESSIONS

June 28, 2012

HOUSE convenes at 10:30 a.m.

SENATE convenes at 11:00 a.m.