



## The Daily Bulletin: 2013-02-06

### PUBLIC/HOUSE BILLS

H 8 (2013-2014) [EMINENT DOMAIN](#). Filed Jan 30 2013, *A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA CONSTITUTION TO PROHIBIT CONDEMNATION OF PRIVATE PROPERTY EXCEPT FOR A PUBLIC USE, TO PROVIDE FOR THE PAYMENT OF JUST COMPENSATION WITH RIGHT OF TRIAL BY JURY IN ALL CONDEMNATION CASES, AND TO MAKE SIMILAR STATUTORY CHANGES.*

House committee substitute makes the following change to 1st edition. Clarifies that the statutory amendments apply to takings occurring on or after the date the act becomes law.

**Intro. by McGrady.**

[CONST, GS 40A](#)

[View summary](#)

[Constitution, Property and Housing, Local Government, State Government](#)

H 54 (2013-2014) [2013 PERMANENT HOUSE RULES](#). Filed Jan 31 2013, *A HOUSE RESOLUTION ADOPTING THE PERMANENT RULES OF THE HOUSE OF REPRESENTATIVES FOR THE 2013 REGULAR SESSION.*

House amendments amend the 1st edition as follows:

Amendment #2 amends Rule 2 to require that the Pledge of Allegiance be recited each day (was, the first day of each legislative week).

Amendment #4 amends Rule 36.1 to require that a copy of the fiscal note be emailed to each member in addition to being filed and attached to the related bill or amendment. Also adds the Majority Leader and the Minority Leader to the list of those that are to be notified when a fiscal note will not be prepared within two legislative days.

**Intro. by T. Moore.**

[HOUSE RES](#)

[View summary](#)

[General Assembly](#)

H 66 (2013-2014) [CAPTIVITY LICENSE AND PERMIT AMENDMENTS.-AB](#) Filed Feb 4 2013, *A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW PROVIDING FOR THE ISSUANCE OF CAPTIVITY LICENSES AND PERMITS BY THE WILDLIFE RESOURCES COMMISSION.*

House committee substitute to the 1st edition makes the following changes. Amends GS 113-272.5(a) (captivity licenses) and GS 113-274(c) (captivity permits) to clarify that licenses and permits may also be issued for the possession of wild animals and wild birds for *other* purposes.

**Intro. by West, Howard, Hager, T. Moore.**

[GS 113](#)

[View summary](#)

[Animals](#)

H 75 (2013-2014) [KILAH'S LAW/INCREASE CHILD ABUSE PENALTIES](#). Filed Feb 6 2013, *A BILL TO BE ENTITLED AN ACT TO INCREASE THE PENALTY FOR VARIOUS CRIMINAL OFFENSES OF FELONY CHILD ABUSE AND TO REQUIRE THAT THE OFFICIAL RECORD OF A DEFENDANT CONVICTED OF CHILD ABUSE OR OTHER ASSAULTS AGAINST A MINOR INDICATES THAT THE OFFENSE INVOLVED CHILD ABUSE.*

Amends GS 14-318.4 (felony child abuse) to increase by one degree the penalty for various child abuse felonies. Applies to offenses committed on or after December 1, 2013.

Enacts new subsection (a1) to GS 15A-1382.1, requiring the judgment and the official record to reflect that the case involved child abuse if the defendant is found guilty of an offense involving child abuse or of an offense committed against a minor involving assault or any act of domestic violence. Applies to judgments entered on or after December 1, 2013.

**Intro. by Horn, Stevens, Arp, Glazier.**

[GS 14, GS 15A](#)

[View summary](#)

[Criminal Law and Procedure, Abuse, Neglect and Dependency](#)

H 76 (2013-2014) [AUTHORIZE VARIOUS SPECIAL PLATES](#). Filed Feb 6 2013, *A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE VARIOUS SPECIAL REGISTRATION PLATES.*

Enacts new subdivisions to GS 20-79.4(b) to authorize the following types of special registration plates: Flag of the United States of America, Municipality Plate, NC Cattlemen's Association, and Riverlink. Plate issuance is contingent on the receipt of at least 300 plate applications for each plate. Makes revisions to the Register of Deeds and the Vietnam Veterans of America plates. Sets out the special plate fees and distribution amounts for each plate. Amends GS 20-81.12(b2) to add the NC Transportation Museum plate as a state attraction plate.

**Intro. by Cotham, W. Brawley.**

[GS 20](#)

[View summary](#)

[Transportation, Department of Transportation](#)

H 77 (2013-2014) [BOARD OF LAW EXAMINERS/UPDATE EXPENSE LAW](#). Filed Feb 6 2013, *A BILL TO BE ENTITLED AN ACT TO DELETE A PROVISION FOR A FIFTY-DOLLAR PAYMENT TO MEMBERS OF THE BOARD OF LAW EXAMINERS THAT HAS NOT BEEN PAID SINCE THE 1970S AND TO CLARIFY A PROVISION RELATING TO EXPENSES OF THAT BOARD, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.*

Amends GS 84-26 to provide as title indicates.

**Intro. by Blust.**

[GS 84](#)

[View summary](#)

[Business and Commerce](#)

H 78 (2013-2014) [AMEND UCC ARTICLE 4A/FUNDS TRANSFERS](#). Filed Feb 6 2013, *A BILL TO BE ENTITLED AN ACT TO AMEND UNIFORM COMMERCIAL CODE ARTICLE 4A, FUNDS TRANSFERS, TO CONTINUE THE APPLICABILITY OF THAT ARTICLE TO REMITTANCE TRANSFERS THAT ARE NOT ELECTRONIC FUND TRANSFERS, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.*

Amends GS 25-4A-108, providing that Article 4A (Funds Transfers) of the Uniform Commercial Code applies to a remittance transfer as defined in the Electronic Fund Transfer Act (Act) unless the transfer is an electronic fund transfer. Specifies that the Act governs in a conflict with Article 4A. Makes a conforming change.

**Intro. by Blust.**

[GS 25](#)

[View summary](#)**Business and Commerce**

H 79 (2013-2014) **ANNEXATION AMENDMENT**. Filed Feb 6 2013, *A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO RESTRICT ANNEXATION BY MUNICIPALITIES.*

Subject to approval by voters at the statewide election on November 4, 2014, amends Section 1 of Article VII of the NC Constitution to prohibit the General Assembly from authorizing an annexation initiated by a municipality unless two-thirds of the eligible voters living in the proposed area to be annexed approve. Provides that property owners may request annexation. If approved, effective January 1, 2015.

**Intro. by Pittman, Hardister.**

CONST

[View summary](#)**Constitution, Local Government, General Assembly**

## PUBLIC/SENATE BILLS

S 10 (2013-2014) **GOVERNMENT REORGANIZATION AND EFFICIENCY ACT (NEW)**. Filed Jan 30 2013, *A BILL TO BE ENTITLED AN ACT ESTABLISHING THE GOVERNMENT REDUCTION AND EFFICIENCY ACT OF 2013.*

Senate amendment #1 makes the following changes to 2nd edition. Previous version repealed the Dietetics/Nutrition Practice Act and the Board of Dietetics/Nutrition, effective March 31, 2013. Instead amends GS 90-353 (concerning the Board of Dietetics/Nutrition) to reduce the number of Board members from seven to five, and make revisions to the member qualifications and appointment process. Specifies that the terms of all members serving on the Board on January 1, 2013, will expire March 31, 2013. Amends GS 143B-283 to change the members on the Environmental Management Commission appointed by the Governor as follows: requires one (rather than two) member with training or expertise in ecology or air pollution, and requires one member with agriculture experience. Amends GS 62-10 to reduce from seven to five the number of commissioners on the NC Utilities Commission, and makes a conforming change. Amends GS 143-241 to change term limits to four years for Wildlife Resources Commission members appointed by the Governor, provided that initial appointments from even-numbered districts are appointed for two-year terms and initial appointments from odd-numbered districts are appointed for four-year terms.

**Intro. by Apodaca, Hunt, Rabon.**

GS 115C, GS 7A, GS 18C, GS 20, GS 62, GS 90, GS 97, GS 113A, GS 116C, GS 120, GS 136, GS 143, GS 143B, GS 163

[View summary](#)**Business and Commerce, Transportation, Court System, Corrections (Sentencing/Probation), Education, Environment, State Government, Elections, Health, Lottery and Gaming, Public Enterprises and Utilities**

S 14 (2013-2014) **INCREASE ACCESS TO CAREER/TECHNICAL ED**. Filed Jan 30 2013, *A BILL TO BE ENTITLED AN ACT TO DIRECT THE STATE BOARD OF EDUCATION TO DEVELOP CAREER AND COLLEGE ENDORSEMENTS FOR HIGH SCHOOL DIPLOMAS, INCREASE ACCESS TO CAREER AND TECHNICAL EDUCATION TEACHERS IN PUBLIC SCHOOLS, AND TO WORK WITH THE STATE BOARD OF COMMUNITY COLLEGES TO INCREASE THE NUMBER OF STUDENTS ENROLLING IN CAREER AND TECHNICAL EDUCATION IN HIGH NEED EMPLOYMENT AREAS.*

Senate committee substitute makes the following changes to the 1st edition. Amends proposed subdivision (40) in GS 115C-12 to delete "grades accomplished in each course" as a high school diploma endorsement criteria and replace with "overall grade point average." Directs the State Board of Education (Board) to report annually on the endorsements; removes from codification but retains requirement that Board submit report by September 1, 2016 and annually thereafter. Modifies directive

that the Board and the State Board of Community Colleges develop strategies to increase the number of high school students (previously specified freshmen and sophomores) in occupations with high employment opportunities. Makes a conforming change.

**Intro. by Tillman, Brown, Soucek.**

GS 115C

[View summary](#)

[Education, State Board of Education](#)

S 60 (2013-2014) [THE OPOSSUM RIGHT-TO-WORK ACT](#). Filed Feb 6 2013, *A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW PROVIDING FOR THE ISSUANCE OF CAPTIVITY LICENSES AND PERMITS BY THE WILDLIFE RESOURCES COMMISSION.*

Substantively identical to [H 66](#), filed 2/4/13.

Amends GS 113-274(c) to clarify that the Wildlife Resources Commission may issue a captivity permit for the possession of wild animals or wild birds for scientific, educational, or exhibition purposes. Makes conforming changes to GS 113-272.5(a) (concerning captivity licenses).

**Intro. by J. Davis, Bingham.**

GS 113

[View summary](#)

[Animals](#)

S 61 (2013-2014) [NUCLEAR SECURITY GUARDS/NO LIABILITY](#). Filed Feb 6 2013, *A BILL TO BE ENTITLED AN ACT CLARIFYING THAT NUCLEAR SECURITY OFFICERS WHO MAKE ARRESTS OR EMPLOY FORCE, INCLUDING DEADLY FORCE, ARE NOT CIVILLY OR CRIMINALLY LIABLE UNDER STATE LAW.*

Enacts new GS 14-51.5, providing that a nuclear security officer, as defined, the employer of such officer, or the owner of a nuclear generating facility is not liable under state law if the officer makes an arrest or uses force, including deadly force, that complies with applicable federal regulations. Specifies that the provision does not justify excessive force or willful, malicious, or criminally negligent conduct that injures or endangers any person or property.

**Intro. by Curtis.**

GS 14

[View summary](#)

[Civil Law, Criminal Law and Procedure, Energy, Public Safety and Emergency Management](#)

## ACTIONS ON BILLS

## PUBLIC BILLS

### **H 4: UI FUND SOLVENCY & PROGRAM CHANGES.**

*Senate: Rec From House*

*Senate: Passed 1st Reading*

*Senate: Ref To Com On Finance*

*Senate: Reptd Fav*

*Senate: Placed On Cal For 02/12/2013*

### **H 8: EMINENT DOMAIN.**

*House: Reptd Fav Com Substitute*

*House: Cal Pursuant Rule 36(b)*

**H 19: RESPECT OUR FALLEN HEROES.**

*House: Reptd Fav*

*House: Cal Pursuant Rule 36(b)*

**H 25: AMEND FELONY BREAKING OR ENTERING.**

*House: Reptd Fav*

*House: Cal Pursuant Rule 36(b)*

**H 29: METHAMPHETAMINE/OFFENSE/PENALTIES.**

*House: Reptd Fav*

*House: Cal Pursuant Rule 36(b)*

**H 54: 2013 PERMANENT HOUSE RULES.**

*House: Amend Failed A1*

*House: Amend Adopted A2*

*House: Amend Failed A3*

*House: Amend Adopted A4*

*House: Amend Failed A5*

*House: Adopted*

**H 64: HONOR LEGISLATIVE BLDG'S 50TH ANNIVERSARY.**

*House: Passed 2nd Reading*

*House: Passed 3rd Reading*

*Senate: Rec From House*

*Senate: Passed 1st Reading*

*Senate: Placed on Today's Calendar*

*Senate: Passed 2nd Reading*

*Senate: Passed 3rd Reading*

*Senate: Ordered Enrolled*

**H 66: CAPTIVITY LICENSE AND PERMIT AMENDMENTS.-AB**

*House: Reptd Fav Com Substitute*

*House: Cal Pursuant Rule 36(b)*

**H 67: PERMANENT LICENSE PLATES FOR CHARTER SCHOOLS.**

*House: Passed 1st Reading*

*House: Ref to the Com on Transportation, if favorable, Finance*

**H 69: OPPORTUNITY ADVANCEMENT ZONES.**

*House: Passed 1st Reading*

*House: Ref to the Com on Commerce and Job Development, if favorable, Finance*

**H 70: NORTH CAROLINA HEALTH PLAN.**

*House: Passed 1st Reading*

*House: Ref to the Com on Insurance, if favorable, Health and Human Services, if favorable, Finance, if favorable, Appropriations*

**H 72: CREEDMOOR MAGISTRATE FUNDS.**

*House: Passed 1st Reading*

*House: Ref to the Com on Government, if favorable, Appropriations*

**H 75: KILAH'S LAW/INCREASE CHILD ABUSE PENALTIES.**

*House: Filed*

**H 76: AUTHORIZE VARIOUS SPECIAL PLATES.**

*House: Filed*

**H 77: BOARD OF LAW EXAMINERS/UPDATE EXPENSE LAW.**

*House: Filed*

**H 78: AMEND UCC ARTICLE 4A/FUNDS TRANSFERS.**

*House: Filed*

**H 79: ANNEXATION AMENDMENT.**

*House: Filed*

**S 4: NO N.C. EXCHANGE/NO MEDICAID EXPANSION.**

*House: Rec From Senate*

**S 10: GOVERNMENT REORGANIZATION AND EFFICIENCY ACT (NEW).**

*Senate: Amend Adopted A1*

*Senate: Amend Failed A2*

*Senate: Amend Failed A3*

*Senate: Amend Failed A4*

*Senate: Passed 2nd Reading*

**S 14: INCREASE ACCESS TO CAREER/TECHNICAL ED.**

*Senate: Reptd Fav Com Substitute*

*Senate: Com Substitute Adopted*

**S 47: STATE OF THE STATE SPEECH.**

*Senate: Passed 2nd Reading*

*Senate: Passed 3rd Reading*

**S 49: DIRECTOR OF AOC RETIREMENT OPTION.**

*Senate: Passed 1st Reading*

*Senate: Ref To Com On Pensions & Retirement and Aging*

**S 50: DISCHARGED VETERANS/IDENTITY THEFT PROTECTION.**

*Senate: Passed 1st Reading*

*Senate: Ref To Com On Judiciary II*

**S 51: GBICC/WORKERS' COMP PROGRAM INTEGRITY.**

*Senate: Passed 1st Reading*

*Senate: Ref To Com On Commerce*

**S 54: TIME FOR RECORDING FORECLOSURE NOTICE.**

*Senate: Passed 1st Reading*

*Senate: Ref To Com On Judiciary II*

**S 58: CLARIFY STATUTE OF REPOSE (NEW).**

*Senate: Passed 1st Reading*

*Senate: Ref to Agriculture/Environment/Natural Resources. If fav, re-ref to Finance*

*Senate: Passed 1st Reading*

*Senate: Ref to Agriculture/Environment/Natural Resources. If fav, re-ref to Finance*

**S 59: ARMED SECURITY GUARDS IN K-12.**

*Senate: Passed 1st Reading*

*Senate: Ref To Com On Rules and Operations of the Senate*

**S 60: THE OPOSSUM RIGHT-TO-WORK ACT.**

*Senate: Filed*

**S 61: NUCLEAR SECURITY GUARDS/NO LIABILITY.**

*Senate: Filed*

**LOCAL BILLS****H 68: ESTABLISH OMBUDSMAN/FOSTER CARE/GASTON COUNTY.**

*House: Passed 1st Reading*

*House: Ref To Com On Government*

**H 71: RESTORE CERTAIN HOLD HARMLESS SALES TAX FUNDS.**

*House: Passed 1st Reading*

*House: Ref to the Com on Government, if favorable, Finance*

**S 52: CLEVELAND CO. PROPERTY TRANSFER.**

*Senate: Passed 1st Reading*

*Senate: Ref To Com On State and Local Government*

**S 53: 46TH SENATORIAL DISTRICT LOCAL ACT.**

*Senate: Passed 1st Reading*

*Senate: Ref To Com On Rules and Operations of the Senate*

**S 55: 35TH SENATORIAL DISTRICT LOCAL ACT-1.**

*Senate: Passed 1st Reading*

*Senate: Ref To Com On Rules and Operations of the Senate*

**S 56: WALLACE/SATELLITE ANNEXATIONS.**

*Senate: Passed 1st Reading*

*Senate: Ref To Com On State and Local Government*

**S 57: 10TH SENATORIAL DISTRICT LOCAL ACT-1.**

*Senate: Passed 1st Reading*

*Senate: Ref To Com On Rules and Operations of the Senate*

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