

Daily Bulletin

ACTIONS BY THE NORTH CAROLINA GENERAL ASSEMBLY

School of Government

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Legislation Enacted

SL 2011-390 (H 619). [FORCED COMBINATIONS](#). AN ACT TO SPECIFY THE SECRETARY OF REVENUE'S AUTHORITY TO ADJUST THE NET INCOME OF A CORPORATION OR TO REQUIRE A CORPORATION TO FILE A COMBINED RETURN. Summarized in *Daily Bulletin* 6/9/11 and 6/16/11. Enacted June 30, 2011. Sections 1–6 are effective January 1, 2012. The remainder is effective June 30, 2011.

Taxation

SL 2011-391 (H 22). [2011 BUDGET TECHNICAL CORRECTIONS](#). AN ACT TO MAKE TECHNICAL, CLARIFYING, AND OTHER MODIFICATIONS TO THE CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACT. Summarized in *Daily Bulletin* 6/16/11 and 6/17/11. Enacted June 30, 2011. Effective July 1, 2011, unless otherwise provided.

Budget and Appropriations

SL 2011-392 (H 289). [AUTHORIZE VARIOUS SPECIAL PLATES](#). AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE VARIOUS SPECIAL REGISTRATION PLATES. Summarized in *Daily Bulletin* 3/9/11, 5/18/11, 6/7/11, 6/15/11, 6/16/11, and 6/18/11. Enacted June 30, 2011. Section 1.1 is effective July 1, 2016. Section 5.1 is effective July 1, 2015. Section 8 is effective July 1, 2011. The remainder is effective June 30, 2011.

Transportation

SL 2011-393 (S 620). [CLARIFY USE OF POSITION](#). AN ACT TO CLARIFY THAT A LEGISLATOR'S OR PUBLIC SERVANT'S PUBLIC POSITION MAY BE DISCLOSED IN AN AGENDA OR OTHER DOCUMENT RELATED TO A MEETING, CONFERENCE, OR SIMILAR EVENT AND TO MODIFY THE REPORTING REQUIREMENTS FOR LOBBYIST PRINCIPALS. Summarized in *Daily Bulletin* 4/14/11, 5/2/11, and 6/17/11. Enacted July 1, 2011. Effective October 1, 2011.

Ethics and Lobbying

SL 2011-394 (H 119). [AMEND ENVIRONMENTAL LAWS 2011](#). AN ACT TO AMEND CERTAIN ENVIRONMENTAL AND NATURAL RESOURCES LAWS TO (1) EXEMPT CERTAIN NEW RENEWABLE ENERGY FACILITIES FROM BEST AVAILABLE CONTROL TECHNOLOGY (BACT) REQUIREMENTS; (2) REDUCE CERTAIN OPEN BURNING SETBACK REQUIREMENTS AND PROVIDE THAT MINIMAL, UNINTENTIONAL NONCOMPLIANCE WITH AN OPEN BURNING SETBACK IS NOT A VIOLATION; (3) PROVIDE THAT DRAFT EROSION AND SEDIMENTATION CONTROL PLANS FOR THE CONSTRUCTION OF

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CERTAIN UTILITY LINES MAY BE SUBMITTED WITHOUT A LANDOWNER'S WRITTEN CONSENT; (4) CLARIFY THE PROHIBITION ON DISPOSAL IN LANDFILLS OR BY INCINERATION OF BEVERAGE CONTAINERS THAT ARE REQUIRED TO BE RECYCLED BY CERTAIN ABC PERMITTEES; (5) CLARIFY THE USE OF STATE FUNDS IN THE CONTEXT OF THE REMOVAL OF MERCURY-CONTAINING PRODUCTS FROM PUBLIC BUILDINGS; (6) DIRECT THE ENVIRONMENTAL MANAGEMENT COMMISSION TO DEVELOP MODEL STORMWATER CAPTURE AND REUSE PRACTICES; (7) PROHIBIT THE DIVISION OF WATER QUALITY OF THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES FROM REQUIRING A WATER QUALITY PERMIT FOR A TYPE I SOLID WASTE COMPOST FACILITY; (8) AMEND THE WATER-USE STANDARD FOR PUBLIC MAJOR FACILITY CONSTRUCTION AND RENOVATION PROJECTS TO REQUIRE THE INSTALLATION OF WEATHER-BASED IRRIGATION CONTROLLERS; (9) PROVIDE THAT NO PERMIT IS REQUIRED FOR THE CONSTRUCTION OR ALTERATION OF A SEWER SYSTEM OR TREATMENT WORKS THAT ALREADY HAS A DISCHARGE PERMIT; (10) EXEMPT SMALL DAMS AND AGRICULTURAL POND DAMS FROM THE DAM SAFETY ACT; (11) MAKE VARIOUS CHANGES TO THE LAWS GOVERNING THE STATE'S UNDERGROUND STORAGE TANK PROGRAM AND PETROLEUM DISCHARGES; (12) PROMOTE THE USE OF GRAY WATER; (13) CLARIFY THAT NUTRIENT OFFSET PAYMENTS SHALL REFLECT ACTUAL COSTS AS ADOPTED BY THE ENVIRONMENTAL MANAGEMENT COMMISSION; (14) DELAY IMPLEMENTATION OF CERTAIN JORDAN LAKE RULE REQUIREMENTS; (15) AUTHORIZE THE COMMISSION FOR PUBLIC HEALTH TO ADOPT RULES TO INCORPORATE THE FEDERAL FOOD CODE; (16) ESTABLISH A VARIANCE PROCESS FOR CERTAIN WATER SUPPLY WELL SETBACK REQUIREMENTS; (17) GRANDFATHER CERTAIN DEVELOPMENT UNDER THE NEUSE AND TAR-PAM RIVER BASIN BUFFER REQUIREMENTS; (18) PROVIDE THAT A GINSENG EXPORT CERTIFICATE MAY BE OBTAINED FREE OF CHARGE; (19) PROVIDE FOR AN EARLY SUNSET OF THE METHANE CAPTURE PILOT PROGRAM; (20) DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO STUDY STORMWATER MANAGEMENT REQUIREMENTS FOR AIRPORTS IN THE STATE; (21) DIRECT CERTAIN TRANSFERS OF FUNDS FOR NONPOINT SOURCE POLLUTION CONTROL PROGRAMS; (22) CONFORM THE STATUTORY DEFINITION OF "SOLID WASTE" TO FEDERAL LAW; AND (23) TO AMEND CERTAIN FINANCIAL ASSURANCE REQUIREMENTS APPLICABLE TO HAZARDOUS WASTE FACILITIES. Summarized in *Daily Bulletin* 2/16/11, 6/3/11, 6/15/11, and 6/16/11. Enacted July 1, 2011. Effective July 1, 2011, except as otherwise provided.

Agriculture, Environment, and
Natural Resources

SL 2011-395 (H 344). [TAX CREDITS FOR CHILDREN WITH DISABILITIES](#). AN ACT TO ALLOW AN INDIVIDUAL INCOME TAX CREDIT FOR CHILDREN WITH DISABILITIES WHO REQUIRE SPECIAL EDUCATION AND TO CREATE A FUND FOR SPECIAL EDUCATION AND RELATED SERVICES. Summarized in *Daily Bulletin* 3/14/11, 6/3/11, 6/7/11, and 6/15/11. Enacted July 1, 2011. Sections 1, 3, 4, and 4A are effective for taxable years beginning on or after January 1, 2011, and apply to semesters for which the credit is claimed beginning on or after July 1, 2011, except that transfers under GS 105-151.33(h) shall not be made before the 2012–13 fiscal year. Section 2 is effective for taxable years beginning on or after January 1, 2016, and applies to semesters for which the credit is claimed beginning on or after July 1, 2016. The remainder is effective July 1, 2011.

Education; Taxation

SL 2011-396 (H 845). [ANNEXATION REFORM ACT OF 2011](#). AN ACT TO REFORM THE INVOLUNTARY ANNEXATION LAWS OF NORTH CAROLINA. Summarized in *Daily Bulletin* 4/8/11, 5/3/11, 5/11/11, and 6/15/11. Enacted July 1, 2011. Effective July 1, 2011. Annexations initiated prior to the effective date of this act by any action under Part 2 or Part 3 of Article 4A of GS 160A, but for which an annexation ordinance has not been adopted, shall terminate and may be reinitiated in compliance with Part 7 of Article 4A of GS 160A as enacted by this act.

Local Government

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S 496	MEDICAID AND HEALTH CHOICE PROVIDER REQ.	S	Vetoed	6/30/2011
S 532	ESC/JOBS REFORM.	S	Vetoed	6/30/2011
S 709	ENERGY JOBS ACT.	S	Vetoed	6/30/2011
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NEXT SESSIONS

July 13, 2011

HOUSE convenes at 12:00 noon.

SENATE convenes at 12:00 noon.