



## The Daily Bulletin: 2013-03-11

### PUBLIC/HOUSE BILLS

H 120 (2013-2014) [BLDING CODES: LOCAL CONSISTENCY/EXEMPT CABLE \(NEW\)](#). Filed Feb 19 2013, *A BILL TO BE ENTITLED AN ACT TO REQUIRE APPROVAL FROM THE NORTH CAROLINA BUILDING CODE COUNCIL BEFORE A UNIT OF LOCAL GOVERNMENT MAY REQUIRE BUILDING INSPECTIONS IN ADDITION TO THOSE REQUIRED BY THE BUILDING CODE; TO SPECIFY THE FREQUENCY AND EFFECTIVE DATES OF CODE UPDATES; AND TO EXEMPT CABLE TELEVISION EQUIPMENT INSTALLATION FROM BUILDING CODE REQUIREMENTS.*

House Amendment 1 makes the following changes to the 2nd edition.

Makes an organizational change, rewriting Section 1 of this act, to delete amendments to GS 153A-360 (regarding inspections of work in progress in counties) and GS 160A-420 (regarding inspections of work in progress in cities), and instead amends GS 153A-352 (counties) and GS 160A-412 (cities) regarding the duties and responsibilities of an inspection department.

GS 153A-352 and GS 160A-412, as amended, clarify that a county or a city may not adopt a local ordinance or resolution or any other policy that requires regular, routine inspections for one- and two-family dwellings that are in addition to the specific inspections required by the North Carolina Building Code (NC Building Code) without prior approval from the NC Building Code Council.

Amends GS 143-138(b8) to direct the Building Code Council (Council), through the Department of Insurance, to publish all of the Council's appeal decisions and formal opinions at least semiannually in the North Carolina Register (Register) and on the Council's Web site. Also requires the Council, through the Department of Insurance (Department), to publish at least semiannually in the Register the accurate Web site address and information on how to find additional commentary and interpretation of the State Building Code. Directs the Department to post commentaries and interpretations provided by staff to the Council and the Department on its Web site.

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

[GS 143, GS 153A, GS 160A](#)

[View summary](#)

**[Building and Construction, Local Government](#)**

H 269 (2013-2014) [CHILDREN W/DISABILITIES SCHOLARSHIP GRANTS](#). Filed Mar 11 2013, *A BILL TO BE ENTITLED AN ACT TO CREATE SPECIAL EDUCATION SCHOLARSHIP GRANTS FOR CHILDREN WITH DISABILITIES.*

Effective January 1, 2014, (1) repeals GS 105-151.33, which provided an education expenses tax credit for taxpayers with eligible dependent children effective as of January 1, 2016 and (2) makes conforming changes, also repealing Section 2 of SL 2011-395 and GS 105-160.3(11).

Adds a new Part 1H, Special Education Scholarship Grants for Children with Disabilities, to GS Chapter 115C, Article 9. Provides definitions for the following terms as used in this Part: (1) *authority*, (2) *eligible student*, (3) *nonpublic school*, and (4) *scholarship grants*. Provides specific criteria that qualifies a child, under the age of 22, with a disability, as an *eligible student* under this Part.

Directs the North Carolina State Education Assistance Authority (Authority), no later than May 1 each year, to make applications available to eligible students for scholarship grants to attend a nonpublic school and to receive special education and related services in a nonpublic school setting. Requires that priority in awarding scholarship grants is to be given to eligible students who received a grant during the previous semester. Provides that except as provided for prior grant recipients, scholarship grants are to be awarded to eligible students in the order in which the applications are received. Limits the grant amount to no more than \$3,000 per semester per eligible student and only for the purpose of reimbursement of tuition, special

education and related services, and for services provided to home-schooled students. Provides additional specifics regarding the awarding of scholarship grants.

Authorizes the Authority to establish rules and regulations for the administration and awarding of scholarship grants. Allows the Authority to require verification of eligibility for scholarship grants. Requires the Authority to make an annual report no later than July 1 to the Department of Public Instruction (DPI) on the number of students who (1) received scholarship grants for the previous school year and (2) were enrolled in an LEA for the semester preceding the semester for which a scholarship grant was awarded. Also requires the Authority to make an annual report to the Joint Legislative Oversight Committee no later than March 1 on the dispensation of scholarship grants.

Appropriates \$3,670,500 for fiscal year 2013-14 from the General Fund to the Authority and appropriates \$4,341,000 for fiscal year 2014-15 from the General Fund to the Authority in recurring funds to implement the requirements of this act. Requires the Authority to use \$3 million of the funds appropriated to the Authority in fiscal year 2013-14 and \$3 million of the appropriation to the Authority in fiscal year 2014-15 to award scholarship grants to eligible students. Directs that of the remaining funds, up to \$670,500 for 2013-14, and up to \$1,341,000 for 2014-15, be transferred to DPI to use to conduct reevaluations of eligible students as required by proposed GS 115C-112.3(c), as enacted by this act. Allows the Authority to retain up to 1% of the appropriated funds for scholarship grants to cover administrative costs associated with the scholarship grant program. Effective July 1, 2013.

Effective July 1, 2013, (1) provides that nothing in this act requires the General Assembly to appropriate funds to implement it; (2) repeals Article 32D Of GS Chapter 115C, which established a fund under the administration of the State Board of Education for special education and related services; and (3) directs the State Controller to transfer the fund balance from the Fund for Special Education and Related Services to the appropriate budget code for the 2013-14 fiscal year.

Provides that regardless of the definition for *eligible student* in GS 115C-112.2, as enacted by this act, an eligible dependent child of a taxpayer who received an education expenses tax credit under GS 105-151.33 for fall semester 2013-14 school year has met the eligibility requirements for a scholarship grant for the spring semester of the 2013-14 school year.

Provides that this act does not affect any rights or liabilities, including any right to a refund or a tax credit arising or accruing under a statute that is amended or repealed by this act before the effective date of its amendment or repeal. Except as otherwise indicated, this act is effective when it becomes law. Regardless of the requirement in proposed GS 115C-112.3(a) that applications for the scholarship grant applications be made available as of May 1, the applications for the 2014 spring semester must be made available no later than October 1, 2013.

**Intro. by Jordan, Brandon, Jones, Stam.**

[GS 105, APPROP, GS 115C](#)

[View summary](#)

[Budget/Appropriations, Education](#)

H 271 (2013-2014) [CONFIRM UTILITIES COMMISSION APPOINTMENT](#). Filed Mar 11 2013, *A JOINT RESOLUTION PROVIDING FOR THE CONFIRMATION OF THE APPOINTMENT OF DON M. BAILEY TO THE UTILITIES COMMISSION.*

As title indicates.

**Intro. by Hager.**

[JOINT RES](#)

[View summary](#)

[Public Enterprises and Utilities](#)

H 272 (2013-2014) [DOT/DMV CHANGES #2](#) Filed Mar 11 2013, *A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS CHANGES TO LAWS AFFECTING THE DEPARTMENT OF TRANSPORTATION AND THE DIVISION OF MOTOR VEHICLES.*

Amends the following statutes as the title indicates: (1) GS 136-112 to provide that the measure of damages in a condemnation action initiated by the Department of Transportation (DOT) is as provided in GS 40A-63 and 40A-64, (2) GS 136-113 regarding the determination of interest as a part of just compensation on a DOT condemnation award, and (3) GS 136-119 regarding the

recovery of attorneys' fees and costs on final judgments that exceed the initial deposit by 25% or more. Additionally amends GS 136-119 to specify that reasonable attorneys' fees are those that do not exceed the prevailing hourly rate in the jurisdiction where the matter is tried.

Effective January 1, 2014, and applies to condemnation actions filed on or after that date.

**Intro. by Stam, Jackson, Bryan.**

[GS 136](#)

[View summary](#)

**[Transportation, Property and Housing, Department of Transportation](#)**

H 273 (2013-2014) [CHARTER SCHOOL/LEA ACCOUNTING OF FUNDS](#). Filed Mar 11 2013, *A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT CHARTER SCHOOLS MAY USE STATE FUNDS FOR OPERATIONAL LEASES AND MAY ASSIGN STATE FUNDS TO OBTAIN FUNDS FOR FACILITIES, EQUIPMENT, AND OPERATIONS; AND TO REQUIRE ACCOUNTING OF CHARTER SCHOOL FUNDS AND A TIME LINE FOR THE TRANSFER OF FUNDS BY LOCAL BOARDS OF EDUCATION TO CHARTER SCHOOLS AND TO PROVIDE FOR ATTORNEYS' FEES, COSTS AND INTEREST IN ACTIONS TO ENFORCE TRANSFERS.*

Amends GS 115C-238H(b), requiring local school administrative units to provide charter schools with a detailed accounting of the funds to be transferred to the school equal to the per pupil expense appropriations and to transfer those funds based on a preliminary projection of charter school enrollment provided to the unit by the school. Such transfers must occur no later than 15 days after the local school administrative unit receives its local current expense appropriation. Any adjustments to the amount transferred must be made by the local school administrative unit within 30 days of the State Board of Education's certification of the charter school's daily membership for the school year. Failure to comply with these requirements will result in interest accruing at the rate of 6% of the amount due to the charter school until the interest and amount due is transferred.

Effective when the act becomes law and applies beginning with the 2013-2014 school year.

**Intro. by Hardister, Malone, Brandon, Stam.**

[GS 115C](#)

[View summary](#)

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

H 274 (2013-2014) [TAXPAYER BILL OF RIGHTS](#). Filed Mar 11 2013, *A BILL TO BE ENTITLED AN ACT TO PROVIDE GOVERNMENTAL ACCOUNTABILITY AND PROTECTION TO THE TAXPAYERS BY LIMITING INCREASES IN THE GENERAL FUND BUDGET, TO REFORM THE BUDGET PROCESS, TO ESTABLISH AN EMERGENCY RESERVE TRUST FUND, AND TO AMEND THE NORTH CAROLINA CONSTITUTION TO ESTABLISH A GENERAL FUND EXPENDITURE LIMIT.*

Constitutional amendments. Subject to approval by the voters at the November 2014 general election, enacts a new Section 15 to Article V of the North Carolina Constitution, effective upon certification by the State Board of Elections to the Secretary of State, to establish a General Fund expenditure limit. Sets forth definitions for fiscal growth factor, inflation, and population change. Requires that the General Fund expenditure limit for each fiscal year be the previous year's expenditure limit increased by a percentage rate that equals the fiscal growth factor. Prohibits the Governor from proposing expenditures from the General Fund in excess of the projected expenditure limit and the General Assembly from making appropriations in excess of the expenditure limit. Provides that the General Fund budget authorized for the fiscal year beginning in July 1, 2015, increased by the fiscal growth factor, be used as the base fiscal year to determine the General Fund expenditure limit beginning July 1, 2016, and for succeeding fiscal years. Requires that if, on or after December 31, 2015, the cost of any state function or program is shifted from the General Fund to another funding source, including counties or local government, or if money is transferred from the General Fund to another account, the expenditure limit must be reduced by that same amount. Provides that a two-thirds vote of the General Assembly is required to exceed the General Fund expenditure limit and is only allowed for appropriations for nonrecurring expenses for a maximum period of 12 months from the effective date of the appropriation. Requires that any unexpended funds that exceed 5% of the General Fund appropriation for the prior fiscal year be returned to the taxpayers.

Corresponding statutory changes. Enacts a new GS 143C-4-8 to establish a General Fund expenditure limit. Requires that the

General Fund expenditure limit for each fiscal year be the previous year's expenditure limit increased by a percentage rate that equals the fiscal growth factor. Provides that the General Fund budget authorized for the fiscal year beginning in July 1, 2015, increased by the fiscal growth factor, be used as the base fiscal year to determine the General Fund expenditure limit beginning July 1, 2016, and for succeeding fiscal years. Requires that if, on or after December 31, 2015, the cost of any state function or program is shifted from the General Fund to another funding source, including counties or local government, or if money is transferred from the General Fund to another account, the expenditure limit must be reduced by that same amount. Directs that, by March 15 of each year, the Fiscal Research Division (Division) and the Office of State Budget and Management (OSBM) issue a determination of the General Fund expenditure limit for that fiscal year and a projected limit for the following fiscal year. If the Division and OSBM do not agree on the expenditure limit, then requires that the lowest determination and projection be used.

Enacts a new GS 143C-4-9 to prohibit the Governor from proposing expenditures from the General Fund in excess of the projected General Fund expenditure limit and the General Assembly from making appropriations in excess of the expenditure limit. Restricts money from being drawn by the state treasury, as well as prohibiting the Governor, State Treasurer, and the State Controller from issuing or redeeming any draft, check, warrant, or voucher, if that action results in a state expenditure in excess of the expenditure limit. Provides that any General Fund revenue collected in excess of the expenditure limit is credited to the Emergency Reserve Trust Fund (Fund) at the end of the fiscal year.

Enacts a new GS 143C-4-10 to provide that a two-thirds vote of the General Assembly is required to exceed the General Fund expenditure limit and is only allowed for appropriations for nonrecurring expenses for a maximum period of 12 months from the effective date of the appropriation.

Amends GS 143C-1-1(d) (definition section for the State Budget Act) to add definitions for fiscal growth factor, inflation, and population change.

Amends GS 143C-4-2 to rename the Savings Reserve Account as the Emergency Reserve Trust Fund (Fund). Makes conforming changes and deletes the goal provision for the Savings Reserve Account Balance. Allows the Director of the Budget to transfer money from the Fund to pay for appropriations for the fiscal year, if available, if the Director determines (1) pursuant to GS 143C-6-2 (Methods to avoid deficit), the aggregate revenues collected and available are not sufficient to pay appropriations for that fiscal year in full or (2) pursuant to Section 5(3) of Article III of the NC Constitution, receipts during the fiscal year when added to the surplus remaining in the state treasury at the beginning of the fiscal year are not sufficient to meet budgeted expenditures. Requires the Director to administer the budget to prevent any overdraft or deficit if the Director decides to not transfer money from the Fund. Requires that any unexpended funds that exceed 5% of the General Fund appropriation for the prior fiscal year be reserved for taxpayer relief. Transfers the funds in the Savings Reserve Account to the Fund.

Enacts new GS 143C-3-6 directing the Governor to use collections for the previous calendar year ending December 31 in preparing the budget for the next fiscal year. Provides that only the following changes are to be made: (1) reduce the revenue estimate by an annualized total of the impact of any revenue decreases that were effective for only part of that calendar year; (2) if the budget proposes any revenue reductions to be effective during the fiscal year, reduce the revenue estimate by the total estimated amount of the reduction; (3) omit any one-time revenues in the previous calendar year from revenue estimates; and (4) may make an estimate of collections of proposed increased or new taxes or fees. Places similar constraints on the General Assembly in enacting the budget for a fiscal year. Adds restriction that in enacting the budget, the revenue estimate for that fiscal year may not exceed the lower of an estimate made by the Fiscal Research Division or an estimate made by the Office of State Budget and Management. Provides that if the budget contains an estimated credit balance from the immediately preceding fiscal year, one-half of that credit balance may be proposed only for capital projects or other projects with a fiscal impact in the current fiscal year. Provides that if the General Assembly appropriates any credit balance in the State treasury at the end of the immediately preceding fiscal year, one-half of that credit balance may be appropriated only for capital projects or other projects with a fiscal impact only in the current fiscal year.

This Act becomes effective only if the proposed constitutional amendment is approved by qualified voters, in which case, proposed GS 143C-3.6 becomes effective beginning with the budget for fiscal year 2016-17.

**Intro. by Blust, Jones, Holloway, Starnes.**

**CONST, GS 143C**

[View summary](#)

**Constitution, Budget/Appropriations**

H 275 (2013-2014) [HONOR GIRL SCOUTS](#). Filed Mar 11 2013, *A HOUSE RESOLUTION HONORING THE GIRL SCOUTS OF THE USA*.

As title indicates.

**Intro. by Carney, Farmer-Butterfield, Howard, Hurley.**

[HOUSE RES](#)

[View summary](#)

[Cultural Resources and Museums](#)

## PUBLIC/SENATE BILLS

S 244 (2013-2014) [ESTABLISH MUSIC THERAPY PRACTICE ACT](#). Filed Mar 11 2013, *A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE MUSIC THERAPY PRACTICE ACT*.

Creates new Article 18E, North Carolina Music Therapy Practice Act, in GS Chapter 90. Provides that the purpose of proposed Article 18E is to regulate music therapy services offered to the public. Provides whereas clauses to further note the need for regulation of music therapy services.

Provides definitions that apply in proposed Article 18E, including definitions for *music therapy* and *music therapy services*. Defines *music therapy* as the clinical and evidence-based use of music interventions to accomplish individualized goals within a therapeutic relationship by a credentialed professional who has completed an approved music therapy program, including three specified areas. Prohibits any person from practicing or offering to practice music therapy as defined in proposed Article 18E or otherwise presenting himself or herself to be a licensed music therapist on or after January 1, 2014, unless that person is currently licensed as provided under proposed Article 18E. Identifies criteria for persons to be exempt from the provisions of proposed Article 18E.

Creates the North Carolina Board of Music Therapy (Board). Requires that the Board consist of three members serving staggered terms, two of whom are licensed music therapists and one who represents the public at large. Directs that the General Assembly is to appoint (1) one music therapist to serve for a term of three years, on the recommendation of the Speaker of the House of Representatives and (2) one music therapist to serve for a term of two years, on the recommendation of the President Pro Tempore of the Senate. Requires the Governor to appoint one public member to serve for a one-year term. Initial Board members are to be appointed on or before October 1, 2013.

Provides additional criteria regarding terms, qualifications, filling of vacancies, removal of members, and compensation for members. Additionally, provides criteria for the selection of officers, frequency of meetings, and establishing a quorum. Enumerates the powers and duties of the Board.

Requires an applicant for licensure as a music therapist to make application to the Board, pay the required fees, and meet all of the following requirements: (1) be 18 years of age or older; (2) be of good moral character as determined by the Board; (3) successfully complete an academic program accredited by the American Music Therapy Association, with at minimum of a bachelor's degree majoring in music therapy from an accredited college or university; (4) successfully complete the board certification exam offered by the Certification Board for Music Therapists or its successor organization; and (5) successfully complete a minimum of 1,200 hours of clinical training, with at least 180 hours in pre-internship experiences and at least 900 hours in internship experiences.

Provides criteria for reciprocity, allowing the Board to grant licenses to persons licensed to practice music therapy in another state or territory of the United States.

Provides parameters regarding expenses and the establishment of a fee schedule for licensing. Requires that every license issued under this proposed Article be renewed every five years on or before January 1. Provides additional criteria regarding license renewal.

Authorizes the Board to exercise disciplinary authority, allowing the Board to deny, suspend, revoke, or refuse to renew a license or impose probationary conditions on a license if the licensee or applicant has engaged in any of the specified conduct. Provides that a disciplinary action may be ordered by the Board after a hearing is held in accordance with GS Chapter 150B and rules adopted by the Board. Permits an application for reinstatement of a revoked license to be made to the Board if the revocation has been in effect for at least one year. Provides that each violation under this proposed Article constitutes a distinct and separate offense and such a violation is a Class 1 misdemeanor. Provides that the Board may seek injunctive relief for violations of this proposed Article. Authorizes the Board to assess a civil penalty of no more than \$1,000 for a violation of any

section of this proposed Article or the violation of any rules adopted by the Board. Directs that the clear proceeds of any civil penalty assessed under this section is to be remitted to the Civil Penalty and Forfeiture Fund in accordance with GS 115C-457.2. Provides factors to be considered by the Board before imposing and assessing a civil penalty.

**Intro. by Tucker.**

GS 90

[View summary](#)

[Occupational Licensing, Employment and Retirement](#)

S 245 (2013-2014) [HONOR EDWARD L. WILLIAMSON](#). Filed Mar 11 2013, *A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF EDWARD L. "ED" WILLIAMSON, FORMER MEMBER OF THE GENERAL ASSEMBLY.*

Identical to [H 259](#), filed 3/7/13.

As title indicates.

**Intro. by Walters.**

JOINT RES

[View summary](#)

[General Assembly](#)

S 246 (2013-2014) [EQUAL TAX TREATMENT OF GOV'T RETIREE BENEFITS](#). Filed Mar 11 2013, *A BILL TO BE ENTITLED AN ACT TO PROVIDE EQUAL INCOME TAX TREATMENT OF GOVERNMENT RETIREES' BENEFITS.*

Identical to [H 96](#), filed 2/12/13.

Amends GS 105-134.1(13), clarifying the definition for *retirement plan* (was, *retirement benefits*) to include an individual retirement plan as defined under the Internal Revenue Code (Code) and any plan treated as an individual retirement plan under the Code (previously included amounts received from an individual retirement account, as described in the Code, or from an individual retirement annuity as described). Makes other clarifying changes.

Amends GS 105-134.6(b) by enacting new subdivision (5c) to provide for a phase-in of a full state income tax deduction for all state, local, and federal government retirees' pensions beginning with the 2013 taxable year and complete as of the 2022 taxable year. Bases the phase-in period on the retiree's vesting date in the retirement plan. Effective for taxable years beginning on or after January 1, 2013, and repealed for taxable years beginning on or after January 2, 2022.

Enacts new subsections (6a) and (6b) to GS 105-134.6(b), which lists deductions from taxable income, to add deductions to the list as follows: (1) The amount received during the taxable year under NC state and local government retirement plans and under federal government retirement plans. (2) The greater of: (a) the amount received during the taxable year under a state or local government retirement plan of a state other than North Carolina, to the extent the other state would not subject to individual income tax the equivalent amount received under a NC state or local government retirement plan or (b) up to \$4,000 received during the taxable year under a state or local government retirement plan of a state other than North Carolina; for married couples filing a joint return, the maximum dollar amount applies separately to each spouse's benefits if both spouses received benefits from a retirement plan. Makes conforming changes. Effective for taxable years beginning on or after January 1, 2022.

**Intro. by Randleman.**

GS 105

[View summary](#)

[Employment and Retirement, Tax](#)

S 248 (2013-2014) [CHOICE OF HEARING AID SPECIALIST](#). Filed Mar 11 2013, *A BILL TO BE ENTITLED AN ACT TO ENSURE THAT PATIENTS HAVE THE RIGHT TO CHOOSE THEIR HEARING AID SPECIALIST UNDER THEIR HEALTH BENEFIT PLANS,*



*TO AUTHORIZE THE NORTH CAROLINA STATE HEARING AID DEALERS AND FITTERS BOARD TO INCREASE CERTAIN FEES, AND TO MAKE TECHNICAL CHANGES TO THE STATUTE ON CHOOSING SERVICES OF PROVIDERS.*

As title indicates. Amends GS 58-50-30 to add that insured persons have the right to choose their hearing aid specialists and adds a definition for the term. Amends GS 93D-5 to increase the licensure fee for persons fitting and selling hearing aids in NC to \$500 (was, \$250). Makes a conforming change to GS 135-48.51(12) (concerning the State Health Plan). Effective October 1, 2012.

**Intro. by Hartsell.**

[GS 58, GS 93D, GS 135](#)

[View summary](#)

[Health Insurance, Health Care Facilities and Providers](#)

S 249 (2013-2014) [REESTABLISH NC PROGRESS BOARD](#). Filed Mar 11 2013, *A BILL TO BE ENTITLED AN ACT TO REESTABLISH THE NORTH CAROLINA PROGRESS BOARD.*

Adds new Article 35, North Carolina Progress Board, to GS Chapter 116. Establishes the North Carolina Progress Board (Board) located administratively in the Board of Governors of the University of North Carolina and housed at North Carolina State University (NCSU). Provides that the Board is to exercise all of its prescribed statutory powers independently of the Board of Governors. Provides for 14 members as follows: (1) the Governor, ex officio, and chair of the Board; (2) seven appointees by the Governor, none of whom may be state employees or officers; (3) three appointees by the Speaker of the House of Representatives; and (4) three appointees by the President Pro Tempore of the Senate. Directs the Governor to appoint a vice-chair from among the Board members and authorizes the Board to elect additional officers as it sees fit.

Requires the Board to meet at minimum twice annually. Designates that a quorum consists of eight members and prohibits members from sending designees to Board meetings and voting by proxy.

Provides for terms of service on the Board, with initial appointments to begin on July 1, 2013. Prohibits appointing a member to more than two consecutive terms. Provides additional guidelines regarding the terms of service for members of the House or Senate who may be appointed to the Board.

Provides that the Commission for a Competitive North Carolina (Commission) adopted a report which established major goals and ways to measure progress towards the goals. Asserts that the General Assembly notes that the Commission has developed goals in the following categories: (1) Healthy Children and Families, (2) Quality Education for All, (3) A High Performance Workforce, (4) A Prosperous Economy, (5) A Sustainable Environment, (6) Technology and Infrastructure Development, (7) Safe and Vibrant Communities, and (8) Active Citizenship/ Accountable Government. Also notes that the General Assembly finds that the Board developed a report that focused on four of the Commission's recommended topics and issued 16 major targets for 2010 with the objectives of driving the state toward (1) a more expansive vision of education and environmental protection, (2) strengthening families, and (3) bringing more people into the economic mainstream. Provides additional findings regarding North Carolina's economy of the future.

Provides the duties and responsibilities of the Board which include (1) encouraging the discussion and understanding of critical global and national social and economic trends that affect the state in the future; (2) examining the Commission's report and the Board's 1997 report; (3) tracking the eight issue areas identified by the Commission; (4) providing opportunities for public participation and making periodic reports to the people of the state on the Board's progress in meeting goals, targets, and milestones; (5) submitting a report to North Carolinians every five years, beginning in 2014, that updates the 20- to 30- year vision for the state; and (6) reporting to the General Assembly prior to its convening the regular session in every odd-numbered year on social and economic trends and issues specific targets and milestones to accomplish its mission.

Authorizes the Board to apply for and accept grants or gifts. Provides that the 2013 and 2015 General Assemblies are to further define the mission of the Board in continuing its work.

Directs the Chancellor of NCSU to appoint an Executive Director (ED) who is to report to the Board and the Chancellor. Provides that the ED may hire or contract for support staff. Directs the Office of State Budget and Management and other executive branch agencies to also provide support, information, reports, and other assistance to the Board as requested. Effective July 1, 2013.

**Intro. by Hartsell.**

[GS 116](#)

[View summary](#)**Business and Commerce, Higher Education, UNC System**

S 250 (2013-2014) **SPA/EXEMPT CERTAIN ITS/OSP EMPLOYEES**. Filed Mar 11 2013, *A BILL TO BE ENTITLED AN ACT AMENDING THE STATE PERSONNEL ACT TO EXEMPT FROM ITS COVERAGE CERTAIN EMPLOYEES OF THE OFFICE OF INFORMATION TECHNOLOGY SERVICES AND THE OFFICE OF STATE PERSONNEL.*

Amends GS 126-5(d)(1), adding the Office of Information Technology Services and Office of State Personnel to the list of departments and offices from which the Governor may designate certain positions as exempt from complying with the State Personnel Act.

Prevents the provisions of GS 126-5(e) (concerning transfer, demotion, or separation) from applying to the above Governor-designated positions.

Makes conforming and technical changes.

**Intro. by Tarte, Tucker, J. Davis.**

GS 126, GS 147

[View summary](#)**State Personnel, Office of Information Technology Services, Office of State Human Resources (formerly Office of State Personnel)**

S 251 (2013-2014) **HONOR GIRL SCOUTS**. Filed Mar 11 2013, *A SENATE RESOLUTION HONORING THE GIRL SCOUTS OF THE USA.*

As title indicates.

**Intro. by Barringer.**

SENATE RES

[View summary](#)**Cultural Resources and Museums**

S 252 (2013-2014) **INCREASE PENALTY/CONTROLLED SUBSTANCE CRIMES**. Filed Mar 11 2013, *A BILL TO BE ENTITLED AN ACT TO INCREASE THE CRIMINAL PENALTY FOR CERTAIN VIOLATIONS OF THE CONTROLLED SUBSTANCES ACT.*

Amends GS 90-108(b) as the title indicates, making the penalty for an intentional violation of the Controlled Substances Act under GS 90-108 a Class G felony (was, Class I). Effective December 1, 2013, and applies to offenses committed on or after that date.

**Intro. by J. Davis.**

GS 90

[View summary](#)**Criminal Law and Procedure, Health**

S 253 (2013-2014) **LEO MAY INSPECT PHARMACEUTICAL RECORDS**. Filed Mar 11 2013, *A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A SHERIFF, DESIGNATED DEPUTY SHERIFF, POLICE CHIEF, OR DESIGNATED POLICE OFFICER INVESTIGATING THE DIVERSION AND ILLEGAL USE OF CONTROLLED SUBSTANCES MAY INSPECT PRESCRIPTION AND PHARMACEUTICAL RECORDS AND MAY ALSO OBTAIN DATA IN THE CONTROLLED SUBSTANCE REPORTING SYSTEM MAINTAINED BY THE DEPARTMENT OF HEALTH AND HUMAN SERVICES.*



Amends GS 90-113.74(c) adding a new (c)(9), allowing data contained in the controlled substances reporting system to be released to sheriffs, designated deputy sheriffs, police chiefs, and designated police officers who are assigned to investigate the diversion and illegal use of prescription medication or pharmaceutical products provided they are currently engaged in a bona fide investigation specifically related to the enforcement of laws governing illicit drugs (Schedule II through V). The same will notify the Office of the Attorney General of North Carolina of each request for the maintained records.

Amends GS 90-107, giving the officers noted above the authority to review prescriptions, order forms and records, as well as stocks of controlled substances (Schedule I through V), as maintained and required by the Controlled Substances Act. Officers are still required to be engaged in a bona fide investigation, specifically related to the enforcement of laws governing illicit drugs, to inspect such records.

Effective December 1, 2013.

**Intro. by J. Davis.**

GS 90

[View summary](#)

[Criminal Justice, Health, Health Care Facilities and Providers](#)

S 254 (2013-2014) [FUNDS TO RESTORE PRIVATE WELL PROGRAM](#). Filed Mar 11 2013, *A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF PUBLIC HEALTH, TO RESTORE THE PRIVATE WELL PROGRAM, AND TO ESTABLISH THREE ENVIRONMENTAL HEALTH REGIONAL SPECIALIST POSITIONS DEDICATED TO THE PRIVATE WELL PROGRAM.*

Appropriates \$222,000 in recurring funds from the General Fund to the Department of Health and Human Services, Division of Public Health, for 2013-14. Allocates the funds to the Environmental Health Section with \$45,000 to be used for operating expenses of the Private Well Program and \$177,000 to be used to establish three Environmental Health Regional Specialists positions dedicated to the Private Well Program. Effective July 1, 2013.

**Intro. by Hartsell.**

APPROP

[View summary](#)

[Budget/Appropriations, Environment, Department of Health and Human Services, Public Health](#)

S 255 (2013-2014) [SMALL BUSINESS NEW JOB CREATION INCENTIVE](#). Filed Mar 11 2013, *A BILL TO BE ENTITLED AN ACT TO CREATE A TAX CREDIT FOR NEW JOBS CREATED BY SMALL BUSINESSES.*

Identical to [H 263](#), filed 3/7/13.

Amends GS 105-129.87, which lists credits allowed to qualifying businesses, to add that a taxpayer that is a small business; meets the eligibility requirements in GS 105-129.83, excluding GS 105-129.83(a); and satisfies the threshold requirement for new job creation in GS 105-129.87(b) is allowed a credit for creating jobs. Clarifies that jobs located in an urban progress zone or agrarian growth zone, created by a taxpayer other than a small business, are allowed a credit increased by an additional \$1,000 per job. Specifies that if the job is located in an urban progress zone or agrarian growth zone and filled by a resident of that zone or by a long-term unemployed worker or is created by a small business, then the credit is increased by an additional \$2,000 per job. Amends GS 105-129.81 to define small business as a taxpayer that employs no more than 50 eligible employees during the taxable year and that is engaged in a business other than retail trade, as specified, or food services and drinking places, as specified. Effective for taxable years beginning on or after January 1, 2013.

**Intro. by McLaurin, Walters, Clark.**

GS 105

[View summary](#)

[Business and Commerce, Tax](#)

## LOCAL/HOUSE BILLS

H 270 (2013-2014) [RONDA RECALL](#). Filed Mar 11 2013, *A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A REFERENDUM IN THE TOWN OF RONDA ON THE ISSUE OF WHETHER OR NOT VOTERS OF THAT TOWN SHOULD BE ABLE TO RECALL FROM OFFICE THE ELECTED OFFICERS OF THAT TOWN.*

Identical to [S 247](#), filed 3/11/13.

Amends the charter of the Town of Ronda (Town) to allow the recall of the mayor and board of commissioners only if approved in a referendum during the election conducted on November 5, 2013. Requires a recall petition to be filed with the town clerk that bears signatures of at least 50% of the registered voters of the Town. The county board of elections will then verify the signatures of the petition, certifying its sufficiency to the governing body. The governing body must adopt a resolution calling for a recall election to be held between 60 and 120 days of the certification. Each petition can only contain the name of one officer to be recalled. However, multiple qualified petitions can be simultaneously filed with the town clerk. If a majority of the votes cast are for the officer's recall, the officer is removed on the date the board of elections certifies the results of the election. Vacancies created by a recall will be filled pursuant to GS 160A-63. A removed officer cannot be appointed or reappointed to any elective office during the remainder of the unexpired term. Petitions cannot be filed during the first six months of the officer's term or the last six months before the expiration of the officer's term. No more than one recall election can be held for an officer during a single term.

**Intro. by Elmore.**

[Wilkes](#)

[View summary](#)

## LOCAL/SENATE BILLS

S 247 (2013-2014) [RONDA RECALL](#). Filed Mar 11 2013, *A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A REFERENDUM IN THE TOWN OF RONDA ON THE ISSUE OF WHETHER OR NOT VOTERS OF THAT TOWN SHOULD BE ABLE TO RECALL FROM OFFICE THE ELECTED OFFICERS OF THAT TOWN.*

Amends the charter of the Town of Ronda (Town) to allow the recall of the mayor and board of commissioners only if approved in a referendum during the election conducted on November 5, 2013. Requires a recall petition to be filed with the town clerk that bears signatures of at least 50% of the registered voters of the Town. The county board of elections will then verify the signatures of the petition, certifying its sufficiency to the governing body. The governing body must adopt a resolution calling for a recall election to be held between 60 and 120 days of the certification. Each petition can only contain the name of one officer to be recalled. However, multiple qualified petitions can be simultaneously filed with the town clerk. If a majority of the votes cast are for the officer's recall, the officer is removed on the date the board of elections certifies the results of the election. Vacancies created by a recall will be filled pursuant to GS 160A-63. A removed officer cannot be appointed or reappointed to any elective office during the remainder of the unexpired term. Petitions cannot be filed during the first six months of the officer's term or the last six months before the expiration of the officer's term. No more than one recall election can be held for an officer during a single term.

**Intro. by Randleman.**

[Wilkes](#)

[View summary](#)

## ACTIONS ON BILLS

## PUBLIC BILLS

**H 10: REMOVE ROUTE RESTRICTION FOR NC 540 LOOP.**

*House: Rec To Concur S Com Sub*

**H 23: DIGITAL LEARNING COMPETENCIES/SCHOOL EMP'EEES.**

*House: Rec To Concur S Com Sub*

**H 44: TRANSITION TO DIGITAL LEARNING IN SCHOOLS.**

*Ratified*

**H 45: INTERNET ACCESS FOR PUBLIC SCHOOLS.**

*House: Withdrawn From Com*

*House: Cal Pursuant Rule 36(b)*

*House: Placed On Cal For 03/12/2013*

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

*House: Withdrawn From Com*

*House: Cal Pursuant Rule 36(b)*

*House: Placed On Cal For 03/12/2013*

**H 95: STANDARD OF PROOF/PUBLIC SAFETY DISPATCHERS (NEW).**

*House: Passed 2nd Reading*

*House: Passed 3rd Reading*

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

*House: Amend Adopted A1*

*House: Passed 2nd Reading*

*House: Ordered Engrossed*

**H 142: PROVIDE ACCESS TO CAMPUS POLICE RECORDS.**

*House: Postponed To 03/13/2013*

**H 147: AMEND ADOPTION LAWS.**

*Senate: Rec From House*

*Senate: Passed 1st Reading*

*Senate: Ref To Com On Judiciary I*

**H 149: CAYLEE'S LAW/REPORT MISSING CHILDREN.**

*Senate: Rec From House*

*Senate: Passed 1st Reading*

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

**H 160: PUBLIC CONTRACTS/ILLEGAL IMMIGRANTS.**

*House: Withdrawn From Com*

*House: Re-ref Com On Finance*

**H 253: VOTER PROTECTION AND INTEGRITY ACT.**

*House: Passed 1st Reading*

*House: Ref to the Com on Elections, if favorable, Judiciary*

**H 254: ZONING CHANGES/NOTICE TO MILITARY BASES.**

*House: Passed 1st Reading*

*House: Ref to the Com on Homeland Security, Military, and Veterans Affairs, if favorable, Finance*

**H 255: UNC TUITION SURCHARGE/ADVANCE NOTICE.**

*House: Passed 1st Reading*

*House: Ref To Com On Education*

**H 256: V.A. SURVIVORS BENEFITS/MEDICAID ELIGIBILITY.**

*House: Passed 1st Reading*

*House: Ref to the Com on Homeland Security, Military, and Veterans Affairs, if favorable, Health and Human Services, if favorable, Appropriations*

**H 257: UNCLAIMED PROPERTY PROGRAM IMPROVEMENTS.**

*House: Passed 1st Reading*

*House: Ref To Com On Finance*

**H 258: SCHOOL CALENDAR FLEXIBILITY.**

*House: Passed 1st Reading*

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

**H 259: HONOR EDWARD L. WILLIAMSON.**

*House: Passed 1st Reading*

*House: Ref To Com On Rules, Calendar, and Operations of the House*

**H 262: HONOR JEAN PRESTON.**

*House: Passed 1st Reading*

*House: Ref To Com On Rules, Calendar, and Operations of the House*

**H 263: SMALL BUSINESS NEW JOB CREATION INCENTIVE.**

*House: Passed 1st Reading*

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

**H 264: JUSTICE FOR RURAL CITIZENS ACT.**

*House: Passed 1st Reading*

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

**H 265: AUTOMOBILE INSURANCE REGULATORY MODERNIZATION.**

*House: Passed 1st Reading*

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

**H 266: STANDARDS FOR SOME NURSERY STOCK PURCHASES.**

*House: Passed 1st Reading*

*House: Ref To Com On Regulatory Reform Subcommittee on Local Government*

**H 267: CAPTIVE INSURANCE AMENDMENTS (NEW).**

*House: Passed 1st Reading*

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

*House: Passed 1st Reading*

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

**H 269: CHILDREN W/DISABILITIES SCHOLARSHIP GRANTS.**

*House: Filed*

**H 271: CONFIRM UTILITIES COMMISSION APPOINTMENT.**

*House: Filed*

**H 272: DOT/DMV CHANGES #2**

*House: Filed*

*House: Filed*

**H 273: CHARTER SCHOOL/LEA ACCOUNTING OF FUNDS.**

*House: Filed*

**H 274: TAXPAYER BILL OF RIGHTS.**

*House: Filed*

**H 275: HONOR GIRL SCOUTS.**

*House: Filed*

**S 11: ESTABLISH ORGAN DONATION MONTH.**

*House: Passed 1st Reading*

*House: Ref To Com On Rules, Calendar, and Operations of the House*

**S 24: CONSTRUCTION/DEMOLITION LANDFILL SITING.**

*House: Passed 1st Reading*

*House: Ref To Com On Environment*

**S 45: INCAPACITY TO PROCEED AMENDMENTS.**

*House: Passed 1st Reading*

*House: Ref To Com On Judiciary Subcommittee B*

**S 72: AMEND UCC ARTICLE 4A/FUNDS TRANSFERS.**

*House: Passed 3rd Reading*

*House: Ordered Enrolled*

**S 113: DENR SUPPORT FOR REGIONAL WATER SUPPLY SYSTEM.**

*House: Passed 1st Reading*

*House: Ref To Com On Environment*

**S 123: CLARIFY SEX OFFENDER RESIDENCE LAW.**

*Senate: Passed 2nd Reading*

*Senate: Passed 3rd Reading*

**S 225: ADOPT UNIFORM DEPLOYED PARENT CUST/VISIT. ACT.**

*Senate: Withdrawn From Com*

*Senate: Re-ref Com On Judiciary I*

**S 228: HOAs/Lim. Com. Elements/Amend of Declaration (NEW).**

*Senate: Passed 1st Reading*

*Senate: Ref To Com On Commerce*

**S 231: MODIFY DUTIES/ADVISORY COUNCIL ON INDIAN EDUC.**

*Senate: Passed 1st Reading*

*Senate: Ref To Com On Education/Higher Education*

**S 232: PUBLIC CONTRACTS/LOCAL BUSINESS PREFERENCE.**

*Senate: Passed 1st Reading*

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

**S 234: HUNTER EDUCATION/APPRENTICE PERMIT.**

*Senate: Passed 1st Reading*

*Senate: Ref To Com On Agriculture/Environment/Natural Resources*

**S 235: VOTER PROTECTION INTEGRITY/EVERY VOTE COUNTS.**

*Senate: Passed 1st Reading*

*Senate: RefTo Com On Rules and Operations of the Senate*

**S 239: AMEND NC BUSINESS CORPORATION ACT.**

*Senate: Passed 1st Reading*

*Senate: RefTo Com On Judiciary I*

**S 240: DEVELOP RULES FOR RELEASE OF PATH MATERIALS.**

*Senate: Passed 1st Reading*

*Senate: RefTo Com On Health Care*

**S 242: HIRE LONG-TERM UNEMPLOYED WORKERS INCENTIVE.**

*Senate: Passed 1st Reading*

*Senate: RefTo Com On Finance*

**S 243: BACK TO BASICS.**

*Senate: Passed 1st Reading*

*Senate: RefTo Com On Education/Higher Education*

**S 244: ESTABLISH MUSIC THERAPY PRACTICE ACT.**

*Senate: Filed*

**S 245: HONOR EDWARD L. WILLIAMSON.**

*Senate: Filed*

**S 246: EQUAL TAX TREATMENT OF GOV'T RETIREE BENEFITS.**

*Senate: Filed*

**S 248: CHOICE OF HEARING AID SPECIALIST.**

*Senate: Filed*

**S 249: REESTABLISH NC PROGRESS BOARD.**

*Senate: Filed*

**S 250: SPA/EXEMPT CERTAIN ITS/OSP EMPLOYEES.**

*Senate: Filed*

**S 251: HONOR GIRL SCOUTS.**

*Senate: Filed*

**S 252: INCREASE PENALTY/CONTROLLED SUBSTANCE CRIMES.**

*Senate: Filed*

**S 253: LEO MAY INSPECT PHARMACEUTICAL RECORDS.**

*Senate: Filed*

**S 254: FUNDS TO RESTORE PRIVATE WELL PROGRAM.**

*Senate: Filed*

**S 255: SMALL BUSINESS NEW JOB CREATION INCENTIVE.**

*Senate: Filed*

**LOCAL BILLS**

**H 140: CITY OF LOWELL / REGULATE UTILITY VEHICLES.**

*House: Passed 2nd Reading*



*House: Passed 3rd Reading*

**H 260: SALISBURY/DEANNEX ROWAN CTY AIRPORT PROPERTY.**

*House: Passed 1st Reading*

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

**H 261: KANNAPOLIS/DEANNEXATION.**

*House: Passed 1st Reading*

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

**H 270: RONDA RECALL.**

*House: Filed*

**S 95: TABOR CITY ELECTION.**

*House: Passed 2nd Reading*

*House: Passed 3rd Reading*

*House: Ordered Enrolled*

**S 111: CLINTON/USE DESIGN-BUILD METHOD.**

*House: Passed 1st Reading*

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

**S 227: TREAT CERTAIN ITEMS AS MUNICIPAL TAXES.**

*Senate: Passed 1st Reading*

*Senate: Ref To Com On Finance*

**S 229: OCEAN ISLE BEACH/SEA TURTLE SANCTUARY.**

*Senate: Passed 1st Reading*

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

**S 230: 38TH SENATORIAL DISTRICT LOCAL ACT-1.**

*Senate: Passed 1st Reading*

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

**S 233: GREENSBORO/SMALL BUSINESS ENTERPRISE PROGRAM.**

*Senate: Passed 1st Reading*

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

**S 236: SUP. CT. JUDGE CAN PERFORM MARRIAGE (NEW).**

*Senate: Passed 1st Reading*

*Senate: Ref to Education/Higher Education. If fav, re-ref to Finance*

**S 237: CABARRUS/STANLY COUNTY BOUNDARY.**

*Senate: Passed 1st Reading*

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

**S 238: 24TH SENATORIAL DISTRICT LOCAL ACT-1.**

*Senate: Passed 1st Reading*

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

**S 241: 7TH SENATORIAL DISTRICT LOCAL ACT-1.**

*Senate: Passed 1st Reading*

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

**S 247: RONDA RECALL.**

*Senate: Filed*

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