

Daily Bulletin

ACTIONS BY THE NORTH CAROLINA GENERAL ASSEMBLY

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House Legislative Day 135

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Senate Legislative Day 135

Thursday, June 28, 2012

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SUMMARIES OF BILLS FILED

Public Bills

HOUSE BILLS

H 1232. [HONOR LOUISBURG COLLEGE'S 225TH AND FOUNDERS.](#) Filed 6/27/12. HONORING THE FOUNDERS OF LOUISBURG COLLEGE ON THE OCCASION OF THE COLLEGE'S TWO HUNDRED TWENTY-FIFTH ANNIVERSARY.

As title indicates.

Intro. by Bradley, Bryant.

HOUSE RES

General Assembly

H 1233. [HONOR KINSTON'S 250TH ANNIVERSARY.](#) Filed 6/27/12. HONORING THE FOUNDERS OF THE CITY OF KINSTON.

As title indicates.

Intro. by LaRoque.

JOINT RES

General Assembly

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H 1234. 2012 SPEAKER'S APPOINTMENTS BILL. Filed 6/27/12. *TO APPOINT PERSONS TO VARIOUS PUBLIC OFFICES UPON THE RECOMMENDATION OF THE SPEAKER OF THE HOUSE OF REPRESENTATIVES.*

As title indicates, appoints persons to specified committees, commissions, and boards upon recommendation of the Speaker of the House of Representatives. Effective July 1, 2012, unless otherwise indicated.

Intro. by Committee on Rules, Calendar, and Operations of the House. UNCODIFIED General Assembly

Local Bills

None

ACTION ON BILLS

June 28, 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 Concurred In S/Com Sub
	H Ratified
03-31-11, 04-05-11, 04-06-11, 06-20-12, 06-26-12	
H0177 Clean Energy Transportation Act.	H Ratified
	H Pres. To Gov. 6/28/2012
06-02-11, 06-07-12, 06-11-12	
H0203 Mortgage Satisfaction Forms/ No False Liens.	H Failed concur in S/Com Sub
	H Conf Com Appointed
06-07-12, 06-19-12, 06-27-12	
H0244 State Health Plan/Add Schools; Whistleblowers.	S Conf Com Appointed
06-07-11, 06-06-12, 06-07-12	
H0320 Continue P3 Study.	SA Reptd Fav Com Substitute
	SA Com Substitute Adopted
	S Placed On Cal For 6/28/2012
	S Passed 2nd & 3rd Reading
	H Rec From Senate
06-28-12	
H0334 Report on Fitness Testing in Schools.	SA Reptd Fav Com Substitute
	SA Com Substitute Adopted
	S Placed On Cal For 6/28/2012
	SA Amend Adopted 1
	S Passed 2nd & 3rd Reading
	H Rec From Senate
03-23-11, 06-28-12	
H0457 Municipal Electric Utilities/	SA Reptd Fav Com Substitute

Rate Hearings.	SA Com Substitute Adopted
	S Placed On Cal For 6/28/2012
	SA Amend Adopted 1
	S Passed 2nd & 3rd Reading
	H Rec From Senate
06-08-11, 06-28-12	
H0462 Contingency Contracts For Audits/Assessments.	H Reptd Fav To Concur
	H Cal Pursuant Rule 36(b)
	H Placed On Cal For 6/28/2012
06-07-12, 06-12-12, 06-18-12	
H0555 2011 Speaker's Appointments Bill.	SA Reptd Fav Com Substitute
	SA Com Substitute Adopted
	S Placed On Cal For 6/28/2012
	S Withdrawn From Cal
	S Re-ref Com On Rules and Operations of the Senate
06-28-12	
H0572 Accountability for Publicly Funded Nonprofits.	SA Reptd Fav Com Substitute
	SA Com Substitute Adopted
	S Placed On Cal For 6/28/2012
	SA Amend Adopted 1
	SA Amend Adopted 2
	S Passed 2nd & 3rd Reading
	H Rec From Senate
05-16-11, 05-19-11, 06-28-12	
H0585 NC Energy Independence/Study.	SA Reptd Fav Com Substitute
	SA Com Substitute Adopted
	S Placed On Cal For 6/28/2012
	S Passed 2nd Reading
	SA Amend Adopted 1
	SA Amend Adopted 2
	S Passed 3rd Reading
	H Rec From Senate
05-12-11, 06-14-11, 06-28-12	
H0690 Amend Evidence & DNA Expunction Laws.	S Withdrawn From Cal
	S Placed On Cal For 6/28/2012
	S Withdrawn From Cal
	S Placed On Cal For 7/2/2012
05-18-11, 05-19-11, 06-07-12, 06-27-12	
H0737 Strengthen Child Safety Laws/ Care Facilities.	H Ratified
	H Pres. To Gov. 6/28/2012
06-06-12, 06-19-12	
H0799 Licensure by Endorsement/ Military/Spouses.	SA Reptd Fav Com Substitute
	SA Com Substitute Adopted
	S Re-ref Com On Finance
	S Reptd Fav
	S Placed On Cal For 6/28/2012
	S Passed 2nd & 3rd Reading
	H Rec From Senate
06-03-11, 06-06-11, 06-07-12, 06-28-12	
H0837 Completion of CPR by Students Required.	SA Reptd Fav Com Substitute
	SA Com Substitute Adopted
	S Placed On Cal For 6/28/2012
	S Passed 2nd & 3rd Reading
	H Rec From Senate
05-31-11, 06-28-12	

H0853 End Ct. Orders/Est. Local Intake Procedures.	S Conf Com Reported S Placed On Cal For 6/28/2012 H Conf Com Reported H Placed On Cal For 6/28/2012 HA Conf Report Adopted SA Conf Report Adopted
06-20-12, 06-28-12	
H0889 Amend Locksmith Licensing Act/ Increase Fees.	H Withdrawn From Cal H Placed On Cal For 6/28/2012 HA Amend Adopted 1 H Passed 2nd Reading H Rules Suspended for 3rd Reading H Passed 3rd Reading
06-26-12, 06-28-12	
H0914 AEDs in State Buildings.	SA Reptd Fav Com Substitute SA Com Substitute Adopted S Re-ref Com On Appropriations/ Base Budget S Withdrawn From Com S Placed On Cal For 6/28/2012 S Passed 2nd & 3rd Reading H Rec From Senate
06-28-12	
H0953 Environmental Technical Corrections 2012.	SA Reptd Fav Com Substitute SA Com Substitute Adopted S Placed On Cal For 6/28/2012 SA Amend Adopted 1 S Amend Failed 2 S Passed 2nd & 3rd Reading H Rec From Senate H Rec To Concur S Com Sub H Rec To Concur In S Amend 1 H Cal Pursuant Rule 36(b)
06-21-12, 06-28-12	
H0959 Streamline DOT Sale of Unused Properties.	S Rec From House S Passed 1st Reading S Ref To Com On Transportation
H0989 Permanent License Plates.	H Ratified H Pres. To Gov. 6/28/2012
06-12-12	
H1009 MSD Amendments.	H Ratified H Pres. To Gov. 6/28/2012
06-14-12	
H1021 Justice Reinvestment Clarifications.	H Ratified H Pres. To Gov. 6/28/2012
06-06-12, 06-26-12	
H1023 Expunction/Nonviolent Offenses.	S Reptd Fav
06-13-12, 06-18-12, 06-19-12	
H1044 Motorcycle Insurance Discount/ Military.	S Reptd Fav S Placed On Cal For 6/28/2012 S Passed 2nd & 3rd Reading
06-19-12	
H1052 Mechanics Liens/Payment Bond Reforms.	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
	H	Concurred In S/Com Sub
06-13-12, 06-20-12, 06-26-12, 06-27-12		
H1073 Modify UNCHCS Board.	S	Rec From House
	S	Passed 1st Reading
	S	Ref To Com On Rules and Operations of the Senate
	S	Reptd Fav
	S	Placed On Cal For 6/28/2012
	S	Passed 2nd & 3rd Reading
06-27-12		
H1074 Stop Waste, Fraud, and Abuse in Govt. Act.	H	Concurred In S/Com Sub
06-13-12, 06-20-12, 06-27-12		
H1077 Increase DOT Public-Private Partnerships.-AB	H	Passed 3rd Reading
06-26-12, 06-27-12		
H1085 State Health Plan/Statutory Changes.-AB	S	Reptd Fav
	S	Placed On Cal For 6/28/2012
	S	Passed 2nd & 3rd Reading
06-06-12, 06-12-12		
H1105 Modify Taxation of HOA Property	S	Passed 3rd Reading
	H	Ratified
	H	Pres. To Gov. 6/28/2012
06-19-12, 06-20-12, 06-21-12		
H1114 NCEMPA/Use of Rate Revenue.	S	Passed 3rd Reading
	H	Ratified
	H	Pres. To Gov. 6/28/2012
06-06-12		
H1173 Absconding Prob. Violators Forfeit Benefits.	SA	Reptd Fav Com Substitute
	SA	Com Substitute Adopted
	S	Placed On Cal For 6/28/2012
	S	Passed 2nd & 3rd Reading
	H	Rec From Senate
06-20-12, 06-28-12		
H1179 Indian Cultural Center/ Terminate Lease.	H	Passed 3rd Reading
06-06-12, 06-13-12, 06-26-12, 06-27-12		
H1191 Resolution of Disapproval of Reorganization.	H	Withdrawn From Cal
	H	Placed On Cal For 6/28/2012
	H	Adopted
H1228 Honor Edenton's 300th Anniversary.	S	Rec From House
	S	Passed 1st Reading
	S	Ref To Com On Rules and Operations of the Senate
H1232 Honor Lousiburg College's 225th and Founders.	H	Passed 1st Reading
	H	Cal Pursuant 32(a)
	H	Placed On Cal For 6/28/2012
	H	Adopted
H1233 Honor Kinston's 250th Anniversary.	H	Passed 1st Reading
	H	Cal Pursuant 32(a)
	H	Placed On Cal For 7/2/2012
H1234 2012 Speaker's Appointments Bill.	H	Passed 1st Reading
	H	Cal Pursuant 32(a)
	H	Placed On Cal For 6/28/2012

	H	Passed 2nd & 3rd Reading
	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.	S	Ratified
03-28-11, 06-20-12, 06-21-12, 06-27-12		
S0105 Increase Penalties/Murder and DWI Deaths.	S	Ratified
04-20-11, 06-25-12		
S0133 Modernize Jury List Procedures.	S	Rec To Concur H Com Sub
	S	Placed On Cal For 6/28/2012
	S	Concurred In H/com Sub
06-21-12, 06-26-12, 06-27-12		
S0141 Law Enforcement/Various Other Changes.	HA	Amend Adopted 2
	HA	Amend Adopted 3
	H	Rules Suspended for 3rd Reading
	H	Passed 3rd Reading
04-13-11, 06-19-12, 06-27-12, 06-28-12		
S0187 Outlaw Red Light Camera Systems.	HA	Amend Adopted 4
	HA	Amend Adopted 5
	HA	Amend Adopted 6
	H	Passed 3rd Reading
	S	Rec To Concur H Com Sub
	S	Placed On Cal For 6/28/2012
	S	Failed Concur In Com Sub
	S	Conf Com Appointed
04-06-11, 06-27-12, 06-28-12		
S0191 LME Governance.	S	Rec To Concur H Com Sub
	S	Placed On Cal For 6/28/2012
	S	Failed Concur In Com Sub
	S	Conf Com Appointed
03-21-11, 06-26-12		
S0229 Amend Environmental Laws 2012.	H	Conf Com Reported
	H	Placed On Cal For 6/28/2012
	HA	Conf Report Adopted
	S	Conf Com Reported
	S	Placed On Cal For 7/2/2012
05-03-11, 06-11-12, 06-12-12, 06-13-12, 06-18-12, 06-28-12		
S0231 Municipal Incorporation Standards.	S	Rec To Concur H Com Sub
	S	Placed On Cal For 6/28/2012
	S	Failed Concur In Com Sub
06-08-11, 06-07-12, 06-19-12, 06-27-12		
S0382 Amend Water Supply/Water Quality Laws.	S	Rec To Concur H Com Sub
	S	Placed On Cal For 6/28/2012
	S	Failed Concur In Com Sub
05-19-11, 06-25-12, 06-26-12		
S0399 Minority Appeal From County Bd Elections.	S	Rec To Concur H Com Sub
	S	Placed On Cal For 6/28/2012
	S	Withdrawn From Cal
	S	Placed On Cal For 7/2/2012
06-27-12		
S0426 Public Finance Laws/Municipal Service Dists.	S	Concurred On 3rd Reading
05-10-11, 05-18-11, 06-19-12		

S0428 Study Consolidated Environmental Commission.	HA Reptd Fav Com Substitute H Cal Pursuant Rule 36(b) H Withdrawn From Cal H Re-ref Com On Rules, Calendar, and Operations of the House
06-28-12	
S0433 Local Human Services Administration.	S Withdrawn From Cal S Placed On Cal For 7/2/2012
04-06-11, 04-20-11, 04-27-11, 06-14-11, 06-13-12, 06-14-12	
S0444 Nonappropriated Capital Projects.	S Ratified
06-06-12, 06-14-12, 06-20-12	
S0521 Rule in Dumpor's Case/Broker Price Opinions.	S Ratified
05-02-11, 06-20-12	
S0626 PED to Study DENR Action/ Alcoa Contamination.	HA Reptd Fav Com Substitute H Cal Pursuant Rule 36(b)
05-10-11, 06-28-12	
S0647 Mutual Insurance Holding Companies.	S Ratified
06-07-11, 06-19-12, 06-27-12	
S0655 Dentistry Management Arrangements.	S Rec To Concur H Com Sub S Placed On Cal For 6/28/2012 S Concurred In H/com Sub
06-27-12	
S0699 Courts and Investigations.	S Concurred In H/com Sub
06-21-12	
S0707 School Violence Prevention Act.	S Conf Com Appointed H Conf Com Appointed
06-07-11, 06-13-12, 06-18-12	
S0738 Liability Insurance Required for ABC Permits.	S Rec To Concur H Com Sub S Placed On Cal For 6/28/2012 S Concurred In H/com Sub
06-07-11, 06-08-11, 06-27-12	
S0755 Ed. Employees Ass'n./Equal Access Act.	S Rec To Concur H Com Sub S Placed On Cal For 6/28/2012 S Concurred In H/com Sub
06-08-11, 06-05-12	
S0803 Retirement Administrative Changes.	S Rec To Concur H Com Sub S Placed On Cal For 6/28/2012 S Concurred In H/com Sub
06-06-12, 06-20-12, 06-26-12, 06-27-12	
S0810 Regulatory Reform Act of 2012.	S Ratified
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 Concurred In H/com Sub
06-11-12, 06-20-12, 06-25-12	
S0836 Improve Property Insurance Rate Making.	S Ratified
06-06-12, 06-11-12	
S0847 General Statutes Comm. Technical Corrections.	SA Amend Adopted 5 S Withdrawn From Cal S Placed On Cal For 6/28/2012 SA Amend Adopted 6 SA Amend Adopted 7

	SA Amend Adopted 8
	S Amendment Withdrawn 9
	S Amend Failed 10
	SA Amend Adopted 11
	S Passed 3rd Reading
	H Rec From Senate
	H Passed 1st Reading
	H Ref To Com On Rules, Calendar, and Operations of the House
06-27-12, 06-28-12	
S0866 Modify 2011 Appropriations Act.	SA Amend Adopted 1
	S Amend Failed 2
	S Amend Tabled 3
	S Passed 2nd & 3rd Reading
	H Rec From Senate
	H Passed 1st Reading
	H Ref To Com On Appropriations
06-27-12, 06-28-12	
S0910 Sale of a Child/Felony Offense.	HA Amend Adopted 2
	H Passed 3rd Reading
06-11-12, 06-27-12, 06-28-12	
S0928 Repeal/Streamline DPI Reporting Requirements.	S Passed 1st Reading
	S Ref To Com On Rules and Operations of the Senate
S0951 Cleveland Cty. Prop Transfer/ ABC Def.	S Rec To Concur H Com Sub
	S Placed On Cal For 6/28/2012
	S Concurred In H/com Sub
06-20-12, 06-25-12, 06-26-12	
S0957 Resolution of Disapproval of Reorganization.	S Reptd Fav
	S Placed On Cal For 6/28/2012
	S Withdrawn From Cal
	S Placed On Cal For 7/2/2012
S0960 Honor Bob Shaw.	S Ratified

LOCAL BILLS

H0180 Wilmington Voluntary Annexations.	H Concurred On 2nd Reading
06-05-12, 06-20-12	
H0278 School Calendar/Onslow County.	SA Reptd Fav Com Substitute
	SA Com Substitute Adopted
	S Placed On Cal For 6/28/2012
	S Passed 2nd & 3rd Reading
	H Rec From Senate
04-04-11, 06-28-12	
H0552 Asheville Airport/WNC Agricultural Center.	H Concurred On 3rd Reading
	H Ratified
04-21-11, 06-02-11, 06-03-11, 06-06-11, 06-07-12	
H0945 Marion Legislative Annexation.	S Passed 3rd Reading
	H Ratified
H0956 Zoning/Johnston County Open Space.	H Concurred In S/Com Sub
	H Ratified
05-31-12, 06-27-12	
H0963 Town of Columbia/Deannexation.	S Passed 3rd Reading
	H Ratified

H0987 Wake Tech Board of Trustees.	H	Ratified
H0991 Jackson Co. Occupancy Tax Changes.	H	Ratified
H0994 Rockingham County Design-Build.	S	Rec From House
	S	Passed 1st Reading
	S	Ref To Com On Rules and Operations of the Senate
06-26-12		
H1029 Mayodan Manager Residency.	H	Ratified
H1041 High Point/Archdale Boundaries.	S	Passed 3rd Reading
	H	Ratified
H1050 Elizabethtown Industr. Park Deannexation.	S	Passed 3rd Reading
	H	Ratified
H1051 Elizabethtown Hayfields Deannexation.	S	Passed 3rd Reading
	H	Ratified
H1059 Asheboro Towing.	H	Ratified
H1071 Wake School Board Organizational Meeting.	H	Ratified
06-11-12		
H1087 Fontana Dam Occupancy Tax.	S	Passed 3rd Reading
	H	Ratified
H1090 Orange-Alamance Remaining 9% Boundary.	S	Passed 3rd Reading
	H	Ratified
06-13-12		
H1106 Apex Annexation.	S	Passed 3rd Reading
	H	Ratified
H1110 Matthews/Stallings Boundary Adjustment.	S	Passed 3rd Reading
	H	Ratified
H1122 Martin County Fire Districts.	S	Passed 3rd Reading
	H	Ratified
H1123 Durham County Memorial Stadium.	H	Ratified
H1169 Town of Burgaw/Deannexation.	S	Passed 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 6/28/2012
	H	Concurred In S Amend
06-27-12		
H1170 Pender County ABC Law.	S	Withdrawn From Com
	S	Re-ref Com On Rules and Operations of the Senate
	S	Reptd Fav
	S	Placed On Cal For 6/28/2012
	S	Passed 2nd & 3rd Reading
H1181 Study Municipal Local Option Sales Tax.	H	Ratified
	H	Pres. To Gov. 6/28/2012
06-13-12, 06-27-12		
H1196 Albemarle Mental Health Center Property.	H	Ratified
H1197 Add Stokes Cty to Tax Cert Before Recordation.	H	Ratified
H1199 Lake Lure Convey Property.	H	Ratified
06-12-12		
H1200 Winston-Salem/New Bern Firefighters Retire.	H	Concurred In S/Com Sub
	H	Ratified

06-13-12, 06-27-12		
H1202 Roanoke Rapids Deannex/ Halifax N'hmppt Airport.	S	Passed 3rd Reading
	H	Ratified
06-13-12		
H1206 Butner Boundary Clarification.	S	Passed 3rd Reading
	H	Ratified
06-13-12		
H1215 Henderson County Occupancy Tax Changes.	SA	Amend Adopted 1
	S	Passed 3rd Reading
	H	Rec From Senate
	H	Rec To Concur S Com Sub
	H	Rec To Concur In S Amend 1
	H	Cal Pursuant Rule 36(b)
	H	Placed On Cal For 6/28/2012
	H	Failed concur in S/Com Sub
	H	Conf Com Appointed
06-21-12, 06-27-12, 06-28-12		
H1216 Town of Wallace/Satellite Annexations.	S	Passed 3rd Reading
	H	Ratified
06-14-12		
H1217 Asheville/Woodfin Boundary Adjustments.	S	Passed 3rd Reading
	H	Ratified
06-14-12		
S0227 Haywood Community College Leases.	HA	Reptd Fav Com Substitute
	H	Cal Pursuant Rule 36(b)
03-16-11, 06-28-12		
S0848 Durham City Assessments.	S	Ratified
S0876 Mooresville Deannexation.	H	Reptd Fav
	H	Cal Pursuant Rule 36(b)
	H	Placed On Cal For 6/28/2012
	H	Passed 2nd Reading
S0900 Surf City Deannexation.	S	Ratified
S0901 Ocean Isle Beach Satellite Annexations.	S	Ratified
S0905 Currituck CAMA Setback Req'ts./Grandfather.	H	Passed 2nd Reading

SUMMARIES OF AMENDMENTS AND COMMITTEE SUBSTITUTES

HOUSE BILLS

H 278. WAKE/KINSTON LOCAL ACT (NEW). Filed 3/9/11. Senate committee substitute makes the following changes to 2nd edition.

Deletes all of the provisions of the 2nd edition and replaces it with *AN ACT TO BROADEN THE EXCEPTION TO THE PUBLIC RECORDS ACT FOR IDENTIFYING INFORMATION OF MINORS PARTICIPATING IN LOCAL GOVERNMENT PARKS AND RECREATION PROGRAMS TO INCLUDE ALL LOCAL GOVERNMENT PROGRAMS AND ALSO TO PROTECT E-MAIL ADDRESSES OF MINORS IN SUCH PROGRAMS IN THE TOWNS OF APEX, CARY, FUQUAY-VARINA, GARNER, HOLLY SPRINGS, KNIGHTDALE, MORRISVILLE, ROLESVILLE, WAKE FOREST, WENDELL, AND ZEBULON, AND THE CITY OF RALEIGH, AND TO AUTHORIZE THE CITY OF KINSTON TO DELEGATE TO THE CITY MANAGER OR AN APPOINTED BOARD THE POWER TO GRANT, RENEW, EXTEND, AMEND, REVOKE, OR SUSPEND A TAXICAB FRANCHISE.*

Amends GS 132-1.12, which limits access to identifying information for minors participating in local government programs, as the title indicates. Provides that in spite of this exception to the public records act, the name of a minor who has received a scholarship or other local government award of a financial nature is a public record. Applies only to the towns listed in the bill title and to Raleigh.

Amends GS 160A-76 regarding taxicab franchises as the title indicates. Applies only to Kinston.

Previously: Onslow

Now: Wake; Lenoir

H 320. WATER RESOURCES FLEXIBILITY (NEW). Filed 3/10/11. Senate committee substitute makes the following changes to 1st edition. Deletes all the provisions of the 1st edition and replaces it with *AN ACT TO PROVIDE FLEXIBILITY FOR CERTAIN WATER RESOURCES PROJECTS*.

Provides that if House Bill 950, Modify 2011 Appropriations Act, becomes law, the funds allocated in Section 26.2(a) of HB 950 for the Carolina Beach Renourishment Project may also be allocated for use for the Kure Beach Renourishment Project with the amounts allocated between the two projects to be determined by the New Hanover Board of County Commissioners. Effective July 1, 2012.

Previously: General Assembly;

Local Government; State
Government

Now: Budget and Appropriations;
Local Government

H 334. SPORTS AGENTS/DMV POLICE AUTHORITY (NEW). Filed 3/30/11. Senate committee substitute makes the following changes to 2nd edition. Completely rewrites bill, with new title: *TO STRENGTHEN THE UNIFORM ATHLETE AGENTS ACT, TO AMEND THE LAWS DEALING WITH LICENSURE OF PERSONS ENGAGING IN THE PRACTICE OF NATURAL HAIR CARE, AND TO AMEND THE SUPPLEMENTAL LAW ENFORCEMENT AUTHORITY OF DIVISION OF MOTOR VEHICLE OFFICERS*. Rewrites GS 78C-89(b), to provide registration requirements for out-of-state athlete agents or applicants, to require that all applicants submit with their applications either a cash bond or proof of a trust fund in favor of the state of North Carolina, in the amount of \$50,000 for initial registration and \$25,000 for each of the first two renewal applications. The amount is available to satisfy an award or judgment to the educational institution arising from the agent's violation of the article. Specifies terms of return of the bond or fund amount to the agent. Amends GS 78C-94 to require that a student-athlete's signature on an agency contract be acknowledged before a notary public. Rewrites GS 78C-97 to substantially expand the kinds of records an athlete agent must retain for five years. Requires an agent entering an agency contract with a former NC student athlete, if it is the athlete's first contract, to provide a copy to the Secretary of State within 5 business days. Also requires an agent to report to the Secretary within 5 business days after being contacted by someone with an expectation of gain, profit, or reimbursement of expenses from the agency contract with a NC student-athlete. Amends GS 78C-98(b) to prohibit athlete agents from providing anything of value to a student-athlete (or the athlete's spouse, parent, child, sibling, or guardian) before the athlete enters an agency contract. Adds new GS 78C-98.1 imposing the same prohibition on all other persons, along with a prohibition against advising or influencing a student-athlete's selection of a specific agent with an expectation of profit or other benefit, but the prohibitions do not apply to the athlete's spouse, parent, sibling, grandparent, or guardian or the educational institution he or she attends. Rewrites GS 78C-101 to authorize the Secretary of State to assess, for each violation of the article, a civil penalty of between \$10,000 and \$25,000 (previously, up to \$25,000) and to seek injunctive or other relief to enforce the article.

Rewrites section 13 of SL 2009-251, as amended by section 24 of SL 2011-26, to extend from two years to three years the period after July 1, 2010, that persons practicing natural hair care and meeting other licensure requirements may apply for licensure without completing training and examination requirements that otherwise would apply.

Rewrites GS 20-49.1 to (1) authorize motor vehicle officers to enforce criminal laws when they have probable cause to believe someone has committed a criminal act in their presence, regardless of whether they are engaged at the time in enforcing laws otherwise in their jurisdiction and (2) add authority for such officers to (i) perform other duties as peace officers, as directed by the Governor and (ii) on their own motion or at request of a sheriff or local police authority, investigate crimes occurring on property, equipment, or materials owned or leased by the Department of Transportation and to make related arrests.

Changes relating to athlete agents effective December 1, 2012, and apply to contracts entered into or offenses committed on or after that date. Remainder of the act effective when it becomes law.

Previously: Education
Now: Business and Commerce;
Education

H 334. SPORTS AGENTS/DMV POLICE AUTHORITY. Filed 3/10/11. Senate amendment makes the following changes to 3rd edition. Deletes all provisions relating to supplemental law enforcement authority of Division of Motor Vehicle officers. Makes conforming changes to bill title and effective date provisions.

Business and Commerce;
Education

H 457. MUNICIPAL ELECTRIC UTILITIES/RATE HEARINGS. Filed 3/23/11. Senate committee substitute makes the following change to 2nd edition. Changes the effective date to October 1, 2012 (was, October 1, 2011).

Local Government; Energy and
Utilities

H 457. MUNICIPAL ELECTRIC UTILITIES/RATE HEARINGS. Filed 3/23/11. Senate amendment makes the following changes to 3rd edition. Rewrites changes to GS 159B-17(a) to provide that any retail electric customer (previously, any resident) of the municipality may appear and be heard on the proposed revision to rates, fees, or charges. Provides that GS 160A-81 applies to any public hearing under the statute, but that the public hearing requirements do not apply when a municipality is required to take action by the Local Government Commission pursuant to GS159-181(c), or to any action required immediately due to a catastrophic event or to avoid impairing the municipality's ability to comply with applicable law or its contractual obligations relating to its outstanding bonds or other indebtedness. Rewrites GS 159B-17(b) to provide that the subsection's provisions for published notice of a joint agency meeting to change rates, fees, or charges do not apply to any action required immediately for any of those same reasons. Makes conforming changes to GS 160A-314. Lists members of the NC Eastern Municipal Power Agency.

Local Government; Energy and
Utilities

H 555. 2012 PPT'S APPOINTMENTS BILL (NEW). Filed 3/30/11. Senate committee substitute makes the following changes to 2nd edition. Deletes the provisions in the previous edition and replaces them with *AN ACT TO APPOINT PERSONS TO VARIOUS PUBLIC OFFICES UPON THE RECOMMENDATION OF THE PRESIDENT PRO TEMPORE OF THE SENATE AND TO MAKE TECHNICAL CORRECTIONS TO PREVIOUS APPOINTMENTS*. Provides as new title indicates and makes technical corrections to specified session laws. Effective July 1, 2012, unless otherwise indicated.

General Assembly

H 572. ACCOUNTABILITY FOR PUBLICLY FUNDED NONPROFITS. Filed 3/30/11. Senate committee substitute makes the following change to 3rd edition. Changes the effective date to October 1, 2012 (was, October 1, 2011).

Business and Commerce

H 572. ACCOUNTABILITY FOR PUBLICLY FUNDED NONPROFITS. Filed 3/30/11. Senate amendments make the following changes to 4th edition. Amendment #1 makes technical and clarifying changes. Amendment #2 makes the financial statement requirement in proposed GS 55A-16-24 apply to corporations receiving over \$5,000 of public funding in a year (previously applied to corporations receiving any amount).

Business and Commerce

H 585. ALCOHOL SALES/VEHICLE EMISSIONS INSPECTIONS (NEW). Filed 4/1/11. Senate committee substitute makes the following changes to 3rd edition. Completely rewrites bill, with new title: (1) *TO MODIFY PROVISIONS RELATED TO THE SALES OF ALCOHOLIC BEVERAGES*, (2) *TO EXEMPT VEHICLES OF THE THREE NEWEST MODEL YEARS AND WITH LESS THAN EIGHTY THOUSAND MILES FROM EMISSIONS INSPECTIONS*, (3) *TO PROVIDE FOR CONFORMING CHANGES TO WHO MAY SUPERVISE THE STATE HIGHWAY PATROL PURSUANT TO THE CONSOLIDATION OF THE DEPARTMENT OF PUBLIC SAFETY*, AND (4) *TO EXEMPT LAW ENFORCEMENT, FIRE, EMERGENCY SERVICE, AND INMATE AND JUVENILE TRANSPORTATION VEHICLES OWNED BY THE DEPARTMENT OF PUBLIC SAFETY FROM DEPARTMENT OF ADMINISTRATION MOTOR FLEET MANAGEMENT*.

Rewrites the definition of "historic ABC establishment" in GS 18B-101(7b) to add structures that are contributing structures in a National Register Historic District or are under protective covenants or historic preservation agreements administered by the Historic Preservation Foundation of NC, Inc. Rewrites GS 18B-900(a) to provide that to be eligible for an ABC permit, a person must have a valid Social Security number or valid documentation issued by the US government demonstrating legal presence in the United States. Rewrites GS 18B-1002(d) to provide that a special one-time permit may not be issued fewer than 10 days before any qualifying event and requiring the ABC Commission to notify the ALE Section not more than 3 business days after a permit is issued with information about the permittee, the event, and any conditions on the permit.

Rewrites GS 20-183.2(b)(3) to exclude from the emissions testing requirement a vehicle that (1) is not older than the three most recent model years or (2) has fewer than 70,000 miles on its odometer, subject to approval by the US Environmental Protection Agency. The exclusion becomes effective on or after January 1, 2014, or the first day of a month that is 30 days after federal approval is certified and the Commissioner of Motor Vehicles certifies to the Revisor of Statutes that the Motor Vehicle Inspection and Law Enforcement System (MILES) has been replaced. Amends GS 20-196.3 and 143-341(8)i.3., as indicated in numbers (3) and (4) in the bill title above.

Changes to GS Chapter 18B are effective August 1, 2012, and apply to ABC permits issued on or after that date. Unless indicated otherwise, the remainder of the bill is effective when it becomes law.

Previously: Transportation;
Property, Land Use, and Housing
Now: Alcoholic Beverage Control;
Transportation; State Government

H 585. ALCOHOL SALES / VEHICLE EMISSIONS INSPECTIONS. Filed 4/1/11. Senate amendments make the following changes to 4th edition. Amendment #1 deletes amendments to GS 18B-101(7b), which modified the definition of *historic ABC establishment*. Amendment #2 adds a section, amending GS 20-166.1(h), to limit disclosure of specified information in a school bus crash, effective October 1, 2012. Makes conforming changes.

Alcoholic Beverage Control;
Transportation; State Government

H 799. LICENSURE BY ENDORSEMENT/MILITARY/SPOUSES Filed 4/6/11. Senate committee substitute makes the following changes to 3rd edition. In new GS 93B-15.1(a), rewrites the training and occupational specialty component of the requirements for licensure by endorsement.

Employment and Retirement;
Military and Veterans Affairs

H 837. COMPLETION OF CPR BY STUDENTS REQUIRED. Filed 4/6/11. Senate committee substitute makes the following changes to 2nd edition. Rewrites the title and the bill to change from 2013-14 to 2014-15 the school year by which completion of CPR training will be a graduation requirement. Extends all other dates in the bill by one year.

Education; Health, Social Services,
and Aging

H 853. END CT. ORDERS/EST. LOCAL INTAKE PROCEDURES. Filed 4/6/11. Conference report recommends the following changes to 2nd edition to reconcile matters in controversy. Removes as an option available to the court upon determining that a juvenile has violated the conditions of protective supervision: ordering the juvenile to submit to house arrest or electronic monitoring.

Courts; Children and Juvenile Law

H 889. AMEND LOCKSMITH LICENSING ACT/INCREASE FEES. Filed 5/3/11. House amendment makes the following changes to 2nd edition. Rewrites title of act to read, *AMENDING THE LOCKSMITH LICENSING ACT*. Deletes amendments to GS 74F-9, which would have authorized the NC Locksmith Licensing Board to increase certain fees.

Employment and Retirement

H 914. AEDS IN STATE BUILDINGS. Filed 5/4/11. Senate committee substitute makes the following change to 1st edition. Makes the act effective when it becomes law (was, effective July 1, 2011).

Health, Social Services, and Aging

H 953. [AMEND ENVIRONMENTAL LAWS 2 \(NEW\)](#). Filed 5/16/12. Senate committee substitute makes the following changes to 2nd edition.

Adds section to set out directives regarding a specified rule for Jordan Lake new development, including delaying the implementation of a local stormwater management program until the later of August 10, 2014, within three months of the date when the Rules Review Commission approves a local program, or when the Division of Water Quality first renews a NPDES stormwater permit.

Adds section to make changes, effective August 1, 2012, to Senate Bill 820, Clean Energy and Economic Security Act, if that bill becomes law as follows. Changes specified reporting deadlines to the Joint Legislative Commission on Energy Policy and the Environmental Review Commission to October 1, 2013 (rather than January 1, 2013). Provides for a seven-day (rather than three-day) right of rescission for any lease separating oil or gas rights from the surface property estate. Applies to leases entered into on or after the date the act becomes law. Makes conforming changes to the bill title.

Agriculture, Environment, and
Natural Resources

H 953. [AMEND ENVIRONMENTAL LAWS 2](#). Filed 5/16/12. Senate amendment makes the following changes to 3rd edition. Makes technical corrections.

Agriculture, Environment, and
Natural Resources

H 1173. [ABSCONDING PROB. VIOLATORS FORFEIT BENEFITS](#). Filed 5/29/12. Senate committee substitute makes the following changes to 2nd edition. Provides that suspension of a probation violator's benefits do not affect any benefits that are being received for the benefit of a family member of a probation violator.

Health, Social Services, and Aging;
Criminal Law, Procedure, and
Sentencing

H 1215. [HENDERSON COUNTY OCCUPANCY TAX CHANGES](#). Filed 5/30/12. Senate amendment makes the following changes to 3rd edition.

Clarifies the transfer of the net proceeds of the additional 1% room occupancy and tourism development tax to the Vagabond School of the Drama (rather than the Flat Rock Playhouse).

Henderson

SENATE BILLS

S 141. [LAW ENFORCEMENT/VARIOUS OTHER CHANGES](#). Filed 2/24/11. House amendments make the following changes to 4th edition. Amendment #2 rewrites proposed GS 20-13.3(d2) to provide that a hearing before a judge when a provisional licensee contests the validity of a revocation must be held within 10 (was 5) working days after the written request for a hearing.

Amendment #3, effective June 1, 2012, rewrites section 4 of SL 2011-19, as amended by section 8 of SL 2011-307, to extend from June 1, 2012, to January 1, 2013, or as soon as practicable after that, the date within which Forensic Scientists I, II, and III, and forensic science supervisors and managers (was, forensic science professionals) at the State Crime Laboratory must obtain certification if certification is available. Also rewrites title of the bill to add a reference to this change.

Criminal Law, Procedure, and
Sentencing; Courts

S 187. [MODIFICATIONS/2012 APPROPRIATIONS ACT](#). Filed 3/2/11. House amendments 4, 5, and 6 make changes to the 5th 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 227. [SCHOOL BUS CRASH REPORTS NAME DISCLOSURE \(NEW\)](#). Filed 3/3/11. House committee substitute makes the following changes to 2nd edition.

Deletes all the provisions of the 2nd edition and replaces it with *AN ACT TO PROVIDE THAT THE NAME AND ADDRESS OF A MINOR CHILD INVOLVED IN A SCHOOL BUS CRASH MAY BE DISCLOSED ONLY IN*

CERTAIN CIRCUMSTANCES. Amends GS 20-166.1(h)(3) as the title indicates. Provides that for this subdivision, "school bus" includes a school activity bus as defined in GS 20-4.01(27).

Education

S 229. AMEND ENVIRONMENTAL LAWS 2012. Filed 3/7/11. Conference report recommends the following changes to 4th edition to reconcile matters in controversy.

Removes Part IIA which amended Section 1 of SL 2011-298 and Section 4(b) of SL 2011-298 providing for the exemption of certain water transfers in the central coastal plain capacity use area from interbasin transfer certification requirements.

Amends GS 143-214.7A(b) to provide that a Type 1 solid waste compost facility (Type 1 facility) is subject only to state and federal stormwater requirements established under 33 USC § 1342(p)(3)(B). Provides that a Type 1 facility is not required to obtain a National Pollutant Discharge Elimination System (NPDES) permit for the discharge of process wastewater solely based on the discharge of stormwater that has come into contact with feedstock, intermediate product, or final product at the facility. Deletes permit requirements from the 4th edition.

Amends Section 17(c) of SL 2011-394 to clarify the criteria that must be met for a single-family residence to encroach on the riparian buffer rules, and requires that the method for measuring the setback be consistent with the method for measuring the applicable buffer.

Sets out directives regarding a specified rule for Jordan Lake new development, including delaying the implementation of a local stormwater management program until the later of August 10, 2014, within three months of the date when the Rules Review Commission approves a local program, or when the Division of Water Quality first renews a NPDES stormwater permit.

Deletes provisions regarding establishing a minimum ocean hazard setback criteria and the issuance of development permits.

Adds Swain County to those counties eligible for Environmental Mitigation Project grants from the Tennessee Valley Authority settlement funds.

Makes clarifying changes to the annual reporting requirements in GS 130A-294 for the mercury switch removal program.

Deletes provisions that amended the duration of permits for sanitary landfills and transfer stations.

Makes additional technical corrections and clarifying changes. Makes conforming changes to the title.

Agriculture, Environment, and
Natural Resources

S 428. SELECTIVE VEGETATION AMENDMENTS/W&S STUDY (NEW). Filed 3/24/11. House committee substitute makes the following changes to 1st edition. Deletes all provisions of the 1st edition and replaces it with *AN ACT TO (1) ESTABLISH CRITERIA FOR TREE CLEARING AROUND BILLBOARDS WITHIN STATE RIGHTS-OF-WAY TO ENSURE COMPLIANCE WITH LOCAL GOVERNMENT REQUIREMENTS; PROTECT PUBLIC HEALTH, SAFETY, AND WELFARE; AND PRESERVE PRIOR PUBLIC INVESTMENTS, (2) MODIFY RULEMAKING PROVISIONS CONCERNING GRAY WATER, AND (3) DIRECT THE ENVIRONMENTAL REVIEW COMMISSION TO STUDY THE REDUCTION AND CONSOLIDATION OF THE STATUTORY MODELS FOR ESTABLISHING, OPERATING, AND FINANCING CERTAIN ORGANIZATIONS THAT PROVIDE WATER AND SEWER SERVICES IN THE STATE.*

Amends GS 136-93(d) to include replanting as an activity that a municipality can review a permit application and comment on, and to expand municipal review and comment authority to sites within a municipality's territorial jurisdiction.

Amends GS 136-133(c) to prohibit denying an electrical permit for an outdoor advertising sign that is compliant with both technical utility standards and local government ordinances (was, must be compliant with technical utility standards).

Amends GS 136-133.1(d) to provide that trees that existed at the time that an outdoor advertising sign was erected may only be removed if the applicant for removal implements a replanting plan and either reimburses the Department of Transportation (DOT) for the monetary value of the trees or agrees to remove two nonconforming outdoor advertising signs located in the same county where the tree removal occurs. Amends GS 136-133.1(e) to require replanting in accordance with rules adopted by the DOT (was, required a plan for beautification).

Amends GS 136-133.2 to permit the DOT to approve a removal permit with conditions. Requires that the denial of a permit must provide reasons for the denial based on criteria in the DOT's rules. Specifies some of the criteria that must be included. Provides that nothing in GS 136-133.1 or 136-133.2, governing cutting and removing vegetation from around outdoor advertising signs, preempts the authority of a local government to regulate outdoor advertising.

Amends GS 143-355.5(c) to remove decorative water features as an acceptable use of gray water to be addressed in the Environmental Review Commission's (ERC) study and rule making.

Directs the ERC to study the statutory models for establishing, operating, and financing certain organizations that provide water and sewer services in the state; determine whether, how, and to what extent the number of statutory models should be reduced and consolidated; and report its findings and recommendations to the 2013 General Assembly.

Previously: Agriculture,
Environment, and Natural
Resources
Now: Local Government; State
Government; Agriculture,
Environment, and Natural
Resources

S 626. LRC TO STUDY FERRY TOLLS/JUV. JUSTICE REFORMS (NEW). Filed 4/14/11. House committee substitute makes the following changes to 2nd edition. Completely rewrites bill, with new title: *DIRECTING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY FERRY TOLLS AND JUVENILE JUSTICE REFORMS*. Directs Legislative Research Commission to study the economic impact of ferry tolls on business, travel, and tourism in coastal areas and specifies factors to be considered in the study. Also directs the Commission to study the state's juvenile justice system and identify reforms that may reduce long-term recidivism and specifies that study must (1) determine reforms needed to implement SB 434, Edition 3, raising the age for juvenile jurisdiction for misdemeanors; (2) evidence-based models for reducing recidivism; (3) how to reserve secure facilities for the most troubled youth; (4) best practices for community-based programs; and (5) how to prepare local prisons for implementation of regulations related to the Prison Rape Elimination Act of 2003, P.L. 108-79. Requires Commission to report findings and recommendations to the 2013 General Assembly upon its convening.

Previously: General Assembly;
Agriculture, Environment, and
Natural Resources
Now: General Assembly

S 847. GSC TECHNICAL CORRECTIONS/OTHER CHANGES. Filed 5/21/12. Senate amendments make the following changes to 3rd edition.

Amendment #5 makes technical corrections.

Amendment #6 adds a section to rewrite GS 7A-41.1(b) to amend the process for the selection of senior resident superior court judge for each district or set of districts.

Amendment #7 amends the effective dates and the application of the provisions of House Bill 462, Contingency Contracts for Audits.

Amendment #8 adds a section to rewrite GS 120-30.10 to provide that the respective designees of the President Pro Tempore of the Senate and the Speaker of the House of Representatives may serve in their stead as ex officio members of the Legislative Research Commission (LRC). Confers the authority to appoint additional members to study committees or advisory subcommittees on the President Pro Tem and the Speaker (was, cochair of the LRC). Also amends GS 120-30.13 to provide for the President Pro Tem and the Speaker or their respective designees to serve as co-chairs of the LRC.

Amendment #11 adds a clarifying provision regarding amendments made to GS 7A -41.1(b)(2) in this act.

Business and Commerce; Children
and Juvenile Law; Courts; 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

S 866. [MODIFY 2011 APPROPRIATIONS ACT](#). Filed 5/22/12. Senate amendment #1 makes changes to the 2nd edition. We will not be including a summary of the amendment. For the content of the amendment, please follow the link included in the bill's short title above.

Budget and Appropriations

S 910. [SALE OF A MINOR/FELONY OFFENSE](#). Filed 5/29/12. House amendment makes the following changes to 3rd edition, as amended. Rewrites new GS 14-43.14(b) to increase the initial minimum fine for violation of the statute from \$1,000 to \$5,000, and to increase the minimum fine for every subsequent violation from \$5,000 to \$10,000.

Criminal Law, Procedure, and Sentencing

Legislation Enacted

None

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Notes

The House and Senate leaders announced that no votes would be taken in the sessions scheduled for June 29, 2012, so no *Daily Bulletin* will be published. The next *Daily Bulletin* will be published on Monday, July 2, 2012.

NEXT SESSIONS

June 29, 2012

HOUSE convenes at 10:00 a.m.

SENATE convenes at 10:00 a.m.