



The Daily Bulletin: 2013-02-20

PUBLIC/HOUSE BILLS

H 5 (2013-2014) **TEMPORARY FUNDING/GROUP HOMES & SCUs (NEW)**. Filed Jan 30 2013, *AN ACT REQUIRING THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO PROVIDE TEMPORARY, SHORT-TERM FINANCIAL ASSISTANCE TO (1) GROUP HOMES SERVING RESIDENTS DETERMINED NOT TO BE ELIGIBLE FOR MEDICAID-COVERED PERSONAL CARE SERVICES AS A RESULT OF CHANGES TO ELIGIBILITY CRITERIA THAT BECAME EFFECTIVE ON JANUARY 1, 2013, AND (2) SPECIAL CARE UNITS SERVING RESIDENTS WHO QUALIFY FOR MEDICAID-COVERED PERSONAL CARE SERVICES ON OR AFTER JANUARY 1, 2013.*

Senate committee substitute makes following changes to 1st edition. Requires Department of Health and Human Service (Department) to provide temporary monthly assistance to a group home on behalf of a resident who was eligible for Medicaid-covered personal care services (PCS) before January 1, 2013, but is determined to be ineligible on or after January 1, 2013. Specifies that payments are only to be made from the \$39.7 million appropriated in 2012-13 for assistance to adult care homes as they transition into the State's Transitions to Community Living Initiative. Adds new provisions directing Department to provide temporary, monthly payment to a licensed special care unit on behalf of a resident who was eligible for PCS before January 1, 2013, and is determined to be eligible for PCs on or after January 1, 2013. Details the amount and other requirements for the payments, which will be provided beginning March 1, 2013, and ending June 30, 2013.

Requires the Department to provide temporary monthly assistance to an adult care home on behalf of a resident who (1) was eligible for PCS before January 1, 2013; (2) completed an independent assessment process, regardless of whether it was completed before December 31, 2012; and (3) is determined to be ineligible for PCS on or after January 1, 2013, due to changes made in 2012.

In order to comply with federal requirements and a settlement agreement with the U.S. Department of Justice, directs General Assembly not to appropriate State funds for 2013-14 or 2014-15 for the Transitions to Community Living Initiative or for the purposes of providing temporary, monthly assistance as set forth in the act.

Makes conforming amendments to title and other technical changes.

Provisions of act providing for temporary, monthly payments are effective when the act becomes law and expire June 30, 2013. Remainder of act is effective when it becomes law.

Intro. by Dollar, Burr.

[View summary](#)

H 127 (2013-2014) **ARTS EDUCATION AS A GRADUATION REQUIREMENT**. Filed Feb 19 2013, *A BILL TO BE ENTITLED AN ACT DIRECTING THE STATE BOARD OF EDUCATION TO REQUIRE ONE ARTS EDUCATION CREDIT FOR GRADUATION FROM HIGH SCHOOL.*

Identical to [S 68](#), filed on 2/7/13.

As title indicates. Directs the State Board of Education to require the credit beginning with students entering the ninth grade in 2016.

Intro. by Carney, Johnson.

UNCODIFIED

[View summary](#)**Elementary and Secondary Education, State Board of Education**

H 128 (2013-2014) **REVOLVING DOOR FOR LOBBYIST REGISTRATION**. Filed Feb 19 2013, *A BILL TO BE ENTITLED AN ACT TO EXTEND THE COOLING OFF PERIOD OF AN ELECTED PUBLIC SERVANT OR LEGISLATOR TO REGISTER AS A LOBBYIST.*

Amends GS 120C-304(a)(2) to prohibit a former legislator from registering as a lobbyist before the later of the close of the session in which the legislator served or two years (was, six months) after leaving office. Amends GS 120C-304(b) to prohibit a public servant (defined as a constitutional officer of the State or an individual elected or appointed as a constitutional officer of the State prior to taking office) from registering as a lobbyist while in office or within two years (was, six months) after leaving office.

Effective when the act becomes law and applicable to legislators and public servants holding office on or after that date.

Intro. by Glazier, Howard, D. Ross, Setzer.

GS 120C

[View summary](#)**General Assembly, Ethics and Lobbying**

H 129 (2013-2014) **LOCAL FLEXIBILITY RE: SCHOOL CALENDAR**. Filed Feb 20 2013, *A BILL TO BE ENTITLED AN ACT TO PERMIT LOCAL BOARDS OF EDUCATION TO SET SCHOOL CALENDARS FOR THEIR LOCAL SCHOOL ADMINISTRATIVE UNITS.*

Amends GS 115C-84.2(d) to permit local boards of education to set the opening date for traditional calendar schools to be no earlier than August 1 (was the Monday closest to August 26 unless the State Board of Education granted a waiver permitting earlier opening). Also removes the requirements for the closing date. Requires that first semester exams be given before winter break. Effective upon enactment and applies beginning with the 2013-2014 school year.

Intro. by L. Bell, Lucas.

GS 115C

[View summary](#)**Elementary and Secondary Education**

H 130 (2013-2014) **MENTAL HEALTH WORKERS' BILL OF RIGHTS**. Filed Feb 20 2013, *A BILL TO BE ENTITLED AN ACT TO ENACT THE MENTAL HEALTH WORKERS' BILL OF RIGHTS.*

Enacts new Article 8, the Mental Health Workers' Bill of Rights, to GS Chapter 122C to provide basic rights and standards to mental health workers. Enumerates 10 elements for inclusion in the bill of rights for mental health workers, including the right to a safe workplace, the right to family-supporting wages, and the right to a grievance procedure.

Intro. by L. Bell.

GS 122C

[View summary](#)**Health Care Facilities and Providers, Mental Health**

H 131 (2013-2014) **COHARIE INDIANS BLDG FUNDS**. Filed Feb 20 2013, *A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO RENOVATE THE FORMER COHARIE INDIAN SCHOOL BUILDING IN SAMPSON COUNTY.*

Appropriates \$300,000 for 2013-14 from the General Fund to the Coharie Intra Tribal Council, Inc., a nonprofit organization, to renovate the Sampson County building originally used as a school for the Coharie Indians and other Native

Americans. Effective July 1, 2013.

Intro. by L. Bell.

[APPROP](#)

[View summary](#)

[Budget/Appropriations](#)

H 132 (2013-2014) [DUPLIN COUNTY MUSEUM FUNDS](#). Filed Feb 20 2013, *A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO DUPLIN COUNTY FOR AN AFRICAN-AMERICAN MUSEUM.*

Appropriates \$300,000 for 2013-14 from the General Fund to Duplin County to establish an African-American Museum. Effective July 1, 2013.

Intro. by L. Bell.

[APPROP](#)

[View summary](#)

[Budget/Appropriations, Cultural Resources and Museums](#)

H 134 (2013-2014) [REPEAL GARDEN PARKWAY AUTHORIZATION/FUNDING](#). Filed Feb 20 2013, *A BILL TO BE ENTITLED AN ACT TO REMOVE THE GARDEN PARKWAY IN GASTON COUNTY FROM THE LIST OF TURNPIKE AUTHORITY PROJECTS AND TO PREVENT THE EXPENDITURE OF ANY FURTHER STATE FUNDS ON THE PROJECT.*

Amends GS 136-89.183(a) and GS 136-176(b2) as the title indicates. Makes adjustments to the appropriation to the North Carolina Turnpike Authority, reducing the annual appropriation to the Turnpike Authority from the Highway Trust Fund to \$77 million (was, \$112 million annually).

Effective when this act becomes law, directs that no additional funds be expended by the North Carolina Department of Transportation on the Garden Parkway project during the 2013-2015 fiscal biennium.

Provides that the remainder of this act becomes effective July 1, 2013.

Intro. by Bumgardner.

[GS 136](#)

[View summary](#)

[Transportation](#)

H 135 (2013-2014) [ADJUST LANDFILL PERMIT FEE TIMING](#). Filed Feb 20 2013, *A BILL TO BE ENTITLED AN ACT TO MAKE ADJUSTMENTS TO THE FEE SCHEDULE FOR PERMITS FOR SANITARY LANDFILLS AND TRANSFER STATIONS TO REFLECT EXTENSION OF THE DURATION OF THESE PERMITS AS DIRECTED BY S.L. 2012-187, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.*

Enacts new subsection (a2) to GS 130A-294 (concerning solid waste management program) to specify that permits for sanitary landfills and transfer stations will be issued for (1) a design and operation phase of five years or (2) a design and operation phase of ten years subject to a limited review within five years of the permit issuance date. Amends GS 130A-295.8 (concerning permit fees) to add a definition for *major permit modification*; adds new application fees for ten-year permits and clarifies that existing fees apply to five-year permits. Makes a conforming change. Applies to permit applications submitted on or after July 1, 2013.

Intro. by Samuelson, McElraft, McGrady.

[GS 130A](#)

[View summary](#)

[Environment, Department of Environmental Quality \(formerly DENR\), Public Health](#)

H 136 (2013-2014) [BERNARD ALLEN FUND MODIFICATIONS](#). Filed Feb 20 2013, *A BILL TO BE ENTITLED AN ACT TO MODIFY THE BERNARD ALLEN MEMORIAL EMERGENCY DRINKING WATER FUND TO ALLOW GREATER FLEXIBILITY FOR USE OF MONIES IN THE FUND, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.*

Amends GS 87-98 (concerning the Bernard Allen Memorial Emergency Drinking Water Fund) to permit Fund payments for additional testing for contamination in specified circumstances, repair of contaminated wells, and monitoring of certain filtration systems. Limits the Fund expenditure to \$50,000 (was, \$10,000) per household or connection to pay for an alternative drinking water supply provided by waterline extension. Specifies that the Fund may not cover more than one-third of the project's total cost when more than ten residences are eligible for alternative water supplies. Clarifies that \$100,000 may be used *annually* to pay for personnel and other direct costs to operate the Fund. States that wells contaminated from non-naturally occurring groundwater sources have priority for replacement supplies over wells with naturally occurring contamination.

Intro. by Samuelson, McElraft, McGrady.

[GS 87](#)

[View summary](#)

[Environment/Natural Resources, Department of Environmental Quality \(formerly DENR\)](#)

H 137 (2013-2014) [REWARD AMT/ARREST OF FUGITIVE FROM JUSTICE](#). Filed Feb 20 2013, *A BILL TO BE ENTITLED AN ACT TO INCREASE THE REWARD AMOUNT THAT THE GOVERNOR MAY OFFER FOR THE APPREHENSION OF A FUGITIVE FROM JUSTICE OR FOR INFORMATION LEADING TO THE ARREST AND CONVICTION OF A FUGITIVE FROM JUSTICE.*

Amends GS 15-53 (Governor may employ agents and offer rewards) and GS 15-53.1 (Governor may offer rewards for information leading to arrest and conviction), as the title indicates, to increase the amounts that may be awarded to an amount not to exceed \$100,000 (was, not to exceed \$10,000). Further amends the statutes to make the language gender neutral.

Intro. by Stevens, Faircloth, McNeill, Burr.

[GS 15](#)

[View summary](#)

[Criminal Law and Procedure, State Government](#)

H 138 (2013-2014) [SET COMM. COLLEGE ELECT. DATE](#). Filed Feb 20 2013, *A JOINT RESOLUTION SETTING THE DATE FOR THE HOUSE OF REPRESENTATIVES AND THE SENATE TO ELECT MEMBERS TO THE STATE BOARD OF COMMUNITY COLLEGES.*

As the title indicates. Sets the date for the election of members to the State Board of Community Colleges (Board) as March 28, 2013, during the regular sessions of the House of Representatives and the Senate. Directs each chamber to follow the procedure set out in GS 115D-2.1 for the nomination and election of members to the Board. Effective upon ratification.

Intro. by Johnson, Langdon.

[JOINT RES](#)

[View summary](#)

[General Assembly, Community Colleges System Office](#)

H 139 (2013-2014) [ADOPT UNIFORM DEPLOYED PARENT CUST/VISIT. ACT](#). Filed Feb 20 2013, *A BILL TO BE ENTITLED AN ACT TO ADOPT THE UNIFORM DEPLOYED PARENTS CUSTODY AND VISITATION ACT.*

Repeals GS 50-13.7A regarding custody and visitation when a custodial parent receives temporary duty, deployment, or mobilization orders from the military. Amends GS Chapter 50A to enact new Article 3, the *Uniform Deployed Parents Custody and Visitation Act*.

Provides definitions for terms as they apply in New Article 3. Defines *deployment* as the movement or mobilization of a service member to a location for more than 90 days but less than 18 months, due to an official order that (1) is designated as unaccompanied, (2) does not authorize dependent travel, or (3) otherwise does not allow the movement of family members to that location. Includes remedies for noncompliance with the requirements of this Article or a court order issued under this Article, allowing the court to assess reasonable attorneys' fees and costs against the opposing party and other appropriate relief. Specifies that a court must have jurisdiction under the Uniform Child-Custody Jurisdiction and Enforcement Act (UCCJEA) to issue an order regarding custodial responsibility under new Article 3. Specifies when the residency of a deploying parent is not changed by reason of the deployment for the duration of the deployment, and that this section does not prohibit a court from exercising temporary emergency jurisdiction under the UCCJEA.

Includes provisions requiring a deploying parent to provide notice of a pending deployment to the other parent within seven days of receiving the deployment notice. Also requires notice of any change of address by the parent to whom custody has been assigned during a deployment.

Allows parents to enter into a temporary agreement granting custodial responsibility during deployment. Defines the nature of the authority granted by the temporary agreement.

Allows for modification by mutual consent of the parents regarding the custodial responsibility agreement made under this Article.

Permits a custodial parent to transfer custodial responsibility to an adult non-parent via a power of attorney if the other parent does not have custodial responsibility or if an existing court order prohibits contact between the child and the other parent. Requires that the power of attorney be filed in any court that has an existing custody order or child support order concerning the child.

Specifies guidelines covering proceedings for a temporary custody order. Directs the court to hold an expedited hearing if a motion for custody is filed before the deploying parent is deployed. Allows testimony by electronic means if a party or witness is not reasonably available to personally appear.

Also covers the following matters: (1) the effect of a prior judicial decree or agreement on custodial proceedings under this section, (2) the granting of caretaking or decision-making authority to a non-parent, (3) granting of limited contact to a non-parent, and (4) the nature of the authority created by a court order.

Declares that a custody order granted under this Article is temporary and delineates the custody provisions with which the temporary order must comply. Authorizes the court to enter a temporary child support order consistent with the laws of North Carolina if the court has jurisdiction under the Uniform Interstate Family Support Act under GS Chapter 52C.

Provides guidelines and conditions under which a court may modify or terminate the assignment of custody to a non-parent.

Permits a temporary custodial responsibility agreement created under this Article to be terminated by the deploying parent and the other parent signing an agreement to terminate. Provides a schedule for the termination or a temporary agreement in the absence of an agreement to terminate.

Also allows for termination of a temporary custody agreement under this Article by operation of law and by a consent agreement. Also provides for visitation before the termination of a temporary custody agreement.

Directs that this Article should be applied and construed to promote uniformity of the law with respect to its subject matter among states that enact it. Provides that this Article modifies, limits, and supersedes the federal Electronic Signatures in Global and National Commerce Act, 15 USC Section 7001, et. seq. but does not modify, limit, or supersede section 101(c) of that act, 15 USC Section 7001(c), or authorize electronic delivery of any of the notices described in section 103(b) of that act, 15 USC Section 7003(b).

Provides that nothing in this proposed Article 3 of GS Chapter 50A is to affect the validity of a temporary court order for custodial responsibility during a military deployment entered into before the effective date of this act.

Directs the Revisor of Statutes to add as annotations to the published General Statutes all relevant parts of the Official Comment to the Uniform Deployed Parents Custody and Visitation Act as the Revisor deems appropriate.

Makes a conforming change to GS 50-13.2. Also adds a new subdivision (f) to this statute to provide that in a custody proceeding for a minor child of a service member, a court may not consider a parent's past deployment or possible future deployment as the only basis for determining the best interest of the child. Does allow the court to consider any significant impact of the parent's past or possible future deployment on the best interest of the child.

Intro. by Glazier, Stevens, Davis, D. Ross.

[GS 50, GS 50A](#)

[View summary](#)

[Family Law, Court System, Military and Veteran's Affairs](#)

PUBLIC/SENATE BILLS

S 110 (2013-2014) [AMEND PERMANENT RULES / RESOLUTIONS](#). Filed Feb 19 2013, *A SENATE RESOLUTION TO AMEND THE PERMANENT RULES OF THE SENATE CONCERNING CONFIRMATION OF GUBERNATORIAL APPOINTMENTS, REFERRAL OF RESOLUTIONS, AND STANDING COMMITTEES.*

Senate committee substitute makes the following changes to the 1st edition.

Amends Senate Rule 40.1 to exclude public bills and resolutions that provide for action on gubernatorial nominations or appointments from the March 15, 2013, filing deadline.

Adds new *Senate Rule 49*, establishing that written notices of a gubernatorial nomination or appointment that requires confirmation by the General Assembly or the Senate will be read in Session and then referred to the appropriate committee. The chair of the committee receiving such nominations or appointments will establish the procedure by which the same will be considered. Additionally, for statewide or at-large nominations or appointments, the Principal Clerk will distribute copies of the notice to Senator(s) representing the county in which the nominee/appointee resides. For nominations or appointments of persons for a particular district or region, the Principal Clerk will distribute copies of the notice to the Senator(s) that represent any portion of that district or region.

Amends *Senate Rule 40(b)*, by adding new language that states Senators should use a *Senatorial Statement of Personal Privilege* as the preferred alternative to simple resolutions that memorialize, celebrate, commend, or commemorate.

Adds the Redistricting Committee to *Senate Rule 32*, the list of standing/select committees.

Intro. by Apodaca.

[SENATE RES](#)

[View summary](#)

[General Assembly](#)

S 112 (2013-2014) [CREATE JOBS THROUGH REGULATORY REFORM \(NEW\)](#). Filed Feb 20 2013, *AN ACT TO IMPROVE AND STREAMLINE THE REGULATORY PROCESS IN ORDER TO STIMULATE JOB CREATION, TO ELIMINATE UNNECESSARY REGULATION, AND TO MAKE VARIOUS OTHER STATUTORY CHANGES.*

Identical to [H 94](#), filed 2/12/13.

As title indicates. Amends Section 15.1 of SL 2012-187 to clarify how the Commission for Public Health must adopt rules pertaining to sanitary landfill development permits. Amends GS 113A-64 (penalties under the Sedimentation Pollution Control Act) to clarify the procedure for appealing a notice of assessment issued by a local government. Directs the penalty proceeds to the Civil Penalty and Forfeiture Fund (rather than the local government's general fund).

Intro. by Jackson.

GS 113A

[View summary](#)**Environment, Department of Environmental Quality
(formerly DENR)**

S 113 (2013-2014) [DENR SUPPORT FOR REGIONAL WATER SUPPLY SYSTEM](#). Filed Feb 20 2013, *A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO SUPPORT THE APPLICATION OF A REGIONAL WATER SUPPLY SYSTEM FOR ALL REQUIRED FEDERAL APPROVALS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.*

Identical to [H 89](#), filed 2/11/13.

Amends GS 143-355.7 to require the Department of Environment and Natural Resources (DENR) to support and endorse any state or federal permit application for the preferred water supply alternative when the listed conditions are met (previously, DENR could act as co-applicant for federal approval of the most practicable alternative).

Intro. by Jackson.

GS 143

[View summary](#)**Department of Environmental Quality (formerly DENR),
Public Enterprises and Utilities**

S 114 (2013-2014) [REPEAL ESTATE TAX](#). Filed Feb 20 2013, *A BILL TO BE ENTITLED AN ACT TO REPEAL THE ESTATE TAX.*

Identical to [H 101](#), filed 2/13/13.

As the title indicates. Repeals Article 1A, *Estate Taxes*, of GS Chapter 105. Makes conforming changes to GS 105-241.10 and GS 105-236(a)(5). Effective January 1, 2013, and applies to the estates of decedents dying on or after that date.

Intro. by Barringer, Rucho, Rabon.

GS 105

[View summary](#)**Tax**

S115 (2013-2014) [PANCREATIC CANCER AWARENESS SPECIAL PLATE](#). Filed Feb 20 2013, *A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO PRODUCE A PANCREATIC CANCER AWARENESS SPECIAL REGISTRATION PLATE.*

Enacts new GS 20-79.4(b) as the title indicates. Plate issuance is contingent on the receipt of at least 300 plate applications. Establishes a special plate fee of \$30 and requires that \$20 of that amount be transferred quarterly to the Mark Daidone Cancer Research Endowment maintained by the Levine Cancer Institute at the Carolinas HealthCare System to provide funding for research in the management of the early stages of cancer.

Effective July 1, 2013.

Intro. by Tarte.

GS 20

[View summary](#)**Transportation**

S 116 (2013-2014) [YMCA SPECIAL PLATE](#). Filed Feb 20 2013, *A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO PRODUCE A SPECIAL REGISTRATION PLATE FOR THE YMCA.*

Amends GS 20-79.4(b) as title indicates. Plate issuance is contingent on the receipt of at least 300 plate applications.
Establishes a special plate fee of \$30 and requires that \$20 of that amount be transferred quarterly to the NC State Alliance of YMCAs to support its mission of fighting childhood obesity, eliminating the achievement gap, and eradicating diabetes.
Effective July 1, 2013.

Intro. by Gunn.

[GS 20](#)

[View summary](#)

[Transportation](#)

S 117 (2013-2014) [LILY'S LAW](#). Filed Feb 20 2013, *A BILL TO BE ENTITLED AN ACT TO CODIFY THE COMMON LAW THAT IT IS MURDER WHERE A CHILD WHO IS BORN ALIVE DIES AS THE RESULT OF INJURIES INFLICTED PRIOR TO THE CHILD'S BIRTH, AND TO PROVIDE THAT THE ACT SHALL BE ENTITLED "LILY'S LAW."*

Enacts new GS 14-17(c) to provide that it shall constitute murder where a child is born alive but dies as a result of injuries inflicted prior to the child being born alive. Provides that degree of murder shall be determined pursuant to subsections (a) (defining murder in the first degree) and (b) (defining second degree murder).

Effective December 1, 2013, for offenses committed on or after that date.

Intro. by Gunn, Daniel, Randleman.

[GS 14](#)

[View summary](#)

[Criminal Law and Procedure](#)

S 118 (2013-2014) [DIGITAL LEARNING COMPETENCIES/SCHOOL EMP'EEES](#). Filed Feb 20 2013, *A BILL TO BE ENTITLED AN ACT DIRECTING THE STATE BOARD OF EDUCATION TO DEVELOP AND IMPLEMENT DIGITAL LEARNING STANDARDS FOR TEACHERS AND SCHOOL ADMINISTRATORS, AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION STUDY COMMITTEE ON DIGITAL LEARNING ENVIRONMENTS IN PUBLIC SCHOOLS.*

Identical to [H 23](#), filed 1/30/13.

Amends GS 115C-12 by adding a new subdivision (40) as the title indicates. Requires that the State Board of Education include digital competencies and related required professional development as an integral component of initial licensure and licensure renewal requirements for teachers and administrators, beginning with the 2017-18 school year.

Intro. by Soucek, Hise, Rucho.

[GS 115C](#)

[View summary](#)

[Elementary and Secondary Education](#)

S 119 (2013-2014) [LOTTERY FUNDS USED FOR DIGITAL LEARNING](#). Filed Feb 20 2013, *A BILL TO BE ENTITLED AN ACT AUTHORIZING THE USE OF SOME LOTTERY FUNDS TO EXPAND DIGITAL LEARNING IN THE PUBLIC SCHOOLS, AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION STUDY COMMITTEE ON DIGITAL LEARNING ENVIRONMENTS IN PUBLIC SCHOOLS.*

Identical to [H 97](#), filed 2/12/13.

Under current law, 40% of the North Carolina Education Lottery net proceeds are allocated to the Public School Building Capital Fund (Capital Fund) for school construction. Current law also prohibits use of money in the Capital Fund to pay for school technology needs. Amends GS 115C-546.2(d) to permit a county to use the monies in the Capital Fund to meet digital learning needs such as school connectivity, digital textbooks and instructional resources, or digital devices for the time period beginning July 1, 2012, through June 20, 2016.

Requires that a county using these funds to meet digital learning needs also use a portion of the funds to ensure high-quality, ongoing professional development for teachers.

Effective July 1, 2016, only permits a county to use money from the Capital Fund for digital learning needs if the State Board of Education determines that the local school administrative unit has shown consistent growth and improvement in student outcomes.

Intro. by Soucek, Hise, Rucho.

GS 115C

[View summary](#)

Education

S 120 (2013-2014) [INTERNET ACCESS FOR PUBLIC SCHOOLS](#). Filed Feb 20 2013, *A BILL TO BE ENTITLED AN ACT PROVIDING FOR AN INVENTORY OF INFRASTRUCTURE TO SUPPORT ROBUST DIGITAL LEARNING IN THE PUBLIC SCHOOLS AND AN INVENTORY OF INTERNET ACCESS IN ALL NORTH CAROLINA COUNTIES, AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION STUDY COMMITTEE ON DIGITAL LEARNING ENVIRONMENTS IN PUBLIC SCHOOLS.*

Identical to [H 45](#), filed 1/31/13.

Appropriates \$100,000 for the 2013-14 fiscal year from the General Fund to the Department of Public Instruction for use as the title indicates, effective July 1, 2013.

Directs the State Board of Education to, by December 1, 2013, (1) report on the results of its inventory of wireless and bandwidth capacity of public schools in the state, (2) make recommendations on methods for achieving a sufficient standard of wireless access and bandwidth in all classrooms, and (3) report on the cost of achieving that sufficient standard.

Directs the Department of Commerce (Department) to conduct a survey assessing existing community broadband connectivity, and to identify ways to assist in expanding accessible internet in all North Carolina counties. Requires the Department to report to the Joint Legislative Education Oversight Committee and the Joint Legislative Committee on Information Technology by December 1, 2013, on the survey results, its recommendations on expanding access across the state, and the cost of such expansion.

Intro. by Soucek, Hise, Rucho.

APPROP

[View summary](#)

Budget/Appropriations, Elementary and Secondary Education, Department of Commerce, State Board of Education, Public Enterprises and Utilities

S 121 (2013-2014) [TRANSITION TO DIGITAL LEARNING IN SCHOOLS](#). Filed Feb 20 2013, *A BILL TO BE ENTITLED AN ACT STATING THE INTENT OF THE GENERAL ASSEMBLY TO TRANSITION FROM FUNDING TEXTBOOKS TO FUNDING DIGITAL LEARNING IN THE PUBLIC SCHOOLS, AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION STUDY COMMITTEE ON DIGITAL LEARNING ENVIRONMENTS IN PUBLIC SCHOOLS.*

Identical to [H 44](#), filed 1/31/13.

Declares that it is the intent of the General Assembly to transition funding for traditional and digital textbooks to funding for digital textbooks, instructional resources, and other digital materials effective for all students by 2017.

Intro. by Soucek, Hise, Rucho.

UNCODIFIED

[View summary](#)**Elementary and Secondary Education**

S 122 (2013-2014) **SEX TRAFFICKING/SEX OFFENDER REGISTRATION**. Filed Feb 20 2013, *A BILL TO BE ENTITLED AN ACT TO ADD THE OFFENSE OF HUMAN TRAFFICKING TO THE LIST OF CRIMINAL CONVICTIONS THAT REQUIRE REGISTRATION UNDER THE SEX OFFENDER AND PUBLIC PROTECTION REGISTRATION PROGRAM.*

Amends GS 14-208.6(5) (violations that constitute a *sexually violent offense*), adding human trafficking, as found in GS 14-43.11, triggering registration under the Sex Offender and Public Protection Registration Program for criminal convictions of human trafficking if (1) the offense is committed against a minor less than 18 years old or (2) the offense is committed against an adult subjected to sexual servitude.

Effective December 1, 2013, for offenses committed on or after that date.

Intro. by Goolsby, Bingham, Newton.

GS 14

[View summary](#)**Criminal Law and Procedure, Corrections
(Sentencing/Probation)**

LOCAL/HOUSE BILLS

H 133 (2013-2014) **CHARLOTTE AIRPORT COMMISSION CLARIFICATIONS**. Filed Feb 20 2013, *A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT THE CHARLOTTE DOUGLAS INTERNATIONAL AIRPORT COMMISSION IS AN AGENCY WITHIN THE CITY OF CHARLOTTE AND TO EXTEND THE CHARLOTTE DOUGLAS INTERNATIONAL AIRPORT OVERSIGHT COMMITTEE BY ONE YEAR.*

Provides that despite the provisions of GS 143-128, GS 143-129, GS 143-131, GS 143-132, GS 143-64.31, and GS 143-64.32, the City of Clinton is permitted to use the design-build construction method for any road, water, sewer, sidewalk, public facility, and any other public infrastructure. Provides additional criteria governing the solicitation of bids and the selection of the best qualified team with whom to contract for the project.

Provides that this act applies only to (1) the expansion and renovation of the Bellamy Recreation Center and (2) the expansion and renovation of the Clinton Public Works 14 Facility.

Intro. by L. Bell, Brisson.

Sampson

[View summary](#)**Building and Construction**

LOCAL/SENATE BILLS

S 81 (2013-2014) **CHARLOTTE DOUGLAS INTERNATIONAL AIRPORT (NEW)**. Filed Feb 13 2013, *A BILL TO BE ENTITLED AN ACT TO CREATE THE CHARLOTTE DOUGLAS INTERNATIONAL AIRPORT AUTHORITY.*

Senate committee substitute makes the following changes to the 1st edition.

Deletes the definition for CAAC member, defined as a member of the Charlotte Airport Advisory Committee in existence when this act becomes law. Renumbers the remaining subdivisions accordingly.

Requires the appointing authorities specified in subdivisions (1) through (8) of subsections (4a) (as amended by Amendment #1) to only appoint persons with experience in aviation, transportation logistics, construction and/or facilities management.

Increases the number of members on the Charlotte Regional Airport Authority (Authority) to 13 (was, 11), adding appointments of one member each from Iredell and Lincoln County. Makes conforming changes to add Iredell and Lincoln County to the provisions of the act, and to reflect the increase of members from 11 to 13. Amends requirements for three members who formerly had to be residents of one of the counties of the Authority to require that they be residents of Mecklenburg County. Provides that the appointment designated to be made by the Speaker of the House of Representatives, is instead to be made by the General Assembly upon the recommendation of the Speaker. Provides that the appointment designated to be made by the President Pro Tempore of the Senate, is instead to be made by the General Assembly upon the recommendation of the President Pro Tem.

Deletes prohibition against any person holding an elected public office being a member of the Authority. Reorganizes sections accordingly.

Changes the number of votes needed to constitute a majority to seven (was, six).

Amends the requirements for the two at-large members who are appointed by a majority vote of the other 11 members.

Make technical corrections.

Intro. by Rucho.

[Mecklenburg](#)

[View summary](#)

[Transportation](#)

S 111 (2013-2014) [CLINTON/USE DESIGN-BUILD METHOD](#). Filed Feb 20 2013, *A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF CLINTON TO USE THE DESIGN-BUILD METHOD OF CONSTRUCTION*.

Identical to [H 133](#), filed February 20, 2013.

Provides that despite the provisions of GS 143-128, GS 143-129, GS 143-131, GS 143-132, GS 143-64.31, and GS 143-64.32, the City of Clinton is permitted to use the design-build construction method for any road, water, sewer, sidewalk, public facility, and any other public infrastructure. Provides additional criteria governing the solicitation of bids and the selection of the best qualified team with whom to contract for the project.

Provides that this act applies only to (1) the expansion and renovation of the Bellamy Recreation Center and (2) the expansion and renovation of the Clinton Public Works 14 Facility.

Intro. by Jackson.

[Sampson](#)

[View summary](#)

[Building and Construction](#)

ACTIONS ON BILLS

PUBLIC BILLS

H 5: TEMPORARY FUNDING/GROUP HOMES & SCUs (NEW).

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

H 13: STATE AGENCY PROPERTY USE/BIENNIAL REPORT.

Senate: Rec From House

Senate: Passed 1st Reading

Senate: Ref To Com On Program Evaluation

H 18: YOUTH SKIN CANCER PREVENTION ACT.

House: Serial Referral To Regulatory Reform Added

H 29: METHAMPHETAMINE/OFFENSE/PENALTIES.

House: Passed 2nd Reading

House: Passed 3rd Reading

H 34: CLARIFY INDECENT EXPOSURE LAW.

House: Reptd Fav

House: Cal Pursuant Rule 36(b)

House: Placed On Cal For 02/26/2013

H 36: HONOR JOE HEGE.

House: Withdrawn From Com

House: Cal Pursuant Rule 36(b)

House: Placed On Cal For 02/26/2013

H 66: CAPTIVITY LICENSE AND PERMIT AMENDMENTS.-AB

Senate: Reptd Fav

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

House: Reptd Fav

House: Re-ref Com On Appropriations

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

House: Passed 3rd Reading

H 82: IRC UPDATE.

House: Passed 3rd Reading

H 84: ENACT MEDICAL CANNABIS ACT.

House: Reptd Unfav

H 101: SPECIAL LICENSE PLATE DEVELOPMENT PROCESS.

House: Reptd Fav

House: Re-ref Com On Appropriations

House: Reptd Fav

House: Re-ref Com On Appropriations

H 113: HONOR AFRICAN-AMERICAN REVOLUTIONARY HEROES.

House: Withdrawn From Com

House: Cal Pursuant Rule 36(b)

House: Placed On Cal For 02/27/2013

H 119: NATURAL GAS/RATE ADJUSTMENT MECHANISM.

House: Passed 1st Reading

House: Ref To Com On Public Utilities and Energy

H 120: BLDING CODES: LOCAL CONSISTENCY/EXEMPT CABLE (NEW).

House: Passed 1st Reading

House: Ref to the Com on Regulatory Reform Subcommittee on Local Government, if favorable, Finance

H 122: AMEND INTERLOCUTORY APPEALS/FAMILY LAW.

House: Passed 1st Reading

House: Ref To Com On Judiciary Subcommittee C

H 123: CUMBERLAND DIST CT JUDGES/MAGISTRATES FUNDS.

House: Passed 1st Reading

House: Ref To Com On Appropriations

H 124: CHILD ADVOCACY CENTER FUNDS.

House: Passed 1st Reading

House: Ref To Com On Appropriations

H 125: PUBLIC AGENCY COMPUTER CODE NOT PUBLIC RECORD.

House: Passed 1st Reading

House: Ref To Com On Judiciary Subcommittee A

H 129: LOCAL FLEXIBILITY RE: SCHOOL CALENDAR.

House: Filed

H 130: MENTAL HEALTH WORKERS' BILL OF RIGHTS.

House: Filed

H 131: COHARIE INDIANS BLDG FUNDS.

House: Filed

H 132: DUPLIN COUNTY MUSEUM FUNDS.

House: Filed

H 134: REPEAL GARDEN PARKWAY AUTHORIZATION/FUNDING.

House: Filed

H 135: ADJUST LANDFILL PERMIT FEE TIMING.

House: Filed

H 136: BERNARD ALLEN FUND MODIFICATIONS.

House: Filed

H 137: REWARD AMT/ARREST OF FUGITIVE FROM JUSTICE.

House: Filed

H 138: SET COMM. COLLEGE ELECT. DATE.

House: Filed

H 139: ADOPT UNIFORM DEPLOYED PARENT CUST/VISIT. ACT.

House: Filed

S 54: TIME FOR RECORDING FORECLOSURE NOTICE.

Senate: Withdrawn From Cal

Senate: Placed On Cal For 02/27/2013

S 99: NORTH CAROLINA BENEFIT CORPORATION ACT.

Senate: Passed 1st Reading

Senate: Ref To Com On Judiciary I

S 100: EMS IMMUNITY FROM CIVIL LIABILITY.

Senate: Passed 1st Reading

Senate: RefTo Com On Judiciary I

S 101: WC/INFLATION INDEXING FOR ORGAN INJURY/LOSS (NEW).

Senate: Passed 1st Reading

Senate: RefTo Com On Judiciary II

Senate: Passed 1st Reading

Senate: RefTo Com On Judiciary II

S 102: PUBLIC INFRASTRUCTURE OVERSIGHT COMMISSION.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 103: AMEND ASSESSMENTS FOR INFRASTRUCTURE NEEDS (NEW).

Senate: Passed 1st Reading

Senate: RefTo Com On Finance

S 104: ELIMINATE CRITICAL INFRASTRUCTURE SUNSET.

Senate: Passed 1st Reading

Senate: RefTo Com On Finance

S 105: ADD TOWNS TO SHP.

Senate: Passed 1st Reading

Senate: RefTo Com On Transportation

Senate: Passed 1st Reading

Senate: RefTo Com On Transportation

Senate: Passed 1st Reading

Senate: RefTo Com On Transportation

S 106: HOME BIRTH FREEDOM ACT.

Senate: Passed 1st Reading

Senate: Ref to Health Care. If fav, re-ref to Finance

S 107: DECRIMINALIZE DIRECT ENTRY MIDWIFERY.

Senate: Passed 1st Reading

Senate: RefTo Com On Judiciary I

S 108: BUILDING INSPECTIONS/LOCAL CONSISTENCY.

Senate: Passed 1st Reading

Senate: RefTo Com On Commerce

S 109: CITIZENS UNITED RESPONSE.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 110: AMEND PERMANENT RULES / RESOLUTIONS.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

S 112: CREATE JOBS THROUGH REGULATORY REFORM (NEW).

Senate: Filed

S 113: DENR SUPPORT FOR REGIONAL WATER SUPPLY SYSTEM.

Senate: Filed

S 114: REPEAL ESTATE TAX.

Senate: Filed

S 115: PANCREATIC CANCER AWARENESS SPECIAL PLATE.

Senate: Filed

S 116: YMCA SPECIAL PLATE.

Senate: Filed

S 117: LILY'S LAW.

Senate: Filed

S 118: DIGITAL LEARNING COMPETENCIES/SCHOOL EMP'EEES.

Senate: Filed

S 119: LOTTERY FUNDS USED FOR DIGITAL LEARNING.

Senate: Filed

S 120: INTERNET ACCESS FOR PUBLIC SCHOOLS.

Senate: Filed

S 121: TRANSITION TO DIGITAL LEARNING IN SCHOOLS.

Senate: Filed

S 122: SEX TRAFFICKING/SEX OFFENDER REGISTRATION.

Senate: Filed

LOCAL BILLS

H 37: CLEVELAND CO. PROPERTY TRANSFER.

House: Reptd Fav

House: Cal Pursuant Rule 36(b)

House: Placed On Cal For 02/26/2013

H 98: JOHNSTON COUNTY SCHOOLS/CALENDAR FLEXIBILITY.

House: Passed 2nd Reading

House: Passed 3rd Reading

H 121: SCHOOL CALENDAR FLEXIBILITY/CERTAIN COUNTIES.

House: Passed 1st Reading

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

H 133: CHARLOTTE AIRPORT COMMISSION CLARIFICATIONS.

House: Filed

House: Filed

S 56: WALLACE/SATELLITE ANNEXATIONS.

Senate: Withdrawn From Cal

Senate: Re-ref Com On Finance

S 81: CHARLOTTE DOUGLAS INTERNATIONAL AIRPORT (NEW).

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

Senate: Re-ref Com On Finance

S 111: CLINTON/USE DESIGN-BUILD METHOD.

Senate: Filed

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