

# Daily Bulletin

ACTIONS BY THE NORTH CAROLINA GENERAL ASSEMBLY

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House Legislative Day 3

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Senate Legislative Day 3

Monday, January 31, 2011

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## SUMMARIES OF BILLS FILED

### *Public Bills*

#### **HOUSE BILLS**

**H 18. [FELONY FIREARMS ACT AMEND/TECH CORRECTION](#).** Filed 1/31/11. *TO CLARIFY THE EFFECTIVE DATE FOR THE LAW REGARDING THE RESTORATION OF FIREARMS RIGHTS AND THE LAW AMENDING THE FELONY FIREARMS ACT TO ALLOW CERTAIN EXCEPTIONS THAT ARE SIMILAR TO THOSE ALLOWED UNDER FEDERAL LAW.*

Amends Section 7 of SL 2010-108 as the title indicates. Provides that GS 14-415.4(1) (regarding the restoration of firearms rights) as enacted by Section 1 of SL 2010-108 applies to offenses committed on or after the act's effective date of February 1, 2011.

**Intro. by Haire.**

UNCODIFIED

Criminal Law, Procedure, and  
Sentencing

**H 19. [PERMANENT HOUSE RULES](#).** Filed 1/31/11. *ADOPTING THE PERMANENT RULES OF THE HOUSE OF REPRESENTATIVES FOR THE 2011 REGULAR SESSION.*

Same as the 2011 Temporary House Rules, House Bill 1, with the following exceptions. Amends Rule 27 to list Homeland Security, Military, and Veterans Affairs (previously, Military and Homeland Security) as a standing

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committee. Amends Rule 58 to provide that the House rules will not be permanently rescinded or altered except by a House simple resolution passed by a two-thirds vote of members present and voting (previous version allowed rescission or alteration by a majority vote adopting the permanent rules). Makes technical changes throughout to reference the permanent rules (rather than temporary rules).

**Intro. by T. Moore, LaRoque.** HOUSE RES General Assembly

## SENATE BILLS

**S 10. CHILDREN'S ADVOCACY CENTER FUNDS (=H 16).** Filed 1/31/11. *TO APPROPRIATE FUNDS FOR CHILDREN'S ADVOCACY CENTERS.* Identical to H 16, filed 1/27/11.

**Intro. by Mansfield.** APPROP Budget and Appropriations; Health, Social Services, and Aging

**S 11. NC MILITARY BUSINESS CENTER FUNDS.** Filed 1/31/11. *TO APPROPRIATE FUNDS FOR THE NORTH CAROLINA MILITARY BUSINESS CENTER.*

Appropriates \$1.25 million for 2011-12 from the General Fund to the Community Colleges System Office to support the North Carolina Military Business Center, to fund development activities and assistance services across the state. Lists five specific uses for the funds. Effective July 1, 2011.

**Intro. by Mansfield.** APPROP Budget and Appropriations; Education; Military and Veterans Affairs

**S 12. TEXFI CLEANUP FUNDS.** Filed 1/31/11. *TO APPROPRIATE FUNDS FOR MONITORING AND EMERGENCY CLEANUP OF THE TEXFI SITE CONTAMINATION.*

Appropriates \$50,000 for 2011-12 from the General Fund to the Department of Environment and Natural Resources, Division of Waste Management, as the title indicates. Effective July 1, 2011.

**Intro. by Mansfield.** APPROP Agriculture, Environment, and Natural Resources; Budget and Appropriations

**S 13. BALANCED BUDGET ACT OF 2011.** Filed 1/31/11. *TO ENACT THE BALANCED BUDGET ACT OF 2011.*

Authorizes the Governor (Director of the Budget) to take necessary actions to reduce General Fund expenditures for the remainder of the 2010-11 fiscal year with a goal of reducing spending by at least \$400 million. Authority includes exercising the powers to balance the budget granted to the Governor under Article II, Section 5, of the State Constitution. Applies only to fiscal year 2010-11.

**Intro. by Stevens, Brunstetter, Hunt.** APPROP Budget and Appropriations; State Government

**S 14. EXPAND DUTIES OF ECONOMIC DEV. OVERSIGHT COMM.** Filed 1/31/11. *TO MODIFY AND EXPAND THE DUTIES OF THE JOINT LEGISLATIVE ECONOMIC DEVELOPMENT OVERSIGHT COMMITTEE.*

Amends GS 120-70.130 to rename the Joint Legislative Economic Development Oversight Committee as the Joint Legislative Economic Development and *Global Engagement* Oversight Committee (Committee). Amends GS 120-70.131 to modify and expand the purpose and powers of the Committee to include examining global engagement issues and strategies in North Carolina to promote economic growth and stimulate job creation in the global economy. Makes conforming changes to GS 120-70.132.

**Intro. by Brunstetter, Stein.** GS 120 Business and Commerce; Community and Economic Development; General Assembly

**S 15. CREATE GLOBAL ENGAGEMENT STUDY COMMITTEE.** Filed 1/31/11. *TO STUDY MEANS TO INCREASE NORTH CAROLINA'S GLOBAL ENGAGEMENT.*

Creates the 14-member Joint Legislative Study Committee on Global Engagement (Committee) to continue the work of the Joint Select Committee on Global Engagement created under GS 120-19.6(a1), 2009 Senate Rule 31 and 2009 Rule 26(a) (House of Representatives). Specifies guidelines for appointing members, designating co-chairs, and filling vacancies on the Committee. Also includes criteria for assigning staff to the Committee and the provision of subsistence and travel expenses for Committee members. Provides that the Committee may work

with the Center for International Understanding to develop a Statewide Strategic Plan for Global Engagement. Permits the Committee to make a final report that includes any proposed legislation to the 2012 Session of the 2011 General Assembly upon its convening. Directs the Committee to terminate upon the filing of its final report or upon the convening of the 2012 Session of the 2011 General Assembly, whichever comes first.

**Intro. by Brunstetter, Stein.**

STUDY

Business and Commerce; General Assembly

**S 16. REQUIRE BLOOD TEST FOR ALL DEATHS BY VEHICLE.** Filed 1/31/11. *TO REQUIRE THAT LAW ENFORCEMENT PERFORM A BLOOD TEST ON ANY PERSON CRIMINALLY CHARGED IN ANY CASE INVOLVING DEATH BY VEHICLE.*

Adds new subsection (d) to GS 20-141.4 to require a chemical analysis as the title indicates. Provides that a violation of proposed subsection (d) is not grounds for dismissal and is not assignable as error on appeal. Applies to offenses committed on or after October 1, 2011.

**Intro. by Berger of Franklin, East.**

GS 20

Criminal Law, Procedure, and Sentencing; Emergency Services

### Local Bills

NONE

## ACTION ON BILLS

January 31, 2011

- NOTES**
1. Amendments and committee substitutes adopted today are summarized following the chamber action.
  2. Subscribers can find the digest of every version of each bill online at [www.dailybulletin.unc.edu](http://www.dailybulletin.unc.edu).
  3. The dates on which previous amendments or committee substitutes were adopted are listed below bill numbers.
  4. The action "Cal Pursuant Rule 36b" indicates that the bill has been reported by committee and is awaiting calendaring.
  5. Enacted bills are indicated by #, failed bills by \*. Actions that change a bill are indicated by HA or SA.

## PUBLIC BILLS

H0002 Protect Health Care Freedom.	H Reptd Fav Com Substitute
01-31-11	H Cal Pursuant Rule 36(b)
H0004 Disapprove Closure of Dorothea Dix Hospital.	H Withdrawn From Com
H0011 No Postsecondary Education/Illegal Aliens.	H Re-ref Com On Government
H0012 Make Synthetic Cannabinoids Illegal.	H Passed 1st Reading
favorable,	H Ref to the Com on Education, if favorable, Appropriations
	H Passed 1st Reading
	H Ref to the Com on Health and Human Services, if
	Judiciary Subcommittee B, if favorable, Appropriations
H0013 Ban Mephedrone.	H Passed 1st Reading
favorable,	H Ref to the Com on Health and Human Services, if
	Judiciary Subcommittee B, if favorable, Appropriations
H0014 Vietnam Veterans and Beirut Memorial	H Passed 1st Reading

Signs.	H	Ref to the Com on Military and Homeland Security, if favorable, Appropriations Subcommittee on Transportation
H0016 Children's Advocacy Centers Funds.	H	Passed 1st Reading
	H	Ref To Com On Appropriations Subcommittee on Health and Human Services
H0018 Felony Firearms Act Amend/Tech Correction.	H	Filed
H0019 Permanent House Rules.	H	Filed
S0006 State Health Plan/Refunds for No Coverage.	S	Passed 1st Reading
	S	Ref To Com On Insurance
S0007 Ban Mephedrone.	S	Passed 1st Reading
	S	Ref To Com On Judiciary II
S0008 No Cap on Number of Charter Schools.	S	Passed 1st Reading
	S	Ref To Com On Education/ Higher Education
S0009 Make Synthetic Cannabinoids Illegal.	S	Passed 1st Reading
	S	Ref To Com On Judiciary II
S0010 Children's Advocacy Centers Funds.	S	Filed
S0011 NC Military Business Center Funds.	S	Filed
S0012 Texfi Cleanup Funds.	S	Filed
S0013 Balanced Budget Act of 2011.	S	Filed
S0014 Expand Duties of Economic Dev. Oversight Comm.	S	Filed
S0015 Create Global Engagement Study Committee.	S	Filed
S0016 Require Blood Test for All Deaths by Vehicle.	S	Filed

### LOCAL BILLS

H0005 Kinston Annexation Repealed.	H	Withdrawn From Com
	H	Re-ref Com On Government
H0010 Honor Transylvania County's 150th.	H	Passed 1st Reading
	H	Ref To Com On Rules, Calendar, and Operations of the House
H0015 Beaufort/Use of Parking Meter Proceeds.	H	Passed 1st Reading
	H	Ref To Com On Government
H0017 Wayne Board of Education Vacancies.	H	Passed 1st Reading
	H	Ref To Com On Government

## SUMMARIES OF AMENDMENTS AND COMMITTEE SUBSTITUTES

### HOUSE BILLS

H 2. [PROTECT HEALTH CARE FREEDOM](#). Filed 1/26/11. House committee substitute makes the following changes to 1st edition.

Amends proposed GS 58-49A-1(a), to provide that *health care services* or *medical treatments*, as used in the subsection, do not include drug testing, drug screening, or communicable disease controls. Also provides that the subsection does not apply to persons in custody of the Department of Correction or a local confinement facility, or to persons who have not completed all sentence requirements imposed as a result of a criminal conviction, including, but not limited to, probation, parole, or post-release supervision.

Amends proposed GS 58-49A-1(b) to add that the following five items will not be expanded, limited, or modified by the statute: (1) any law regarding newborn screenings for metabolic or other hereditary and congenital disorders, (2) any law regarding health care services or medical treatment ordered under the Workers' Compensation Act, (3) any law regarding health care services or medical treatment related to involuntary commitments for mental illness or substance abuse, (4) any law relating to the taking of DNA or other bodily fluid upon arrest, or (5) any law requiring the provision of health insurance to employees as a condition of state economic incentives receipt.

Health, Social Services, and Aging

## SENATE BILLS

NONE

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## Notes

### Senate Committees

For a listing of the Senate committee membership, including a list of committee chairs, click [here](#).

## NEXT SESSIONS

February 1, 2011

**HOUSE convenes at 2:00 pm**

**SENATE convenes at 2:00 pm**