



## The Daily Bulletin: 2013-03-20

### PUBLIC/HOUSE BILLS

H 17 (2013-2014) [GUN PERMITS/CONFIDENTIALITY \(NEW\)](#). Filed Jan 30 2013, *A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE CONFIDENTIALITY OF INFORMATION REGARDING CONCEALED HANDGUN PERMITS AND PISTOL PURCHASE PERMITS.*

House committee substitute to the 1st edition makes the following changes. Deletes proposed GS 14-269.3(b), which would have allowed a person with a valid concealed handgun permit to possess a handgun in a restaurant as defined in GS 18B-1000(6) or an eating establishment as defined in GS 18B-1000(2) unless the person in legal possession or control of the premises has posted a conspicuous notice prohibiting the carrying of a concealed handgun on the premises in accordance with GS 14-415.11(c). Makes conforming change to the title.

**Intro. by Burr, Hager, Hollo, J. Bell.**

[GS 14](#)

[View summary](#)

[Criminal Law and Procedure](#)

H 23 (SL 2013-11) (2013-2014) [DIGITAL LEARNING COMPETENCIES/SCHOOL EMP'EEES](#). Filed Jan 30 2013, *A BILL TO BE ENTITLED AN ACT DIRECTING THE STATE BOARD OF EDUCATION TO DEVELOP AND IMPLEMENT DIGITAL TEACHING AND LEARNING STANDARDS FOR TEACHERS AND SCHOOL ADMINISTRATORS.*

A BILL TO BE ENTITLED AN ACT DIRECTING THE STATE BOARD OF EDUCATION TO DEVELOP AND IMPLEMENT DIGITAL TEACHING AND LEARNING STANDARDS FOR TEACHERS AND SCHOOL ADMINISTRATORS. Enacted March 15, 2013. Sections 1 and 2 are effective July 1, 2017, and apply beginning with the 2017-18 school year. The remainder is effective March 15, 2013.

**Intro. by Horn, Johnson, Saine, Tolson.**

[GS 115C](#)

[View summary](#)

[Elementary and Secondary Education](#)

H 44 (SL 2013-12) (2013-2014) [TRANSITION TO DIGITAL LEARNING IN SCHOOLS](#). Filed Jan 31 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.*

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. Enacted March 15, 2013. Effective March 15, 2013.

**Intro. by Horn, Johnson, Saine, Tolson.**

[UNCODIFIED](#)

[View summary](#)

[Elementary and Secondary Education](#)

H 150 (2013-2014) [ZONING/DESIGN & AESTHETIC CONTROLS](#). Filed Feb 26 2013, *A BILL TO BE ENTITLED AN ACT TO CLARIFY WHEN A COUNTY OR MUNICIPALITY MAY ENACT ZONING ORDINANCES RELATED TO DESIGN AND AESTHETIC CONTROLS*.

House amendment #2 makes the following changes to the 2nd edition, as amended.

Replaces Registry with Register, making GS 153A-340(g)(2) read, "The structures are listed on the National Register of Historic Places."

Amends GS 153A-340(g) by adding a new circumstance where the regulations of the zoning and development bill can be enforced for structures subject to regulation under the code for one- and two-family dwellings, GS 153A-340(g)(7), which reads, "Where the regulations adopted pursuant to this Article governing the permitted uses of land or structures subject to the North Carolina Residential Code for One- and Two-family Dwellings."

**Intro. by Dollar, W. Brawley, Moffitt, Jordan.**

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

[View summary](#)

[Building and Construction, Land Use, Planning and Zoning, Local Government](#)

H 181 (2013-2014) [PHYSICIAN SUPRVSN. REQUIRED/NURSE ANESTHETIST](#). Filed Feb 27 2013, *A BILL TO BE ENTITLED AN ACT TO CONFIRM THAT NORTH CAROLINA LAW REQUIRES PHYSICIAN SUPERVISION OF ALL NURSES PROVIDING ANESTHESIA SERVICES*.

House committee substitute to the 2nd edition makes the following changes. Amends GS 90-18(c), establishing what does not constitute practicing medicine or surgery, and GS 90-171.20(7), defining the components of the practice of nursing by a registered nurse, to provide that a nurse anesthetist may provide local anesthesia under the supervision of a licensed podiatrist.

**Intro. by Dollar, Hollo, T. Moore, Wray.**

[GS 90](#)

[View summary](#)

[Health Care Facilities and Providers](#)

H 192 (2013-2014) [ALLOW ROW USAGE IN CENTRAL BUSINESS DISTRICTS](#). Filed Feb 28 2013, *A BILL TO BE ENTITLED AN ACT TO PERMIT LOCAL GOVERNMENTS TO ENACT SIDEWALK DINING ORDINANCES FOR USE OF STATE-OWNED RIGHT-OF-WAY*.

House Committee substitute makes the following changes to the 1st edition.

Corrects a reference in Section 1, GS 136-18(9), to GS 136-27.4.

Changes the number of the new statute in Section 2 of the bill to GS 136-27.4

Amends Section 2 of the bill making technical, clarifying, and conforming changes.

Adds new GS 136-27.4(a) to add to the requirements to be met for sidewalk dining any other requirements deemed necessary by the Department, either for a particular local government or a particular component of the state highway system. Also amends the amount of required liability insurance.

Amends GS 136-27.4(a), expanding the power and authority a local government has in regards to sidewalk dining. It has the authority to issue such permits or deny them completely, as well as impose additional requirements as it sees fit.

**Intro. by Shepard, Hamilton, Torbett.**

[GS 136](#)

[View summary](#)

[Local Government](#)

H 243 (2013-2014) [LIENS/SELF-SERVICE STORAGE FACILITIES](#). Filed Mar 6 2013, *A BILL TO BE ENTITLED AN ACT AUTHORIZING AN OWNER OF A SELF-STORAGE FACILITY WHO HAS A LIEN UPON PERSONAL PROPERTY TO DELIVER NOTICE OF THE PUBLIC SALE OF THE PROPERTY TO THE OCCUPANT BY CERTIFIED MAIL OR BY VERIFIED ELECTRONIC MAIL, TO PUBLISH NOTICE IN ANY COMMERCIALY REASONABLE MANNER, AND TO CONDUCT THE SALE THROUGH AN ONLINE, PUBLICLY ACCESSIBLE AUCTION WEB SITE, AND TO INCREASE THE MINIMUM LATE FEES FOR SELF-STORAGE FACILITY RENTAL CONTRACTS.*

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

Asserts that providing notice of the public sale of personal property by a lienor via first class mail and electronic mail, if available (was, first class mail or electronic mail), is acceptable.

Makes a conforming change to the title, substituting the phrase *regular and electronic mail* for *regular or electronic mail*.

Clarifies that the sale is to be conducted in a commercially reasonable manner as defined in GS 25-9-627.

**Intro. by Stevens.**

[GS 44A, GS 66](#)

[View summary](#)

[Business and Commerce](#)

H 250 (2013-2014) [CHARTER SCHOOL ENROLLMENT & CHARTER REVISIONS \(NEW\)](#). Filed Mar 6 2013, *A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR ENROLLMENT PRIORITY AND PROCEDURES FOR CERTAIN STUDENTS APPLYING TO CHARTER SCHOOLS AND TO MAKE CHANGES AS TO WHAT QUALIFIES AS A MATERIAL REVISION TO A CHARTER APPLICATION.*

House amendment makes the following changes to the 2nd edition.

Amends GS 115C-238.29F(g), providing that a charter school may give enrollment priority to siblings, defined to include, for this subdivision, half siblings, step siblings, and children residing in a family foster home (previously, didn't include foster children as siblings).

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

[GS 115C](#)

[View summary](#)

[Elementary and Secondary Education](#)

H 350 (2013-2014) [COURT IMPROVEM'T PROJECT JUV LAW CHANGES.-AB](#) Filed Mar 19 2013, *A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS CHANGES TO THE JUVENILE CODE PURSUANT TO REVISIONS PROPOSED BY THE COURT IMPROVEMENT PROJECT.*

Makes various changes to *Subchapter I. Abuse, Neglect, Dependency*, of the Juvenile Code (GS Chapter 7B).

Amends GS 7B-101 (*Definitions*), deleting the definitions for *community based program* and *shelter care* and adding a definition for *return home or reunification*. Modifies the definition for *custodian* to only apply the term to a person or agency that has been awarded legal custody of a juvenile by a court (was, also included a person other than the parents or legal guardian of the juvenile who had assumed the role of a parent without having been awarded legal custody of the juvenile by a court).

Makes clarifying changes to the definition for *dependent juvenile*.

Amends GS 7B-200(b) to declare that a court has jurisdiction over the parent, guardian, custodian, or caretaker (was, just parent or guardian) of a juvenile who has been adjudicated abused, neglected, or dependent provided that the parent, guardian,

custodian, or caretaker has (1) been properly served with a summons under GS 7B-406, (2) waived service of process, or (3) automatically become a party to the action under GS 7B-401.1(c) or (d).

Amends GS 7B-311(b)(2) to provide that prior to placing the name of a person identified as a responsible individual on the responsible individuals list maintained by the Department of Health and Human Services, one of the triggers is a court determining if a person is a responsible individual as a result of a hearing on the individual's petition for judicial review (was, determination could also be made based on a juvenile petition seeking a determination that the person is a responsible individual).

Amends GS 7B-320 to specify that the director of social services (director) must make a diligent effort to locate a person identified as a responsible individual before sending notice to the individual by certified mail, return receipt requested (was, certified mail, restricted delivery, return receipt requested). Deletes requirement that the notice must include directions on how to file and serve the petition for judicial review. Amends GS 7B-323 to provide that if the director cannot show that an individual has received actual notice, the director is prohibited from placing a person on the responsible individuals list until there is an ex parte hearing at which a district court judge determines that the director made diligent efforts to find the individual. Provides that a finding that the person is evading service is relevant to determining if the director has made diligent efforts to provide notice to the person.

Requires the clerk of court to schedule a hearing on judicial review actions within 45 days (was, 15) from the date that the petition for judicial review is filed at a session of district court hearing juvenile matters, or if there is no such session, at the next session of juvenile court.

Deletes provision in GS 7B-324 that makes a person who is a respondent in an abuse or neglect juvenile court proceeding arising from the same incident, and that proceeding results in an adjudication of abuse or neglect and a determination that the respondent is a responsible individual, ineligible to submit a petition for judicial review. Provides that if an individual seeking judicial review is named as a respondent in a juvenile case or a defendant in a criminal court case resulting from the same incident, the district court judge may stay the judicial review proceeding.

Amends GS 7B-400 to provide that removal of a juvenile from the juvenile's home under a protection plan is not a basis for a change in venue if it later becomes necessary to file a juvenile petition. Provides that a director in one county who conducts an assessment in another county because a conflict of interest exists may elect to file any resulting petition in either of those counties. Authorizes the court to grant a motion for a change of venue before adjudication for good cause. Provides that a pre-adjudication change of venue does not affect the identity of the petitioner and that any post-adjudication change of venue must be pursuant to GS 7B-900.1.

Amends GS 7B-401 to provide that in actions in which custody of the juvenile is granted to the parent, there are no periodic judicial reviews of the placement, and the court has retained jurisdiction over the juvenile, then Article 8 of Subchapter I of GS 7B applies to any subsequent reports of abuse, neglect, or dependency that the director determines to require court action under GS 7B-302.

Enacts new GS 7B-401.1 regarding parties in an abuse, neglect, or dependency action. Provides that only a county director of social services or the director's designee may file a petition alleging that a juvenile is abused, neglected, or dependent and remains a party until the court terminates its jurisdiction in the case. Provides that the juvenile's parent is a party unless (1) the parent's rights have been terminated; (2) the parent has given the child up for adoption, except the court may order the parent be a party; or (3) the parent has been convicted under GS 14-27.2 or GS 14-27.3 for an offense that resulted in the conception of the juvenile. Additionally, provides criteria for a guardian, custodian, or caretaker as a party in the case. Declares that the juvenile is a party. Provides basis for removal of a party by the court and rules regarding when intervention in the action is prohibited and when it is permissible.

Makes conforming and clarifying changes to GS 7B-402 regarding the petition. Deletes provisions providing that the petition alleging abuse or neglect may also seek a determination that a respondent is a responsible party and deletes provision that a person convicted of an offense under GS 14-27.2 or GS 14-27.3 that resulted in the conception of the juvenile does not need to be named in the petition.

Amends GS 7B-406 regarding the issuance of a summons in an action alleging that a juvenile is abused, neglected, or dependent. Deletes provision that does not require that a summons be issued to a person convicted of an offense under GS 14-27.2 or GS 14-27.3 that resulted in the conception of the juvenile. Adds that the summons must include information as to how

a parent may seek the appointment of counsel before a hearing if provisional counsel is not identified. Deletes requirement that notice of the inclusion of a respondent's name on the responsible individual list be included with the summons.

Amends GS 7B-407 regarding the service of summons to clarify that if service by publication is required, the cost of the service by publication is to be advanced by the petitioner and may be charged as court costs as the court directs. Deletes provision that allows holding parties, other than the juvenile, who fail to appear or fail to cause the juvenile to appear before the court without a reasonable cause, in contempt.

Amends GS 7B-505 to permit the court to place the juvenile in nonsecure custody with nonrelative kin if the court determines that such a placement is in the best interests of the juvenile. Defines nonrelative kin as a person who has a substantial relationship with the juvenile. Makes conforming changes to GS 7B-506.

Makes conforming changes to GS 7B-507(c) to reference GS 7B-906.1 as enacted by this act. Makes organizing, conforming, and clarifying changes to GS 7B-600.

Amends GS 7B-602 to provide that a parent who qualifies for an appointed attorney may be permitted to proceed without an attorney only after the court examines the parent and makes findings of fact sufficient to show that the parent's waiver is knowing and voluntary. Simplifies provision for the appointment of a guardian ad litem for a parent; specifies only that the parent be incompetent in accordance with GS 1A-1, Rule 17. Clarifies that the guardian ad litem cannot serve as the parent's attorney. Deletes provisions specifying the practices in which guardians ad litem appointed under this section may engage. Makes conforming changes to GS 7B-1101.1.

Enacts new GS 7B-800.1 to specify issues to be considered and addressed prior to the adjudication hearing. Permits combining the pre-adjudication hearing with a hearing on the need for nonsecure custody or any pretrial hearing conducted in accordance with local rules. Permits the parties to enter stipulations under GS 7B-807 or a consent order in accordance with GS 7B-801.

Amends GS 7B-803 to provide that resolution of a respondent's pending criminal charge that arises out of the same events as the juvenile petition cannot be the sole extraordinary circumstance to serve as a basis for granting a continuance.

Amends GS 7B-805 to delete a preponderance of the evidence as the standard of proof applicable to an action alleging that a respondent is a responsible individual who has abused or seriously neglected a juvenile. Makes a conforming change to GS 7B-807.

Provides that at the dispositional hearing, the court may consider any evidence including testimony or evidence from a person who is not a party if the court finds it to be relevant, reliable, and necessary to determine the needs of the juvenile and the most appropriate disposition.

Enacts a new section, GS 7B-905.1, to cover the issue of visitation when a court order removes custody of a juvenile from a parent, guardian, or custodian or makes a placement of the child outside of the home. Requires the order to provide for appropriate visitation as may be in the best interests of the juvenile, and provides that the court may also specify in the order conditions under which visitation may be suspended. Provides additional specifications regarding visitation that may be placed in the removal or placement order. Authorizes the director of social services, upon making a good faith determination that the visitation plan is inconsistent with the juvenile's health and safety, to temporarily suspend all or part of the visitation plan without filing a motion to show cause, but does require the director to expeditiously file a motion for review. Includes criteria when supervised visitation may apply and for filing a motion to review a visitation plan. Provides that the court may order the parents, guardian, or custodian to participate in custody mediation but prohibits custody mediation from allowing the participants to consent to a change in custody.

Repeals GS 7B-906 (*Review of custody order*) and GS 7B-907 (*Permanency Planning Hearing*) and makes an organizational change, enacting new GS 7B-906.1, which combines provisions for both review of custody orders and permanency planning hearings.

Details the timeline for conducting a review of custody orders and review hearings after the initial permanency planning hearing. Requires written findings from the court of its assessment per the review hearings. Specifies criteria regarding content, procedure, and relevant parties to the review hearings. Permits the court to waive holding the hearings required under this section or to order the review hearings to be held less frequently than every six months if the court makes specified findings that (1) the juvenile's placement has been for at least one year, (2) the placement is stable and continuation is in the juvenile's

best interest, (3) neither the juvenile's best interest nor the rights of any party necessitate review hearings every six months, (4) all parties have knowledge that that they may file a motion for review at any time to have the matter brought before the court, and (5) the court order has designated a suitable person as the permanent custodian or guardian. Prohibits the court from waiving or refusing to conduct a review hearing if a party files a motion seeking the review. However, provides that if a guardian has been appointed and the guardianship is the permanent plan for the juvenile, the court is to proceed in accordance with GS 7B-600(b).

Makes clarifying changes to GS 7B-908 providing that the person providing care for the juvenile is to aid in the post-termination of parental rights placement court review (was, the foster parent, relative, or pre-adoptive parent).

Amends GS 7B-909 to provide that within six months of accepting a relinquishment of a juvenile for adoption under Part 7 of GS Chapter 48, Article 3, a review of the department of social services plan for the juvenile must be scheduled for hearing at a court that hears juvenile matters, unless the juvenile has become the subject of a decree of adoption. Provides that notice to the court of the request for review may be done by a motion for review as well as a petition for review, providing that the court has jurisdiction over the juvenile. Makes additional clarifying changes.

Amends GS 7B-911 to direct the court to determine whether or not to terminate jurisdiction upon placing a juvenile in custody with a parent or other appropriate person under GS 50-13.1, 50-13.2, 50-13.5, and 50-13.7. Makes additional organizational and conforming changes to this section.

Amends GS 7B-1001 to require that both the notice of appeal and notice to preserve the right to appeal be given in writing. Requires that the notice of appeal be signed by both the appealing party and the counsel for the appealing party, if any. Makes conforming changes.

Amends GS 7B-1106 to provide for service of a copy of all pleadings and other papers required to be served on the respondent's attorney, if one has been appointed under GS 7B-602.

Amends GS 7B-1111(a)(5) to clarify the findings on which a court may base a determination to terminate the parental rights of a father of a juvenile born out of wedlock.

Amends GS 7B-1112.1 to provide that in the selection of adoptive parents, any current person providing placement for the child who wants to adopt the child be considered. Requires that foster parents be notified of the selection of adoptive parents within 10 days of the selection and before the adoption petition is filed. Also permits the foster parents who want to adopt the juvenile and were not selected as adoptive parents to file a motion within 10 days of the Department's notification and schedule the case for hearing on the next juvenile calendar.

Provides additional guidelines regarding the selection of adoptive parents and the rights of the foster parents.

Makes conforming changes to GS 7B-1114, GS 7B-1203(2), GS 7B-2503(1)c., and GS 7B-2506(1)c.

Effective October 1, 2013, and applies to proceedings filed on or after that date.

**Intro. by Jordan, C. Graham.**

[GS 7B](#)

[View summary](#)

[Abuse, Neglect and Dependency](#)

H 358 (2013-2014) [RETIREMENT TECHNICAL CORRECTIONS.-AB](#) Filed Mar 19 2013, *A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AND CONFORMING CHANGES TO THE STATUTES AFFECTING THE STATE RETIREMENT SYSTEMS.*

Amends GS 143-166.30(d), deleting the limit of how much a participant can contribute to the Supplemental Retirement Income Plan for State Law-Enforcement Officers (was, couldn't contribute more than 10% of compensation).

Amends GS 143-166.50(e), deleting the limit of how much a participant can contribute to the Supplemental Retirement Income Plan for Local Government Law-Enforcement Officers (was, couldn't contribute more than 10% of compensation).

Amends GS 128-26(a1), dealing with the credit allowed an individual who gave military service. Establishes that a member retiring on or after July 1, 1971, will be allowed credit for any period of qualifying service in the Armed Services, as defined

for purposes of reemployment rights under federal law, provided that, the returning member is in service, with the employer by whom the member was employed when the member entered military services, for a period of not less than 10 years after the member is separated or released from that military service under other than dishonorable conditions or the following are met:

- (1) The member did not, prior to leaving for military service, provide clear written notice of an intent not to return to work after military service.
- (2) The member was discharged from uniformed service and returned from the leave of absence for uniformed service to membership service in this system within the time limit mandated by federal law for reporting back to work.
- (3) The period of uniformed service, for which additional service credit is sought, has been verified by suitable documentation and is not eligible for receipt of benefits under any other retirement system or pension plan.
- (4) All service credit forfeited by a refund pursuant to the provisions of GS 128-27(f) has been purchased.

Limits the uniformed service credit allowed under this subsection to a maximum of five years unless specifically exempted by federal law. The salary or compensation of such an employee during qualifying military service will be considered to be that salary or compensation the employee would have received but for the period of service had the employee remained continuously employed. If the salary is not reasonably certain, the determination will be considered as an average rate of compensation during the 12-month period immediately preceding the period of service.

Amends GS 135-1(14), GS 128-21(14), GS 135-1, GS 128-21, GS 135-53(16), and GS 120-4.8, making technical, conforming, and clarifying changes.

Amends GS 135-5.1(b), providing that the Optional Retirement Program will be permitted to file individual election forms with the Retirement System using electronic transmission.

Amends GS 135-101(3), providing that the monthly disability benefit will not be prorated unless the death occurs during the final month of the approved benefit period. In such cases, the benefits will not exceed the last date of approval.

Amends GS 135-106(d), clarifying that an early service retirement allowance is effective with the first day of the month following the end of the short-term period.

Amends GS Chapter 135 by adding a new section, GS 135-111.1 (*Improper receipt of decedent's Disability Income Plan allowance*). Provides that a person is guilty of a Class 1 misdemeanor if the person, with intent to defraud, receives money by cashing, depositing, or receiving a direct deposit of a decedent's Disability Income Plan allowance and knows he or she is not entitled to those funds and receives the benefit of such funds two months after the date of the beneficiary's death and does not attempt to inform the System of the beneficiary's death.

Amends GS 135-118.11, 128-38.5, 135-75.2, and 120-4.34, making technical and clarifying changes. Establishes that the provisions apply to the death of a retiree or death of a beneficiary.

Amends GS 143-166.2(d), making technical changes. Establishes that the North Carolina Association of Rescue and Emergency Medical Services must file a roster meeting the specified requirements with the State Treasurer before January 31 of each year. DHHS is also required to furnish a list of ambulance service members to the State Treasurer on or about January 31.

Effective July 1, 2013.

**Intro. by Moffitt, Blust, Warren, Collins.**

**GS 120, GS 128, GS 135, GS 143**

[View summary](#)

**Employment and Retirement**

H 359 (2013-2014) **RETIREMENT ADMINISTRATIVE CHANGES ACT OF 2013**. Filed Mar 19 2013, *A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO ADMINISTRATION OF THE STATE RETIREMENT SYSTEMS THAT WILL EXTEND THE TRANSFER BENEFIT OPTION TO PARTICIPANTS IN THE 403(B) SUPPLEMENTAL RETIREMENT PLAN, CLARIFY THE TIMING OF THE SOCIAL SECURITY OFFSET FOR LONG-TERM DISABILITY BENEFITS, ESTABLISH A 415(M) BENEFITS PRESERVATION*

*ARRANGEMENT AS ALLOWED UNDER FEDERAL LAW, AND PROVIDE THAT DOMESTIC RELATIONS ORDERS DIVIDING INTERESTS UNDER THE RETIREMENT SYSTEM MUST BE SUBMITTED ON APPROVED FORMS, AND TO CORRECT AN OVERSIGHT IN THE DISABILITY INCOME PLAN, AND TO AMEND THE PROVISIONS FOR ALLOWANCE OF RETROACTIVE MEMBERSHIP SERVICE IN THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM AND THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM.*

Amends GS 135-5(m2), allowing members of the North Carolina Public School Teachers' and Professional Educators' Investment Plan at any time coincident with or following retirement to make a one-time election to transfer any portion of the member's eligible accumulated contributions, not including any Roth after-tax contributions or earnings to the Teachers' and State Employees' Retirement System and receive a special retirement allowance, based on the member's transferred balance (previously, the Teachers' and Professional Educators' Investment Plan was not included under these provisions). Makes conforming, clarifying, and technical changes.

Amends GS 135-106(b), making conforming and technical changes.

Amends GS 135, by creating a new Article, Article 7 (*Qualified Excess Benefit Arrangement for Certain Plans Administered by the Department of State Treasurer*).

Creates GS 135-150, (Definitions), adding the definitions for terms as they are to be applied to this section. Includes *Board of Trustees, Internal Revenue Code, payee, Qualified Excess Benefit Arrangement, and retirement systems*.

Creates GS 135-151 (*Qualified Excess Benefit Arrangement*) (QEBA). QEBA is established and is effective January 1, 2014, placed under the management of the Board of Trustees, to provide the part of a retirement allowance or benefit that would otherwise have been payable by a Retirement System except for limitations under section 415(b) of the Internal Revenue Code (IRC). QEBA is intended to constitute a qualified excess benefit arrangement under section 415(m) of the IRC.

**Eligibility to participate in the QEBA.** Payees will participate in the QEBA effective as of January 1, 2014, for any calendar year during which he or she receives retirement allowance or benefit from one or more retirement systems that is reduced due to the application of the maximum benefit provision of section 415(b) of the IRC.

**Supplemental benefit payable under the QEBA.** Effective January 1, 2014, a payee will receive a monthly supplemental benefit equal to the difference between the amount of that payee's monthly retirement paid under the applicable system on or after January 1, 2014, and the amount that would have been payable if not for the reduction due to the application of section 415(b) of the IRC. The supplemental benefit will be computed and payable under the same terms, at the the same time, and to the same person as the related benefit payable under the applicable retirement system. Supplemental payments cannot be deferred.

**Funding of the QEBA.** The QEBA will be unfunded within the meaning of the federal tax law. No payee contributions or deferrals can be made or allowed. The Board of Trustees, upon recommendation of the actuary engaged by the Board, will determine the employer contributions required to pay benefits due under the QEBA for each fiscal year. Required contributions will be paid by each employer with respect to which payee's benefit under QEBA is attributable. The required contributions will be deposited in a separate fund. The benefit liability of the QEBA will be determined each fiscal year and assets will not be accumulated to pay benefits in future fiscal years.

**Treatment of unused assets.** Assets of the QEBA plan not used to pay benefits in the current fiscal year will be used for payment of the administrative expenses of the QEBA for the current or future fiscal years or will be paid to the appropriate Retirement System as an additional employer contribution.

**Assets subject to claims of creditor.** A payee or payee's beneficiary or heirs have no right and no property interest in any assets held to support the liabilities under this Article. If any right to acquire and receive benefits under the QEBA exists, the right will be no greater than the right of any unsecured general creditor of the state of North Carolina or such other applicable employers.

**Administration.** The QEBA will be administered by the Board of Trustees. They will compile and maintain all records necessary for administration. They will have full discretionary authority to interpret, construe, and implement the QEBA and to adopt any rules or regulations necessary to implement the provisions of this section.

**No assignment.** Except as provided in other provisions or statutes, or court-ordered equitable distribution, supplemental benefits under this article will be exempt from levy and sale, garnishment, attachment, or any other process and will be

unassignable, unless provided otherwise.

**Reservation of power to change.** The General Assembly reserves the right to modify or amend the provisions of the QEBA. No member of the Retirement System covered by this Article and no beneficiary of such a member will be deemed to have acquired any vested right to any supplemental payment under this Article.

Effective January 1, 2014

**Intro. by Moffitt.**

GS 135

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**Employment and Retirement**

H 363 (2013-2014) [HONOR FOUNDERS/SPRINGFIELD'S 150TH](#). Filed Mar 20 2013, *A HOUSE RESOLUTION HONORING THE FOUNDERS OF SPRINGFIELD MEMORIAL BAPTIST CHURCH, WHILE OBSERVING THE CHURCH'S ONE HUNDRED FIFTIETH ANNIVERSARY.*

As title indicates.

**Intro. by Torbett.**

HOUSE RES

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H 364 (2013-2014) [TREAS.DEBT ISSUANCE ACCOUNTABILITY/PED STDY \(NEW\)](#). Filed Mar 20 2013, *A BILL TO BE ENTITLED AN ACT TO DIRECT THE PROGRAM EVALUATION DIVISION TO STUDY THE ABILITY OF STATE AGENCIES OR STATE ENTITIES TO ENTER INTO DEBT OR DEBT-LIKE ARRANGEMENTS OUTSIDE OF THE PURVIEW OF THE GENERAL ASSEMBLY.*

Amends GS Chapter 142, creating new GS 142-15.15 (*Findings*), which elaborates on the many situations in which the state or state agencies enter into financing agreements of many kinds which essentially constitute state-supported financing arrangements, but without the kinds of reviews established for similar financing arrangements. Due to these concerns, the General Assembly seeks to properly review and authorize these transactions.

Enacts new GS 142-15.16 (*Definitions*), providing the terms and descriptions that are to be used in this section, including *financing arrangement, state entity, and state-supported financing arrangement.*

Enacts new GS 142-15.17 (*No State-supported financing of certain assets without approval of the General Assembly*), providing that no state entity will enter into a state-supported financing arrangement regarding the acquisition of a capital asset having a \$5 million or more value, unless the General Assembly has expressly approved the acquisition and the state-supported financing arrangement. Approval can be by way of act that refers to the specific or type of asset or the project.

**Intro. by McGrady, Moffitt, R. Brown, Murry.**

GS 142

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**State Government, State Agencies**

H 366 (2013-2014) [NC FARM ACT OF 2014 \(NEW\)](#). Filed Mar 20 2013, *A BILL TO BE ENTITLED AN ACT TO (1) MAINTAIN THE CONFIDENTIALITY OF ENVIRONMENTAL INVESTIGATIONS FOR AGRICULTURAL OPERATIONS AND DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO ADOPT RULES FOR A FORMAL COMPLAINT PROCEDURE; (2) CLARIFY THE AUTHORITY OF LOCAL GOVERNMENTS TO ADOPT ORDINANCES RELATED TO FERTILIZER; (3) REWRITE*

THE LANDSCAPE CONTRACTOR LICENSING STATUTES; (4) STUDY THE STATE'S PARTICIPATION IN THE COMMERCIAL VEHICLE SAFETY ALLIANCE NORTH AMERICAN STANDARD INSPECTION PROGRAM; (5) CLARIFY THE MEANING OF THE TERMS "PLANTING AND HARVESTING SEASON" AND "PLANTING AND HARVESTING PERIOD" FOR PURPOSES OF APPLYING FEDERAL LAWS OR REGULATIONS RELATING TO HOURS OF SERVICE RULES FOR CERTAIN DRIVERS TRANSPORTING AGRICULTURAL PRODUCTS; (6) AMEND THE CHAIRMANSHIP OF THE AGRICULTURE AND FORESTRY AWARENESS STUDY COMMISSION; (7) ALLOW THE COMMISSIONER OF AGRICULTURE TO APPOINT LAW ENFORCEMENT OFFICERS TO CARRY OUT THE LAW ENFORCEMENT RESPONSIBILITIES OF THE DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES; (8) AMEND THE HORSE INDUSTRY PROMOTION ACT; (9) ALLOW THE USE OF PESTICIDES TO CONTROL MOLES; (10) CLASSIFY TRESPASSING ON AN AGRICULTURAL FACILITY AS A FIRST DEGREE TRESPASS; (11) REQUIRE WRITTEN CONSENT TO OPERATE AN ALL-TERRAIN VEHICLE ON PROPERTY OWNED BY ANOTHER; (12) ALLOW DRAINAGE DISTRICTS TO MAINTAIN DITCHES IN BUFFER ZONES; (13) CLARIFY PERIODIC INSPECTIONS AUTHORITY OF THE NORTH CAROLINA HOUSING FINANCE AGENCY; (14) PERMIT SECURITY GRILLES AT ALL EXITS OF A BUILDING SUBJECT TO CERTAIN CONDITIONS; (15) DESIGNATE THE "GOT TO BE NC" MARKETING CAMPAIGN AS THE OFFICIAL AGRICULTURAL MARKETING CAMPAIGN FOR THE STATE; (16) ALLOW CERTIFICATION OF PRIVATE PESTICIDE APPLICATORS; AND (17) EXEMPT STATE FAIR ADMISSION FEES FROM RULE MAKING.

Amends GS 1-339.17(c1) and GS 20-81.12(b35) making technical changes, replacing "Division of Forest Resources" with "North Carolina Forest Service," conforming to the renaming of the NC Forest Service.

Amends GS 77-13 and GS 77-14, making technical changes, replacing "Department of Environment and Natural Resources" with "Department of Agriculture and Consumer Services."

Amends GS 97-2 (*Definitions*), GS 105-259(b)(41), GS 105-277.7(a)(2), GS 105-296(j), and GS 106-202.14(b)(3), making technical changes, replacing "Division of Forest Resources" with "North Carolina Forest Service."

Amends GS 106-860(d)(11), making technical changes, replacing "Director of Forest Resources" with "Assistant Commissioner of the North Carolina Forest Service."

Amends GS 106-878, 106-887(a), and 106-903, making technical changes, replacing "Division of Forest Resources" with "North Carolina Forest Service."

Amends GS 106-955 (*Definitions*), replacing "Division of Forest Resources" with "North Carolina Forest Service" and making other technical changes. Provides that the term *fire fighter* also now includes engaging in emergency response duties pursuant to GS 166A-19.77.

Amends GS 106-956, changing the title from *Standby duty* to *On-call*. Provides that on-call duty is when a firefighter is required to be available to return to the duty station or respond to an emergency within 30 minutes. Firefighters on call will receive an electronic communication device. After 14 consecutive days on duty, the fire fighter will be off duty for two days. On the days the firefighter is off duty, he or she can only be contacted in times of emergency.

Amends GS 106-966(1), GS 106-968, GS 106-969, making technical changes, replacing "Division of Forest Resources" with "North Carolina Forest Service."

Amends GS 113-291.10(a)(3), making technical changes, replacing "Director" with "Assistant Commissioner."

Amends GS 143-116.8 (*Motor vehicle laws applicable to State parks and forests road system*), making technical changes, adding Department of Agriculture and Consumer Services to those administering land in the state parks and forests.

Provides that it is illegal to operate a vehicle in the State forest system at a speed above 25 mph. This speed limit is subject to change depending on the conditions. No speed limit is effective until posted.

Provides that the Commissioner of Agriculture (Commissioner) has authority to place vehicle control signs and signals in the state forest road system, or any other signs as seems appropriate. Failure to obey any of these signs is an infraction and can be punished as provided in GS 20-176.

Provides that the Commissioner may, through rules and regulations, establish parking areas and can remove illegally parked vehicles.

Amends GS 143-166.2(d), GS 143-166.7, and GS 143-214.25A(a), making technical changes.

Amends GS 143A-65.1, changing section title to *North Carolina Forest Service*.

Effective July 1, 2013.

**Intro. by Langdon, Dixon.**

[GS 105](#), [GS 106](#), [GS 113](#), [GS 143](#), [GS 143A](#)

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**Transportation, Environment**

H 367 (2013-2014) [TITLE TO UNCLAIMED COLLECTIONS.-AB](#) Filed Mar 20 2013, *A BILL TO BE ENTITLED AN ACT TO ALLOW THE DEPARTMENT OF CULTURAL RESOURCES, OFFICE OF ARCHIVES AND HISTORY, TO USE THE NET PROCEEDS OF THE SALE OF ARTIFACTS FOR MAINTENANCE OR CONSERVATION OF OTHER ARTIFACTS AND TO CLARIFY THE PROCESS FOR TRANSFERRING TITLE OF UNCLAIMED OR UNDOCUMENTED PROPERTY LOANED TO MUSEUMS AND HISTORICAL REPOSITORIES TO THOSE MUSEUMS AND HISTORICAL REPOSITORIES.*

Amends GS 121-7 (*Historical museums*), to allow the proceeds of an artifact sale to also be used for the maintenance or conservation of other artifacts in addition to the purchase of artifacts.

Deletes GS 121-7(c) and (d), concerning title of an artifact whose owner is unknown or cannot be found and filing a claim of title.

Creates a new Article in GS 121, Article 5 (*Museum and Archives Repository Property*).

Creates new Article 5 in GS Chapter 121. Creates new GS 121-50 (*Legislative findings and declaration*), providing that the constant management of loaned and titled property is a hindrance to the operation of museums and archives. Purpose of new article is to terminate stale claims and fairly and reasonably allocate the determination of title and financial responsibility.

Creates new GS 121-51 (*Definitions*), providing the terms and definitions to be used in this article, including *address, archives repository, loan, museum, property, and valid claim*.

Creates new GS 121-52 (*Acquisition of title to loaned property*), providing that loaned property where the term has expired and at least seven years have passed without written or other contact or the term of the loan did not have an expiration date but at least seven years have passed without contact, the museum or archive may acquire title.

Provides the process by which the museum or archive may acquire title under this section after seven years of no contact.

Creates new GS 121-53 (*Responsibilities of owners of loaned property; representation of ownership; disputed ownership*), providing that it is the responsibility of the owner of loaned property to notify the museum or archives of the owner's identity and current address.

Also requires all claimed owners to present evidence of ownership to the museum or archives after all changes in ownership, whether by sale, gift, devise, operation of law, or any other means.

A museum or archive is not liable for actions taken in reasonable reliance on the representation of the person who first transfers an item to the museum or archive that he or she is the true owner.

Where cases of disputed ownership arise, a museum or archive may retain possession of loaned property and not be held liable until it relies on a court order or judgment to release the property.

Creates new GS 121-54 (*Museum or archives repository's lien for expenses*), providing that when the lender of loaned property is known, a museum or archive may charge expenses relating to the reasonable care of the loaned property.

If the lender of loaned property is not known, a lien against the value of the property can be placed for reasonable expenses to protect the property.

Creates new GS 121-55 (*Acquisition of undocumented property*), providing that when a museum or archive is in possession of property and it does not know who the owner is and no one had claimed it within seven years, after the museum or archive follows the notification policy in subsection (b) of the Article, it is free and clear from all claims. However, if a museum or archive wishes to do this they still must provide public notice in the manner described in GS 121-52.

**Intro. by Brody, Conrad, Torbett, T. Moore.**

GS 121

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**Cultural Resources and Museums**

H 368 (2013-2014) **BD. OF AGRICULTURE FORESTRY/NURSERY APPTS.-AB** Filed Mar 20 2013, *A BILL TO BE ENTITLED AN ACT TO PROVIDE REPRESENTATION OF FORESTRY AND NURSERY INTERESTS ON THE BOARD OF AGRICULTURE.*

Amends GS 106-2, concerning the Board of Agriculture (Board), to add to the Board's membership (1) one member actively involved in forestry and (2) one member actively involved in the nursery business. Makes a technical change. Applies to appointments made to the Board on or after July 1, 2013.

**Intro. by Langdon, Dixon.**

GS 106

[View summary](#)

**Agriculture**

H 369 (2013-2014) **CRIMINAL LAW CHANGES.** Filed Mar 20 2013, *A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO VARIOUS CRIMINAL LAWS AND TO CLARIFY TO WHICH LOCAL GOVERNMENT CONTRACTS E-VERIFY APPLIES.*

Amends GS 106-277.24 to increase the cap on the fine for a violation of the seed law from \$500 to \$10,000. Requires that the court consider the retail value of the seed when determining the fine amount and requires the payment of restitution for losses occurred when the case involves the unlawful sale of a protected seed. Allows the court to order the suspension of a violator's seed license for up to three years. Provides that violators have the ordinary right of appeal from judgments of the district and superior courts. Applies to offenses committed on or after December 1, 2013.

**Intro. by Waddell, Brody, Langdon, Dixon.**

GS 106

[View summary](#)

**Agriculture**

H 370 (2013-2014) **SHORTEN REVIEW PERIOD/STATE PROPERTY SALES.-AB** Filed Mar 20 2013, *A BILL TO BE ENTITLED AN ACT TO SHORTEN THE REVIEW PERIOD FOR POTENTIAL DISPOSITIONS OF STATE-OWNED REAL PROPERTY.*

Amends GS 146-28 to require the Department of Administration (Department) to investigate a proposed transaction within 60 days (was, promptly investigate) of receiving an application for the sale, lease, or rental of any land owned by the state or a state agency. Requires the Department to determine whether or not it is in the state's best interest to sell, lease, or rent out the land. Amends GS 146-29 to require the Department to proceed with the sale, lease, or rental within 30 days after determining that it is in the state's best interest. Effective October 1, 2013.

**Intro. by G. Graham, Brody.**

GS 146

[View summary](#)

**State Property**

H 371 (2013-2014) **CHIROPRACTIC ASSISTANT CERTIFICATION/FEE.-AB** Filed Mar 20 2013, *A BILL TO BE ENTITLED AN ACT AUTHORIZING THE STATE BOARD OF CHIROPRACTIC EXAMINERS TO ESTABLISH AND ENFORCE EDUCATIONAL*

*STANDARDS FOR CHIROPRACTIC CLINICAL ASSISTANTS.*

Enacts new GS 90-143.4 requiring a person employed as a chiropractic clinical assistant (defined in the new act) to obtain a certificate of competency from the State Board of Chiropractic Examiners (Board) within 120 days after beginning employment. Does not require certification for employees with duties limited to administrative activities of a nonclinical nature. Makes it unlawful to practice unless certified. Requires applicants for certification to be at least 18, a high school graduate or equivalent, of good moral character, and able to demonstrate proficiency in the five listed areas. Provides for certification of applicants already certified or registered in another state. Certificates expire at the end of the calendar year unless renewed in a manner established by the Board. Sets a cap on the certification or renewal fee at \$50. Effective July 1, 2014.

**Intro. by Bryan, Conrad.**

[GS 90](#)

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[Health Care Facilities and Providers](#)

H 372 (2013-2014) [EXECUTIVE MANSION/SALE OF EXCESS PROPERTY.-AB](#) Filed Mar 20 2013, *A BILL TO BE ENTITLED AN ACT TO ALLOW ALL PROCEEDS FROM THE SALE OF PROPERTY HELD IN THE EXECUTIVE MANSION TO BE DEPOSITED IN THE EXECUTIVE MANSION SPECIAL FUND IN KEEPING WITH MUSEUM STANDARDS, AS PROMULGATED BY AMERICAN ALLIANCE OF MUSEUMS, THE MAJOR INSTITUTIONAL ACCREDITATION AGENCY FOR MUSEUMS.*

Amends GS 143B-79 (*Executive Mansion Fine Arts Committee--creation, powers and duties*), to provide that if any property is sold from the Executive Mansion, the net proceeds of the sale will be deposited in the State Treasury to the credit of the Executive Mansion, Special Fund (previously, depending on how the property was acquired, proceeds could have gone to the General Fund and/or the Executive Mansion Fund).

**Intro. by D. Ross, Brody.**

[GS 143B](#)

[View summary](#)

[State Property](#)

H 373 (2013-2014) [EXTEND STATE HOLD HARMLESS SALES TAX FUNDS.](#) Filed Mar 20 2013, *A BILL TO BE ENTITLED AN ACT TO EXTEND FOR TWO YEARS THE LOCAL GOVERNMENT HOLD HARMLESS FOR REPEALED REIMBURSEMENTS.*

Amends GS 105-521, as the title indicates.

**Intro. by Wilkins, Warren, Blackwell, Waddell.**

[GS 105](#)

[View summary](#)

[Tax](#)

H 374 (2013-2014) [RESCIND CONSTITUTIONAL CONVENTION CALLS.](#) Filed Mar 20 2013, *A JOINT RESOLUTION (I) RESCINDING ALL EXTANT APPLICATIONS BY THE GENERAL ASSEMBLY HERETOFORE MADE DURING ANY SESSION THEREOF TO THE CONGRESS OF THE UNITED STATES OF AMERICA TO CALL A CONVENTION PURSUANT TO THE TERMS OF ARTICLE V OF THE UNITED STATES CONSTITUTION FOR PROPOSING ONE OR MORE AMENDMENTS TO THAT CONSTITUTION, (II) URGING THE LEGISLATURES OF OTHER STATES TO DO THE SAME, AND (III) DIRECTING THAT COPIES OF THIS RESOLUTION BE SENT TO SPECIFIED PERSONS.*

The General Assembly rescinds all applications to Congress of the United States to call a constitutional convention.

The General Assembly urges the legislatures of every state that has applied to Congress to call a convention for either a general or a limited constitutional convention to repeal and withdraw the applications.

The North Carolina Secretary of State will send a certified copy of this resolution to the secretary of each state, to the presiding officers of both houses of the legislatures of each state, to the Secretary of the U.S. Senate, to the Clerk of the U.S. House of

Representatives, to the members of Congress representing this state, and to the Administrator of the U.S. General Services Administration.

**Intro. by Jordan, Elmore, Glazier, Schaffer.**

[JOINT RES](#)

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[Constitution](#)

H 376 (2013-2014) [ESTABLISH A+ SCHOOLS SPECIAL FUND.-AB](#) Filed Mar 20 2013, *A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE A+ SCHOOLS SPECIAL FUND IN THE DEPARTMENT OF CULTURAL RESOURCES, THE NORTH CAROLINA ARTS COUNCIL.*

Amends GS 143B, creating a new section, GS 143B-87.2 (*A+ Schools Special Fund*). Provides for the creation of the A+ Schools Special Fund, a special interest-bearing revenue fund in the Department of Cultural Resources (Department), North Carolina Arts Council (Council). The fund consists of all receipts derived from private donations, grant funds, and earned revenue. The revenue in the fund may only be used for contracted services, conferences, meetings, travel, staff expenses, as well as other administrative costs. The staff of the Council and the Department will decide how to use the funds for the purposes of the A+ Schools program.

Applies to the A+ Schools program transferred to the Council in SL 2010-31.

Requires the Department to submit a report to the Joint Legislative Commission on Governmental Operations, the House of Representatives Appropriations Subcommittee on General Government, the Senate Appropriations Committee on General Government and Information Technology, and the Fiscal Research Division by Septemeber 30 of each year. The report will include the source and amount of all funds and how those funds were used during the prior fiscal year.

Effective July 1, 2013.

**Intro. by Foushee, Brody.**

[GS 143B](#)

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[Education, Cultural Resources and Museums](#)

H 377 (2013-2014) [EXEMPT DCR FEE CHANGES/CHAPTER 150B.-AB](#) Filed Mar 20 2013, *A BILL TO BE ENTITLED AN ACT TO EXEMPT THE DEPARTMENT OF CULTURAL RESOURCES AND THE TRYON PALACE COMMISSION FROM CERTAIN RULE-MAKING REQUIREMENTS WHEN CHANGING ADMISSION AND ACTIVITY FEES AT STATE HISTORIC SITES, MUSEUMS, AND TRYON PALACE HISTORIC SITES AND GARDENS.*

Amends GS 121-7.3 to permitthe Department of Cultural Resources (Department)to charge a reasonable admission fee to any historic site as well as to any museum administered by the Department. Provides that the collected fees, which areto be deposited in a nonreverting account under current law,must be used to support the operation of each historic site as well as each museum.

Amends GS 121-7.3 and GS 143B-71 to exempt the Department and the Tryon Palace Commission (Commission) from the rule-making requirements of Article 2A, GS Chapter 150B, regarding changing admission fees or related activity fees at historic sites, museums, and Tryon Palace Historic Sites and Gardens. Requires the Commission and the Department toprovide a report to the Joint Legislative Commission on Governmental Operations indicating the amount and purpose of a fee change within 30 days of the date that the fee change is effective.

**Intro. by Speciale, G. Graham, Brody.**

[GS 121, GS 143B](#)

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[Cultural Resources and Museums](#)

H 378 (2013-2014) [STUDY OVERSIGHT OF MPOS](#). Filed Mar 20 2013, *A BILL TO BE ENTITLED AN ACT TO STUDY THE OVERSIGHT OF METROPOLITAN PLANNING ORGANIZATIONS AND RURAL TRANSPORTATION PLANNING ORGANIZATIONS AND THEIR ROLE IN TRANSPORTATION PLANNING.*

Creates the 10-member Study Committee on Metropolitan Planning Organizations to study the organization, structure, and oversight of metropolitan planning organizations, the role they play in transportation planning, and how to better match their role in planning while maintaining compliance with federal transportation requirements. Allows an interim report to the 2013 Regular Session of the General Assembly when it reconvenes in 2014 and provides that the committee terminates upon the earlier of the filing of the final report or the convening of the 2015 Regular Session of the General Assembly.

**Intro. by Floyd, Lucas, Hanes, C. Graham.**

[STUDY](#)

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[Transportation, Land Use, Planning and Zoning, General Assembly](#)

H 379 (2013-2014) [AMEND VETERINARY PRACTICE ACT/FEEES](#). Filed Mar 20 2013, *A BILL TO BE ENTITLED AN ACT AUTHORIZING THE NORTH CAROLINA VETERINARY MEDICAL BOARD TO AMEND THE BOARD'S LAWS PERTAINING TO LICENSURE FEES AND LICENSE REINSTATEMENT.*

Enacts new GS 106-421.21 giving the Board of Agriculture the sole authority to prohibit the planting, cultivation, harvesting, disposal, handling, or movement of plants. Provides that the statute does not prevent designating plants as noxious aquatic weeds or adopting or enforcing ordinances regulating property appearance or the handling or collection of solid waste.

**Intro. by Langdon.**

[GS 106](#)

[View summary](#)

[Agriculture](#)

H 380 (2013-2014) [DEFINE CERTIFIED REGISTERED NURSE ANESTHETIST](#). Filed Mar 20 2013, *A BILL TO BE ENTITLED AN ACT TO PROVIDE A DEFINITION FOR CERTIFIED REGISTERED NURSE ANESTHETISTS UNDER THE NURSING PRACTICE ACT.*

Identical to [S 179](#), filed 3/5/13.

Amends GS 90-171.20 to add the term *certified registered nurse anesthetist*, defined as a registered nurse who (1) completes a program accredited by the Council on Accreditation of Nurse Anesthesia Educational Programs, (2) is credentialed as a certified registered nurse anesthetist by the Council on Certification of Nurse Anesthetists, (3) maintains recertification through the Council on Recertification of Nurse Anesthetists, and (4) performs nurse anesthesia activities in collaboration with a health care provider.

**Intro. by Collins.**

[GS 90](#)

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[Health Care Facilities and Providers](#)

H 381 (2013-2014) [RETIREMENT FISCAL INTEGRITY ACT OF 2013.-AB](#) Filed Mar 20 2013, *A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE FISCAL INTEGRITY OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, AND THE CONSOLIDATED JUDICIAL RETIREMENT SYSTEM, TO*

*DIRECT THE DEPARTMENT OF STATE TREASURER TO PROPOSE A TEACHERS' AND STATE EMPLOYEES' OPTIONAL RETIREMENT SYSTEM, AND TO APPROPRIATE FUNDS FOR THAT SYSTEM.*

To be summarized 3/21/13.

**Intro. by Collins.**

[APPROP, GS 128, GS 135, GS 143](#)

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[Budget/Appropriations, Employment and Retirement,  
Department of State Treasurer](#)

H 382 (2013-2014) [PYROTECHNICS/UNC SCHOOL OF ARTS EXCEPTION](#). Filed Mar 20 2013, *A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CERTAIN PROHIBITIONS AND REQUIREMENTS REGARDING PYROTECHNICS DO NOT APPLY TO THEATRICAL PERFORMANCES, FILM PRODUCTIONS, AND OTHER THEATRICAL PRESENTATIONS PRODUCED, PRESENTED, OR SPONSORED BY THE UNIVERSITY OF NORTH CAROLINA SCHOOL OF THE ARTS THAT ARE PRESENTED ON PROPERTY OWNED OR LEASED BY THE UNIVERSITY OF NORTH CAROLINA SCHOOL OF THE ARTS.*

Amends GS 14-410, GS 14-413, and GS 58-82A-2 as the title indicates.

**Intro. by Hanes, Conrad, Terry, Lambeth.**

[GS 14, GS 58](#)

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[Insurance, Criminal Law and Procedure, Higher Education,  
Cultural Resources and Museums](#)

H 383 (2013-2014) [AMEND GRAIN DEALER LICENSING LAWS.-AB](#) Filed Mar 20 2013, *A BILL TO BE ENTITLED AN ACT TO AMEND THE GRAIN DEALER LICENSING ACT TO INCREASE THE BONDING AMOUNT THAT MUST ACCOMPANY LICENSE APPLICATIONS AND TO SPECIFY ADDITIONAL GROUNDS FOR LICENSE REFUSAL OR REVOCATION.*

Amends GS 106-604 to increase the amount of the bond that must accompany a grain dealer license application from \$10,000 to \$100,000. Amends GS 106-610 to expand the reasons for refusing to grant or renew or for revoking or suspending a grain dealer license to include evidence that (1) the applicant has acted or held him- or herself out as a grain dealer without first having obtained a license or (2) the dealer or applicant has violated any provision of Article 53 (grain dealers) or rules adopted under the Article. Amends GS 106-611 to prohibit a person whose actions lead to the suspension or revocation of a grain dealer's license from working for a grain dealer in any capacity that involves buying or selling grain or handling payments for grain.

**Intro. by J. Bell, Langdon, Dixon.**

[GS 106](#)

[View summary](#)

[Occupational Licensing](#)

H 384 (2013-2014) [AMEND DEFINITIONS/PROPERTY CLASSIF./EQU. DIST.](#) Filed Mar 20 2013, *A BILL TO BE ENTITLED AN ACT AMENDING THE DEFINITION OF MARITAL PROPERTY TO PROVIDE THAT ENTIRETIES PROPERTY IS SUBJECT TO THE SAME BURDEN OF PROOF IN REBUTTING THE PRESUMPTION AS ALL PROPERTY CLASSIFIED AS MARITAL PROPERTY AND AMENDING THE DEFINITION OF DIVISIBLE PROPERTY TO CLARIFY THAT INCREASES AND DECREASES IN MARITAL DEBT MEANS PASSIVE INCREASES AND PASSIVE DECREASES IN MARITAL DEBT UNDER THE LAWS PERTAINING TO EQUITABLE DISTRIBUTION.*

Amends the definition of marital property(GS 50-20(b)) to provide that it is a presumption, rebuttable by the greater weight of the evidence,that all real property creating a tenancy by the entirety, and acquired after the date of marriage and before the date the couple separates, is marital property. Also amends the definition of divisible property to clarify that thetermmeanspassive

increases and passive decreases in marital debt and financing charges and interest related to marital debt under equitable distribution laws.

**Intro. by Davis, Stevens.**

GS 50

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[Civil Law, Family Law, Property and Housing](#)

H 385 (2013-2014) [YOUTH ACCOUNTABILITY TASK FORCE](#). Filed Mar 20 2013, *A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE YOUTH ACCOUNTABILITY PLANNING TASK FORCE IN THE DIVISION OF JUVENILE JUSTICE OF THE DEPARTMENT OF PUBLIC SAFETY AND TO APPROPRIATE FUNDS FOR A PILOT TRANSITIONAL HOUSING PROGRAM.*

Establishes the 21-member Youth Accountability Planning Task Force (Task Force) within the Division of Juvenile Justice and specifies eight issues to be studied by the Task Force, including the adequacy of transitional housing for delinquent juveniles exiting youth development centers, feasibility of providing transitional housing for juveniles exiting youth development centers with children transitioning from foster care to independent housing, and the adequacy of dispositional options available to Juvenile Court for status offenders. Requires a final report to the 2013 General Assembly when it reconvenes in 2014, at which time the Task Force terminates. Allows the Task Force to apply for grants of non-state funds to assist in performing its duties and allows the Division of Juvenile Justice to use appropriated funds to carry out the study and devise the implementation plan. Provides for the Task Force's membership, including ex officio members, staffing, and cooperation by government agencies.

Appropriates \$650,000 for 2013-14 and \$650,000 for 2014-15 to the Division of Juvenile Justice to implement a pilot program for transitional housing for juveniles exiting youth development centers.

Effective July 1, 2013.

**Intro. by Stevens.**

APPROP, STUDY

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[Budget/Appropriations, Juvenile Law, Department of Public Safety](#)

H 386 (2013-2014) [EVIDENCE & DNA EXPUNCTION LAWS.-AB](#) Filed Mar 20 2013, *A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS REGARDING DISPOSITION OF BLOOD EVIDENCE, ADMISSIBILITY OF REPORTS AFTER NOTICE AND DEMAND, AND EXPUNCTION OF DNA SAMPLES TAKEN UPON ARREST.*

Amends GS 20-139.1 to provide that an agency that conducts a chemical analysis of blood or urine samples for the presence of alcohol, a controlled substance or its metabolite, or any impairing substance may destroy the samples 12 months after the agency issues its report on all the examinations conducted without further notice to the parties. Also provides that if either party files a motion to preserve the evidence then the evidence must remain in the custody of the analyzing agency or the agency that collected the sample until a court of competent jurisdiction enters an order regarding the disposition of the evidence.

Amends GS 8-58.20(f), 8-58.20(g)(5), 20-139.1(c1), 20-139.1(c3), 20-139.1(e1), 90-95(g), and 90-95(g1) to provide for the admissibility of reports and other evidence after notice and demand if the defendant's attorney of record, or if there is no attorney, the defendant, fails to file a written objection to the admissibility of the evidence, reports, samples, statement, or testimony.

Amends GS 15A-266.3A(k) to require the SBI to act within 90 days (was, 30) of receipt of the verification form to mail notice acting on a defendant's request for expunction of a DNA record and destruction of DNA and to provide notice to the defendant of the disposition of the request for expunction.

Effective December 1, 2013, and all provisions of this act, except the amendments to GS 20-139.1 and GS 15A-266.3A(k), apply to proceedings that occur on or after December 1, 2013.

**Intro. by Stevens.**[GS 8, GS 15A, GS 20, GS 90](#)[View summary](#)**Evidence**

H 387 (2013-2014) [AMEND CERTAIN CRIMINAL PROVISIONS.-AB](#) Filed Mar 20 2013, *A BILL TO BE ENTITLED AN ACT TO AMEND VARIOUS CRIMINAL LAWS REGARDING CONCEALED HANDGUN PERMITS, EXPUNCTIONS, DISPOSITION OF FIREARMS, CRIME VICTIMS RIGHTS, AND OFFENSES THAT MAY BE WAIVED.*

Amends GS 14-415.14(a) to require that the permit application for a concealed handgun permit be on a form prescribed by the State Bureau of Investigation (SBI) (was, Administrative Office of the Courts). Makes conforming changes to GS 14-415.17.

Amends GS 15A-150 to require that a clerk of superior court also send a copy of an order granting an expunction to the SBI. Makes a conforming change deleting the requirement that the arresting agency forward a copy of an expunction order to the SBI. Applies to petitions filed on or after December 1, 2013.

Repeals Section 2.5 of SL 1965-954, excluding specified counties from the scope of the provision for the disposition of confiscated deadly weapons.

Amends GS 15A-830(a)(7), to include in the definition of victim a person against whom there is probable cause to believe that a Class H felony in violation of 14-34.6(b) (assault or affray on a firefighter, an emergency medical technician, medical responder, and emergency department personnel) was committed. Applies to offenses committed on or after December 1, 2013. Amends GS 15A-830(a)(7), to include in the definition of victim a person against whom there is probable cause to believe that a Class I felony that is in violation of GS 14-34.6(b) was committed, for offenses committed prior to December 1, 2011.

Amends GS 7A-273(2), adding open burning offenses under GS 105 to the infractions and offenses Magistrates have authority over. Effective July 1, 2011.

Amends GS 15A-145.4(c), making technical changes. Amends GS 15A-145.4(e)(1), a requirement to be found before a person can be restored, by deleting the requirement that the petitioner has remained of good moral character for four years since the date of conviction, active sentence, probation or post release supervision, replacing it with a requirement that the petitioner has remained of good moral character and free of conviction since the date of conviction of the nonviolent felony in question. Makes technical changes. Sets new requirements for expunction to include, that the petition was filed no earlier than 15 years after the date of the conviction or the completion of any active sentence, period of probation, and post-release supervision imposed for the conviction, whichever occurred later (was, was convicted of and completed any sentence received for, the nonviolent misdemeanor or nonviolent felony at least 15 years prior to the filing of the petition). Effective December 1, 2013.

**Intro. by Malone, Stevens.**[GS 7A, GS 14, GS 15A](#)[View summary](#)**Criminal Justice, Criminal Law and Procedure**

H 388 (2013-2014) [ASSIGNED COUNSEL/AMEND AND CLARIFY.-AB](#) Filed Mar 20 2013, *A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW GOVERNING ASSIGNED COUNSEL IN CASES OF PARTIAL INDIGENCY TO AUTHORIZE JUDGMENTS FOR ATTORNEYS' FEES TO BE DOCKETED UPON THE EXPIRATION OF PROBATION AND TO CLARIFY THE REQUIREMENT FOR A SOCIAL SECURITY NUMBER.*

Amends GS 7A-455 (*Partial indigency; liens; acquittals*), providing that upon the termination, revocation, or expiration of the indigent person's probation, the judgment for court costs, as assessed by the court, becomes effective, docketed, and indexed pursuant to GS 1-233 (if later than the date on which the conviction becomes final if the person is not ordered to pay the state for representation).

In all cases where entry of judgment is authorized, whoever rendered services and incurred expenses must make reasonable efforts to obtain the Social Security number of each person against whom judgment has been entered. The Social Security number, a certification that the person has no Social Security number, or a certification that it cannot be obtained with reasonable efforts must accompany each fee application and request.

**Intro. by Jackson, Glazier.**

GS 7A

[View summary](#)**Court System**

H 389 (2013-2014) [RESTORE HOLD HARMLESS SALES TAX FUNDS](#). Filed Mar 20 2013, *A BILL TO BE ENTITLED AN ACT TO RESTORE THE LOCAL GOVERNMENT HOLD HARMLESS FOR REPEALED REIMBURSEMENTS*.

Identical to [S 307](#), filed 3/13/13.

Amends GS 105-521 (*Transitional local government hold harmless for repealed reimbursements*) by creating a new subsection GS 105-521(b1), which provides that on or before August 15, 2013, and every August 15 until August 15, 2016, the Secretary of Revenue (Secretary) must multiply each local government's local sales tax share by the estimated replacement revenue expected to be received during the fiscal year. If the resulting amount is less than 100% of the local government's repealed reimbursement amount, the Secretary will pay the percentage amount of the difference, according to the included table, but not less than \$100.

Provides that the Secretary must report to the Revenue Laws Study Committee, by every January 31 until January 31, 2017, the amount distributed for this section for the current fiscal year.

**Intro. by Holloway, Howard, Jones, Burr.**

GS 105

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

H 390 (2013-2014) [STATE IT GOVERNANCE CHANGES.-AB](#) Filed Mar 20 2013, *A BILL TO BE ENTITLED AN ACT MAKING VARIOUS CHANGES TO THE LAWS RELATING TO STATE INFORMATION TECHNOLOGY GOVERNANCE*.

Repeals GS 143-135.9(a)(3), defining information technology.

Amends GS 147-33.72C(e) to provide that the State Chief Information Officer (CIO) may require that contracts between a state agency and a private party for information technology projects, require a performance bond, monetary penalties, or other performance assurance measures (was, only penalties) for projects that are not completed or performed (was, completed) within the specified time frame or that involve costs exceeding contract specifications. Allows the State CIO to use cost savings realized on government-vendor partnerships as performance incentives for an information technology project vendor. Amends GS 147-33.91 to remove the provision that the State CIO may work cooperatively with the NC Agency for Public Telecommunications in furthering the purposes of the statute, while exercising general telecommunications coordinating authority. Amends GS 147-33.92 to provide that the State CIO must establish broadband (was, switched broadband) telecommunication services and permit specified organizations and entities to share on a not for profit basis. Removes other references in the statute to switched broadband. Amends GS 147-33.111 to require the State CIO to also conduct assessments of information system security. Makes conforming changes. Amends GS 147-33.112 to also require assessments of each agency's contracted vendors. Requires that assessments performed on all of the relevant entities include examining security practices, security industry standards and current expenditures of State funds for information technology security, in addition to existing requirements. Amends GS 150B-2 to amend the definition of Rule to also exclude standards adopted by the Office of Information Technology Services applied to information technology as defined in GS 147-33.81.

**Intro. by Saine.**

GS 143, GS 147, GS 150B

[View summary](#)**State Government, Office of Information Technology Services**

H 391 (2013-2014) [VOLUNTEER SERVICE IN RETIREMENT](#). Filed Mar 20 2013, *AN ACT TO AMEND THE DEFINITION OF RETIREMENT TO CLARIFY THAT SERVICE AS A MEMBER OF THE BOARD OF TRUSTEES OF A COMMUNITY COLLEGE, AS A*

*MEMBER OF A BOARD OF TRUSTEES OF A CONSTITUENT INSTITUTION OF THE UNIVERSITY OF NORTH CAROLINA, OR AS A VOLUNTEER GUARDIAN AD LITEM IN THE GUARDIAN AD LITEM PROGRAM IS NOT CONSIDERED SERVICE FOR THE PURPOSES OF THAT DEFINITION.*

Amends GS 135-1(20), as the title indicates. Effective July 1, 2013.

**Intro. by Boles.**

GS 135

[View summary](#)

**Employment and Retirement**

H 392 (2013-2014) [WARRANT STATUS/DRUG SCREEN PUBLIC ASSIST \(NEW\)](#). Filed Mar 20 2013, *A BILL TO BE ENTITLED AN ACT REQUIRING A COUNTY DEPARTMENT OF SOCIAL SERVICES (DSS) TO VERIFY WHETHER AN APPLICANT FOR OR RECIPIENT OF TEMPORARY ASSISTANCE FOR NEEDY FAMILIES (TANF) BENEFITS OR FOOD AND NUTRITION SERVICES (FNS) BENEFITS IS A FLEEING FELON OR A PROBATION OR PAROLE VIOLATOR, TO DIRECT INTERAGENCY COOPERATION AND INFORMATION SHARING IN ORDER TO VERIFY THE ELIGIBILITY STATUS OF AN APPLICANT OR RECIPIENT, TO DENY TANF OR FNS BENEFITS TO AN APPLICANT OR RECIPIENT WHO IS A FLEEING FELON OR A PROBATION OR PAROLE VIOLATOR, AND TO REQUIRE DRUG SCREENING AND TESTING FOR CERTAIN APPLICANTS AND RECIPIENTS OF WORK FIRST PROGRAM ASSISTANCE.*

To be summarized 3/21/13.

**Intro. by Arp.**

GS 108A, GS 114

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**Criminal Justice, Public Assistance**

H 393 (2013-2014) [ESSENTIAL FUNDING FOR PUBLIC SCHOOLS.-AB](#) Filed Mar 20 2013, *A BILL TO BE ENTITLED AN ACT TO ADDRESS FUNDING DEFICIENCIES AND NEEDED ENHANCEMENTS IN NORTH CAROLINA'S PUBLIC SCHOOLS.*

To be summarized 3/21/13.

**Intro. by Glazier, Michaux, Gill, Fisher.**

APPROP

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**Budget/Appropriations, Education, Department of Public Instruction**

H 394 (2013-2014) [EXTEND REHABILITATION TAX CREDITS.-AB](#) Filed Mar 20 2013, *A BILL TO BE ENTITLED AN ACT TO EXTEND THE HISTORIC REHABILITATION TAX CREDITS AND THE MILL REHABILITATION TAX CREDITS.*

To be summarized 3/21/13.

**Intro. by Queen, Brody, Torbett.**

GS 105

[View summary](#)

**Tax**

H 395 (2013-2014) [EXEMPT DCR FROM UMSTEAD ACT.-AB](#) Filed Mar 20 2013, *A BILL TO BE ENTITLED AN ACT TO EXEMPT THE DEPARTMENT OF CULTURAL RESOURCES FROM THE UMSTEAD ACT, WHICH PROHIBITS STATE GOVERNMENT FROM ENGAGING IN THE SALE OF GOODS IN COMPETITION WITH CITIZENS OF THE STATE.*

To be summarized 3/21/13.

**Intro. by Queen, Brody, Torbett.**

GS 66

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**Business and Commerce, State Government, Department of Natural and Cultural Resources (formerly Dept. of Cultural Resources)**

H 396 (2013-2014) [ENACT PRIVATE WELL WATER EDUCATION ACT.-AB](#) Filed Mar 20 2013, *A BILL TO BE ENTITLED AN ACT TO ENACT THE PRIVATE WELL WATER EDUCATION ACT AT THE REQUEST OF THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES.*

To be summarized 3/21/13.

**Intro. by Catlin, Moffitt, Millis, Hollo.**

GS 87

[View summary](#)

**Environment, Health**

H 397 (2013-2014) [EXPAND DISTRICT JUDGE ELIGIBILITY.](#) Filed Mar 20 2013, *A BILL TO BE ENTITLED AN ACT TO ALLOW CERTAIN JUDICIAL AND LAW ENFORCEMENT OFFICIALS TO SERVE AS DISTRICT COURT JUDGES.*

To be summarized 3/21/13.

**Intro. by Burr, Collins, Stone, Hager.**

CONST

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**Constitution, Court System**

H 398 (2013-2014) [SYSTEMATICALLY REFORM MEDICAID.-AB](#) Filed Mar 20 2013, *A BILL TO BE ENTITLED AN ACT TO SYSTEMATICALLY REFORM MEDICAID.*

To be summarized 3/21/13.

**Intro. by Burr, Hollo, Avila.**

UNCODIFIED

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**Department of Health and Human Services, Public Assistance**

H 399 (2013-2014) [AMEND LAWS PERTAINING TO DHHS.-AB](#) Filed Mar 20 2013, *A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES REQUESTED BY THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO LAWS PERTAINING TO CHILD ABUSE, NEGLECT, AND DEPENDENCY; MEDICAID; PUBLIC HEALTH; AND MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES.*

To be summarized 3/21/13.

**Intro. by Burr.**

GS 7B, GS 28A, GS 36C, GS 108A, GS 108C, GS 130A

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**Abuse, Neglect and Dependency, Public Health, Public Assistance**

H 400 (2013-2014) [DCR/GENERATE REVENUE/VENDOR SERVICES.-AB](#) Filed Mar 20 2013, *A BILL TO BE ENTITLED AN ACT TO ALLOW THE DEPARTMENT OF CULTURAL RESOURCES TO GENERATE REVENUE BY PROVIDING FOOD AND VENDING SERVICES AT MUSEUMS AND HISTORIC SITES.*

To be summarized 3/21/13.

**Intro. by R. Brown, Torbett, Brody.**

GS 111

[View summary](#)

**Department of Natural and Cultural Resources (formerly Dept. of Cultural Resources), Cultural Resources and Museums**

H 401 (2013-2014) [EFFICIENT AND AFFORDABLE ENERGY RATES](#). Filed Mar 20 2013, *A BILL TO BE ENTITLED AN ACT (1) TO REQUIRE THE NORTH CAROLINA UTILITIES COMMISSION TO ESTABLISH TIERED ELECTRICITY RATES FOR RESIDENTIAL, COMMERCIAL, PUBLIC, AND INDUSTRIAL CUSTOMERS TO ENCOURAGE ENERGY CONSERVATION AND ENERGY EFFICIENCY; (2) TO CREATE THE ENERGY EFFICIENCY PUBLIC BENEFIT LOAN FUND TO BE USED FOR LOANS TO CUSTOMERS FOR THE COSTS OF CERTAIN ENERGY EFFICIENCY OR RENEWABLE ENERGY PROJECTS; AND (3) TO CREATE AN INCENTIVE FOR CONSUMERS TO PURCHASE ENERGY STAR QUALIFIED HOUSEHOLD PRODUCTS.*

To be summarized 3/21/13.

**Intro. by Fisher, Harrison, Gill.**

GS 105, GS 62

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**Energy, Tax, Public Enterprises and Utilities**

H 402 (2013-2014) [TRICARE SUPPLEMENT FOR FLEX ACCOUNTS](#). Filed Mar 20 2013, *A BILL TO BE ENTITLED AN ACT TO REQUIRE A TRICARE SUPPLEMENT TO BE OFFERED IF A PLAN OF FLEXIBLE COMPENSATION IS OFFERED BY THE STATE.*

To be summarized 3/21/13.

**Intro. by Szoka, Dockham, Ramsey, Floyd.**

GS 116, GS 115C, GS 115D, GS 126

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**Insurance**

H 403 (2013-2014) [ASSESS PROPANE DEALERS/DISTRIBUTORS](#). Filed Mar 20 2013, *A BILL TO BE ENTITLED AN ACT TO AUTHORIZE A REFERENDUM OF PROPANE DEALERS AND DISTRIBUTORS REGARDING A VOLUNTARY ASSESSMENT ON PROPANE TO PROVIDE FUNDING FOR PROMOTIONAL, EDUCATIONAL, AND OTHER PROGRAMS OF THE INDUSTRY.*

To be summarized 3/21/13.

**Intro. by Collins, Brisson.**

GS 119

[View summary](#)

**Business and Commerce**

H 405 (2013-2014) [JUDGE AND CLERKS/CONCEALED HANDGUN PERMIT \(NEW\)](#). Filed Mar 20 2013, *AN ACT TO PROVIDE THAT ANY JUSTICE OR JUDGE OF THE GENERAL COURT OF JUSTICE OF THE STATE OF NORTH CAROLINA, ADMINISTRATIVE LAW JUDGE, OR CLERK OF SUPERIOR COURT, WHO HAS A CONCEALED HANDGUN PERMIT THAT IS*

*VALID IN NORTH CAROLINA IS EXEMPT FROM THE GENERAL PROHIBITION AGAINST CARRYING A CONCEALED WEAPON AND FROM THE PROHIBITIONS AGAINST CARRYING A WEAPON ON CERTAIN PREMISES OR IN CERTAIN CIRCUMSTANCES.*

To be summarized 3/21/13.

**Intro. by McNeill.**

GS 14

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[Court System, Criminal Law and Procedure](#)

## PUBLIC/SENATE BILLS

S 20 (2013-2014) [GOOD SAMARITAN LAW/NALOXONE ACCESS](#). Filed Jan 30 2013, *A BILL ENTITLED AN ACT TO PROVIDE LIMITED IMMUNITY FROM PROSECUTION FOR (1) CERTAIN DRUG-RELATED OFFENSES COMMITTED BY AN INDIVIDUAL WHO SEEKS MEDICAL ASSISTANCE FOR A PERSON EXPERIENCING A DRUG-RELATED OVERDOSE AND (2) CERTAIN DRUG-RELATED OFFENSES COMMITTED BY AN INDIVIDUAL EXPERIENCING A DRUG-RELATED OVERDOSE AND IN NEED OF MEDICAL ASSISTANCE; TO PROVIDE IMMUNITY FROM CIVIL OR CRIMINAL LIABILITY FOR (1) PRACTITIONERS WHO PRESCRIBE AN OPIOID ANTAGONIST TO CERTAIN THIRD PARTIES AND (2) CERTAIN INDIVIDUALS WHO ADMINISTER AN OPIOID ANTAGONIST TO A PERSON EXPERIENCING A DRUG-RELATED OVERDOSE; AND TO PROVIDE LIMITED IMMUNITY FROM PROSECUTION FOR CERTAIN ALCOHOL-RELATED OFFENSES COMMITTED BY PERSONS UNDER THE AGE OF 21 WHO SEEK MEDICAL ASSISTANCE FOR ANOTHER PERSON.*

House committee substitute makes the following changes to the 3rd edition.

Amends GS 90-96.2, adding language that states that a person acting in good faith who seeks medical assistance for an individual experiencing a drug-related overdose, and who did not physically supply the drugs to the person experiencing the drug-related overdose, shall not be prosecuted (previously, there was no language about the person helping the overdose victim having to not be the one who supplied the drugs) for specified offenses.

Changes effective date of act; now becomes effective when the act becomes law (previously, there were different effective and application dates).

**Intro. by Bingham, Allran.**

GS 90

[View summary](#)

[Criminal Law and Procedure](#)

S 71 (2013-2014) [AMEND IRRIGATION CONTRACTORS LICENSING LAWS](#). Filed Feb 7 2013, *A BILL TO BE ENTITLED AN ACT AMENDING THE LAWS REGULATING IRRIGATION CONTRACTORS TO PROVIDE SUBSTANTIVE REQUIREMENTS FOR LICENSING CORPORATIONS, TO PROVIDE FOR THE ISSUANCE OF LICENSES TO NONRESIDENTS, TO CLARIFY THE FEE STRUCTURE AND TO MAKE OTHER CONFORMING CHANGES.*

Senate committee substitute makes the following changes to the 2nd edition.

Makes changes to long title.

Amends GS 89G-1 (definitions), expanding the business entity definition to "A corporation, association, partnership, limited liability company, limited liability partnership, or other legal entity that is not an individual or a foreign entity."

Makes technical changes and organizational changes to GS 89G-3.

Reorganizes GS 89G-6.1(d),(e),(f); no substantive changes were made.

Provides that the entire act is effective October 1, 2013.

**Intro. by Tucker.**

GS 89G

[View summary](#)**Occupational Licensing**

S 83 (2013-2014) **ENCOURAGE VOLUNTEER CARE IN FREE CLINICS**. Filed Feb 13 2013, *A BILL TO BE ENTITLED AN ACT TO ENCOURAGE VOLUNTEER HEALTH CARE IN FREE CLINICS BY LIMITING THE LIABILITY OF MEDICAL AND HEALTH CARE PROVIDERS IF THE FREE CLINIC PROVIDES PATIENTS WITH NOTICE OF LIMITED LIABILITY.*

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

Amends GS 90-21.16. to provide that the the provision limiting the liability of health care providers who volunteer in free clinics also applies to medical care providers. Requires the free clinic to give a copy of the notice (was, post the notice) to the patient or the person authorized to give consent for treatment prior to the delivery of health care services in order for the volunteer medical or health care provider at the free clinic to receive the protection from liability posted in this section.

Makes a technical correction to GS 90-21.102(2).

Amends the bill title to reflect the inclusion of medical care providers under the terms of this act.

Clarifies that the act is effective October 1, 2013, and applies to claims that arise on or after that date.

**Intro. by Bingham.**

GS 90

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

S 207 (2013-2014) **MAINTAINING WATER & SEWER FISCAL HEALTH**. Filed Mar 6 2013, *A BILL TO BE ENTITLED AN ACT TO PROTECT THE FISCAL HEALTH OF NORTH CAROLINA'S WATER AND SEWER SYSTEMS.*

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

Amends GS 159-181(d)(iii) to update the criteria that have to be met by a unit or public authority before the Local Government Commission may act to read, "the unit or public authority experienced a net loss of revenue from operations in the enterprise system using the modified accrual budgetary basis of accounting" (previously, "experienced a net loss of revenue in the enterprise system...").

**Intro. by Tucker.**

GS 159

[View summary](#)**Public Health, Public Enterprises and Utilities**

S 361 (2013-2014) **EXCELLENT PUBLIC SCHOOLS ACT OF 2013**. Filed Mar 19 2013, *A BILL TO BE ENTITLED AN ACT TO PROVIDE LITERACY VOLUNTEER LEAVE TIME; MAXIMIZE INSTRUCTIONAL TIME; STRENGTHEN TEACHER EDUCATION PROGRAMS AND TEACHER LICENSURE REQUIREMENTS; ESTABLISH PLANS FOR PAY FOR EXCELLENCE; ASSIGN SCHOOL PERFORMANCE GRADES AND ADD STUDENT GROWTH COMPONENT; AND ESTABLISH TEACHER CONTRACTS.*

**State Employee Literacy Volunteer Leave Time.** Amends GS 126-4 to direct the State Personnel Commission, subject to the Governor's approval, to establish rules and policies governing a leave program that allows employees to volunteer in a literacy program in a public school for up to five hours each month.

**Maximize Instructional Time.** Amends GS 115C-174.12(a) to delete the option that allowed school improvement teams to vote for their schools to participate in more than two field tests at any one grade level. Enacts new subdivision (4) to GS 115C-174.12(a) to restrict annual assessments and final exams in year-long courses to the final 10 instructional days and in semester courses to the final five instructional days of the school year. Makes exceptions to accommodate a student's individualized education program or section 504 plans and for the administration of final exams for courses with national or international

curriculae required to be held at designated times. Makes technical changes. Requires the State Board of Education (SBOE) to report to the Joint Legislative Education Oversight Committee before purchasing or implementing a new instrument to assess student achievement on the Common Core State Standards. Prohibits the SBOE from purchasing such an assessment instrument without legislation authorizing the purchase. Applies beginning with the 2013-14 school year.

**Strengthen Teacher Licensure.** Amends GS 115C-296 as follows. Amends licensure standards to require that continuing licensure include at least eight continuing education credits with at least three of the credits required in a teacher's academic subject area. Amends the teacher education programs to require the SBOE, in consultation with local boards of education and the UNC Board of Governors to evaluate and modify the academic requirements of teacher preparation programs for students preparing to teach science in middle and high schools. Specifies that the performance reviews to the SBOE are to be submitted annually and deletes the provisions concerning the format and plan for the content and submission of the performance reviews. Requires the SBOE to require teacher education programs, master's degree programs in education, and master's degree programs in school administration to submit annual performance reports. Adds teacher contribution to the academic success of students to the items that must be addressed in the reports. Requires the SBOE to create a higher education educator preparation report card reflecting the information collected in the performance reports. Requires the report cards to be submitted to the Joint Legislative Education Oversight Committee annually by October 1. Requires the SBOE to reward and sanction approved teacher education programs and master of education programs and revoke approval of those programs based on the performance reports and other SBOE criteria.

Adds the verbal and mathematics portions of the ACT to those tests that may be used to fulfill the requirement that an undergraduate seeking a degree in teacher education pass a preprofessional skills test before admission to a teacher education program. Requires that an individual score 1,100 or greater on the combined verbal and math score for the SAT or a minimum composite score for the ACT of 24 or greater. Provides that a lateral entry (was, provisional teaching) license may be granted for no more than three years.

Applies beginning with the 2013-14 school year.

Further amends GS 115C-296 as follows. Requires (was, allows) the SBOE to require an applicant for an initial bachelor's or graduate degree license (was, certificate) to demonstrate preparation by achieving a minimum score on a standard exam. Requires K-6 and special education teachers to also achieve a prescribed minimum score on tests specific to teaching reading and math. Amends the licensure standards to require standards for continuing licensure for elementary and middle school teachers to include at least three continuing education credits related to literacy. Specifies what is to be included in literacy renewal credits. Also establishes specific demonstrated competencies for elementary and special education general curriculum teacher education programs. Applies beginning with the 2014-15 school year.

Requires the SBOE to develop a plan to require the schools of education to measure performance and provide an annual report on the demonstrated competencies included in their elementary and special education general curriculum teacher education programs on three specified areas. Requires the plan addressing the information be included in the annual performance reports to the SBOE and the higher education educator preparation program report cards. Requires SBOE to report to the Joint Legislative Education Oversight Committee on or before March 15, 2014.

**School Performance Grades.** Requires the SBOE to award school performance scores, grades, and a measure of student growth. Requires that the SBOE, in calculating the overall school performance score earned by schools, to (1) use a performance measure approach to weigh the performance elements based on the number of students measured by any given performance element and (2) proportionally adjust the scale to account for the absence of a school performance element for award of scores to a school that does not have a measure of one of the elements annually assessed for the grades taught at the school. Provides criteria to be used by the SBOE in awarding school performance grades and the process for calculating the grade. Requires the SBOE to include in the annual school report card an indicator reflecting student growth for performance on annual assessments for reading, math, and science in grades 3-8 and on math, English, and biology in grades 9-12, with each school being designated as having met, failed to meet, or exceeding expected student growth. Also requires K-8 schools to include the performance scores in reading and math on the annual school report card. Makes conforming changes to GS 115C-12, GS 115C-47, GS 115C-238.29F, and GS 115C-238.66. Applies beginning with the 2012-13 school year.

**Pay for Excellence.** States the General Assembly's intent to use the evaluation instrument and process in implementing a plan of performance pay for teachers.

**Teacher Contracts.** Effective June 30, 2014, repeals GS 115C-325 (system of employment for public school teachers). Enacts new GS 115C-325.1 to define terms used in Part 3 (Principal and Teacher Employment Contracts) of Article 22 of GS Chapter 115C. Defines *teacher* as a person who (1) holds one of the listed licenses; (2) teaches or directly supervises teaching, or is classified by the SBOE, or is paid as a classroom teacher or instructional support personnel; and (3) fills a full-time, permanent position. Enacts new GS 115C-325.2, governing the maintenance and inspection of personnel files. New GS 115C-325.3 provides that a contract between the local board of education and a teacher employed by the board for less than three years is for a term of one school year while one with a teacher employed by the board for three years or more is for a term of one, two, three, or four years. Requires local boards of education to employ teachers upon recommendation by the superintendent. Sets out procedures for contract renewal, nonrenewal, a teacher's right to petition for a hearing, and dismissal during the contract term. Allows local boards to modify contract terms to permit part-time employment.

Enacts new GS 115C-325.4 to prohibit the local board from dismissing, demoting, or reducing to part-time any teacher for a disciplinary reason other than one of the grounds listed, which include inadequate performance, immorality, or neglect of duty. Enacts new GS 115C-325.5, authorizing a superintendent to suspend a teacher without pay for any reason listed in GS 115C-325.4, provided the teacher receives a meeting and written notice. Details procedures for suspension without pay, suspension with pay, and reinstating a teacher. Enacts new GS 115C-325.6 to set out the process for dismissing or demoting a teacher for cause. New GS 115C-325.8 outlines the requirements that apply to board hearings for disciplinary suspensions without pay, and new GS 115C-325.7 sets out the requirements for all other board hearings.

Enacts new GS 115C-325.9 to permit a teacher, who has been recommended for dismissal, to resign without the superintendent's written agreement, as specified. Enacts new GS 115C-325.10 to provide that Part 3 applies to all persons employed in teaching and related classes in the schools and institutions of the Departments of Health and Human Services, Public Instruction, Adult Correction, or the Division of Juvenile Justice. New GS 115C-325.11 (administrators and teachers in low-performing residential schools), GS 115C-325.12 (principals), and GS 115C-325.13 (teachers) set forth the procedure for dismissing school personnel employed in low-performing schools.

Makes conforming changes to various provisions in GS Chapter 115C to remove references to GS 115C-325 and terms deleted by the repeal of that statute. Repeals GS 115C-304 (teacher tenure). Amends GS 115C-333(a) to require all teachers in low-performing schools who have been employed for less than three years (was, who have not attained career status) to be observed at least three times a year by the principal, at least once a year by a teacher, and be evaluated at least once a year. Makes conforming changes to remove the term *career status* and replaces the term *certificated* with *licensed* in various statutes. Enacts new GS 115C-344 to provide employment benefits for exchange teachers; specifies that an exchange teacher is not a teacher for purposes of the Teachers' and State Employees' Retirement System.

Unless otherwise indicated, the changes above concerning teacher contracts are effective July 1, 2014.

Effective July 1, 2013, repeals GS 115C-325(c)(1) (concerning employment of a career teacher). Provides that individuals who have not received career status before the 2012-13 school year will not be granted career status.

Requires all local boards of education, from July 1, 2013, to December 31, 2013, to review the performance and evaluations of all teachers employed for at least three years and use the reviews to determine which teachers are to be awarded four-year contracts and offer teachers a contract for a term of four school years beginning with the 2014-15 school year. Requires that contracts be made and accepted by December 31, 2013.

**Intro. by Berger, Tillman, Soucek.**

[GS 115C, GS 126, GS 143B](#)

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[Education, State Board of Education](#)

S 375 (2013-2014) [DEALERS MUST PROVIDE USED CAR HISTORIES](#). Filed Mar 20 2013, *A BILL TO BE ENTITLED AN ACT TO REQUIRE A MOTOR VEHICLE DEALER TO PROVIDE A PROSPECTIVE PURCHASER OF A USED MOTOR VEHICLE WITH A USED VEHICLE HISTORY REPORT PRIOR TO SELLING OR AGREEING TO SELL THE VEHICLE.*

Enacts new GS 20-308.3 to prohibit a motor vehicle dealer from selling or agreeing to sell a used vehicle until the dealer has provided the prospective buyer with a used vehicle history report for the car. Defines the report to include information on past owners, servicing history, accident and damage history and other relevant information. Prohibits the dealer from charging a fee for the cost of the report. Effective October 1, 2013.

**Intro. by Bingham.**

GS 20

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**Transportation**

S 376 [MONTGOMERY CO. EMPLOYEES IN STATE HEALTH PLAN](#). Filed Mar 20 2013, *A BILL TO BE ENTITLED AN ACT TO ALLOW MONTGOMERY COUNTY EMPLOYEES AND THE DEPENDENTS OF EMPLOYEES TO PARTICIPATE IN THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES.*

Adds new section to GS 113-291.2 allowing landowners and their lessees to trap coyotes any time of year to control the coyote population, consistent with the trapping requirements in GS 113-291.6 (related to permits and types of permissible traps).

**Intro. by Bingham.**

GS 113

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**Animals**

S 377 (2013-2014) [SUSPEND TRUCK INSPECTION/SEVERE WEATHER](#). Filed Mar 20 2013, *A BILL TO BE ENTITLED AN ACT TO ALLOW THE GOVERNOR TO TEMPORARILY SUSPEND ROUTINE WEIGHT INSPECTIONS OF TRUCKS UPON THE EXISTENCE OF AN IMMINENT THREAT OF SEVERE ECONOMIC LOSS OF LIVESTOCK OR POULTRY OR WIDESPREAD OR SEVERE DAMAGE TO CROPS READY TO BE HARVESTED.*

Amends GS 166A-19.70 to allow the Governor, upon recommendation of the Commissioner of Agriculture, to temporarily suspend weighing vehicles that are used to transport crops from emergency areas if there is an imminent threat of widespread or severe damage to crops that are ready to be harvested. The suspension ends when the Governor determines that the threat of widespread or severe damage has passed.

**Intro. by Jackson, Brock.**

GS 166A

[View summary](#)

**Transportation**

S 378 (2013-2014) [ASSESS PROPANE DEALERS/DISTRIBUTORS](#). Filed Mar 20 2013, *A BILL TO BE ENTITLED AN ACT TO AUTHORIZE A REFERENDUM OF PROPANE DEALERS AND DISTRIBUTORS REGARDING A VOLUNTARY ASSESSMENT ON PROPANE TO PROVIDE FUNDING FOR PROMOTIONAL, EDUCATIONAL, AND OTHER PROGRAMS OF THE INDUSTRY.*

Enacts new Article 5A of GS Chapter 119, establishing the Propane Assessment Act. Allows the NC Propane Education & Research Foundation (Foundation) to conduct referenda among the state's propane dealers and distributors on whether to levy an assessment on propane sold in the state. Requires the Foundation to determine the amount of the assessment, the time and place for the referendum, the procedure for conducting the referendum and counting votes, the proposed effective date for the assessment, and any other related matters. Caps the assessment rate at \$.002 per gallon of propane sold. Provides that the assessment becomes effective if more than 50% of the eligible votes cast by dealers are in favor and if more than 50% of the eligible votes cast by distributors are in favor of the assessment.

Requires dealers to pay the assessment on each gallon of propane purchased from a distributor. Requires distributors to remit to the Foundation the assessment multiplied by the number of gallons of propane sold during the preceding quarter. Requires that the Foundation use the funds to promote the common good, welfare, and advancement of the propane industry. Provides for

recordkeeping. Allows the Foundation to bring an action to recover any unpaid assessments plus reasonable costs. Allows a dealer to request a refund of the assessment by submitting a written request to the Foundation no later than 30 days after the end of the month for which the refund is requested. Prohibits any dealer who receives a refund from receiving (1) the benefit of any consumer rebate program for one year following the date of the refund request and (2) payment of any interest by the Foundation on the amount refunded.

Requires the Foundation to consult with the NC Propane Gas Association (Association) on the proposed use of the funds, as well as with entities representing agricultural consumers of propane to ensure some activities benefit the agriculture industry. Prohibits more than 10% of the funds from being used for administrative expenses. Provides for bookkeeping and recordkeeping.

Requires that the Foundation conduct a referendum on whether to continue the assessment upon the Commissioner of Agriculture's receipt of a petition signed by at least 10% of the dealers or a petition signed by at least 50% of the distributors requesting the referendum. Provides guidelines for the timing of the referendum and for the expiration of the assessment if the referendum passes. Also allows the Foundation to conduct a referendum on whether to continue the assessment on its own initiative.

Prohibits the Foundation and the Association from taking any action or interpreting this Article to pass the assessment costs on to the consumer.

**Intro. by Jackson, Rabin, Walters.**

[GS 119](#)

[View summary](#)

[Business and Commerce](#)

S 379 (2013-2014) [EXP. OF NATURAL GAS & PROPANE FOR AGRICULTURE \(NEW\)](#). Filed Mar 20 2013, *A BILL TO BE ENTITLED AN ACT AUTHORIZING ECONOMIC DEVELOPMENT INCENTIVE PROGRAMS TO UTILIZE FUNDS TO SUPPORT NEW AND EXPANDED NATURAL GAS SERVICE AND TO SUPPORT PROPANE GAS SERVICE FOR AGRICULTURAL PROJECTS.*

Identical to [H 211](#), filed 3/4/13.

Amends GS 20-118(c)(12) to exempt vehicles transporting poultry or livestock feed from a storage facility, holding facility, or a mill to a farm within 150 miles of the point of origin from the weight limitations imposed in subsection (b) of GS 20-118 and penalties for violating those weight limits in subsection (e).

Effective July 1, 2013.

**Intro. by Jackson.**

[GS 20](#)

[View summary](#)

[Agriculture, Transportation](#)

S 381 (2013-2014) [STATE TO CONVEY GATES CORRECTIONAL FACILITY \(NEW\)](#). Filed Mar 20 2013, *A BILL TO BE ENTITLED AN ACT TO TRANSFER THE GATES CORRECTIONAL FACILITY TO THE GATES COUNTY BOARD OF COMMISSIONERS.*

Identical to [H 368](#), filed 3/20/13.

Amends GS 106-2, concerning the Board of Agriculture (Board), to add to the Board's membership (1) one member actively involved in forestry and (2) one member actively involved in the nursery business. Makes a technical change. Applies to appointments made to the Board on or after July 1, 2013.

**Intro. by Barefoot, Rabin, Cook.**

[GS 106](#)

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

S 382 (2013-2014) **AMEND VETERINARY PRACTICE ACT/FEEES**. Filed Mar 20 2013, *A BILL TO BE ENTITLED AN ACT AUTHORIZING THE NORTH CAROLINA VETERINARY MEDICAL BOARD TO AMEND THE BOARD'S LAWS PERTAINING TO LICENSURE FEES, LICENSE REINSTATEMENT, AND THE CONFIDENTIALITY OF IDENTIFYING INFORMATION.*

Amends GS 90-186 (*Special powers of the Board*), providing that the North Carolina Veterinary Medical Board (Board) may increase fees as long as no fee is increased more that 15% within a calendar year and the cumulative total increases of any fee does not exceed 100% of the fee amounts set in this subdivision. Makes technical changes.

Provides for set fees on all the different certifications, licenses, and examinations; fees are set at the highest rate previously allowed (previously, there was a sliding scale with only a ceiling price set), with the inspection of a veterinary practice facility being raised to \$125 (\$75 was the highest that could be charged before). Deletes provision for charging for copies of Board materials.

Amends GS 90-187.9, (*Reinstatement*), deleting language of old section. Creates new GS 90-187.9(a-d), providing that persons who have lost their licenses for failure to apply for a new license may be reinstated at any time within three years of the revocation. Individuals must submit proof of continuing education and pay required fees. A person who has their license revoked for more than three years may qualify for licensure after filing an application with the Board and meeting the requirements of GS 90-187 or GS 187.3. A person who has their registration revoked for more than three years for failure to apply for registration can qualify for registration after filing an application with the Board and meeting requirements of GS 90-186(4), and any other rules of the Board. Subject to the conditions of the Board, any person whose license or registration is revoked for a reason other than failure to apply with renewal may, in the Board's discretion, be re-licensed or re-registered at any time by majority vote of the Board.

Creates new section GS 90-187.16 (*Electronic mail names or addresses not a public record*), which provides that identifying information sent to the board cannot be released by them. A redacted or removed information record is deemed a public record if it meets the requirements of GS 132.

**Intro. by Rabon.**

GS 90

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

S 383 (2013-2014) **CAREER PREP ADULT HIGH SCHOOLS**. Filed Mar 20 2013, *A BILL TO BE ENTITLED AN ACT TO ESTABLISH CAREER PREP ADULT HIGH SCHOOLS AT COMMUNITY COLLEGES.*

Enacts new GS 115D-4.2 allowing the State Board of Community Colleges (Board) to authorize a community college to contract with a nonprofit to operate a career prep adult high school. Allows community college employees to be instructional personnel. Provides that if the school requires state funds to operate, then Board approval is subject to appropriation of funds by the General Assembly. Requires the Board to adopt standards and guidelines for operating the schools, including four specified elements.

Authorizes Forsyth Technical Community College and Central Piedmont Community College to contract with nonprofits for the operation of career prep adult high schools for the 2013-14 fiscal year.

Appropriates \$4 million for 2014-15 from the General Fund to the Community Colleges System Office, with \$2 million distributed to Forsyth Technical Community College and \$2 million distributed to Central Piedmont Community College. States the General Assembly's intent to appropriate \$4 million on a nonrecurring basis for this purpose for 2015-16 and 2016-17. Requires the two colleges to report to the Joint Legislative Education Oversight Committee on September 1 in 2015 and 2016 on the performance of students in the career prep adult high schools.

**Intro. by Brunstetter.**

APPROP, GS 115D

[View summary](#)**Budget/Appropriations, Education, Higher Education,  
Community Colleges System Office**

S 384 (2013-2014) **PRESENT-USE VALUE MODIFICATIONS**. Filed Mar 20 2013, *A BILL TO BE ENTITLED AN ACT TO AMEND CERTAIN PROVISIONS REGARDING THE PRESENT-USE VALUE PROPERTY TAX DEFERRAL.*

Amends GS 105-277.3(g), sound management program for forestland, to provide that the failure of an owner to cut timber within five years of the cutting schedule provided for in the forest management plan does not disqualify the land from classification under the statute if the failure is because of depressed commercial markets for timber or weather related conditions that negatively affect the timber's health.

Amends GS 105-277.4 to provide that an application for taxation on property on the basis of its value in its present use will not be denied because of the applicant's name, including the usage of the term investments in the name, if the applicant meets the substantive ownership requirements.

Effective for taxable years beginning on or after July 1, 2013.

**Intro. by Tucker, Walters.**

GS 105

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

S 385 (2013-2014) **COURTS/PROCEDURE AND FEE AMENDMENTS.-AB** Filed Mar 20 2013, *A BILL TO BE ENTITLED AN ACT TO ELIMINATE ARBITRATION CAPS IN DISTRICT COURT, TO MAKE CLARIFICATIONS TO COURT FEES, TO AMEND THE MOTION FEE EXEMPTION, TO REQUIRE COUNTIES AND MUNICIPALITIES TO ADVANCE FEES, AND TO PROVIDE PRIORITY FOR THE PAYMENT OF CRIMINAL COSTS AND FEES.*

Identical to [H 343](#), filed 3/19/13.

Amends GS 7A-37.1(c), clarifying that court-ordered arbitration can be employed in civil actions in district courts (previously, only allowed for amounts in controversy less than \$15,000).

Amends GS 7A-305(a)(2), making technical and clarifying changes to provide that the party filing the notice of designation or motion for discretionary complex business designation pays the specified fees. Effective January 1, 2014.

Amends GS 7A-305(a5), adding third-party complaints to the list of pleadings and their associated costs found therein. Deletes the additional \$1,000 fee for cases assigned to a special superior court judge as a complex business case. Makes clarifying and technical changes.

Amends GS 7A-305(f), 7A-306(g), and 7A-307(a)(4), providing that a motion filed pursuant to GS 1C-1602 or GS 1C-1603 will have no costs associated with it. Effective July 1, 2014, and applies to pleadings filed on or after that date.

Amends GS 7A-317, providing that counties and municipalities are required to advance all costs and fees except for the civil process fees found in GS 7A-311. Provides that the Administrative Office of the Courts may withhold the amount of court costs and fees from facilities fees due the county when a county agency does not pay corresponding court costs and fees within 30 days of the date of filing the action.

**Intro. by Randleman.**

GS 7A

[View summary](#)**Court System**

S 386 (2013-2014) **BOARD OF AGRICULTURE SWINE APPT (NEW)**. Filed Mar 20 2013, *A BILL TO BE ENTITLED AN ACT TO PROVIDE REPRESENTATION OF SWINE INTERESTS ON THE BOARD OF AGRICULTURE, AND TO EXPAND THE DEFINITION*

## OF A "PUBLIC CORPORATION" FOR THE PURPOSE OF ESTABLISHING FOREIGN TRADE ZONES.

Identical to [H 383](#), filed 3/20/13.

Amends GS 106-604 to increase the amount of the bond that must accompany a grain dealer license application from \$10,000 to \$100,000. Amends GS 106-610 to expand the reasons for refusing to grant or renew or for revoking or suspending a grain dealer license to include evidence that (1) the applicant has acted or held him- or herself out as a grain dealer without first having obtained a license or (2) the dealer or applicant has violated any provision of Article 53 (grain dealers) or rules adopted under the Article. Amends GS 106-611 to prohibit a person whose actions lead to the suspension or revocation of a grain dealer's license from working for a grain dealer in any capacity that involves buying or selling grain or handling payments for grain.

**Intro. by Barefoot, Rabin, Walters.**

GS 106

[View summary](#)

**Occupational Licensing**

S 387 (2013-2014) [FOREST SERVICE CHANGES/BEDDING LAW ROE \(NEW\)](#). Filed Mar 20 2013, *A BILL TO BE ENTITLED AN ACT TO (1) MAKE TECHNICAL AND CONFORMING CHANGES PERTAINING TO THE RENAMING OF THE NORTH CAROLINA FOREST SERVICE AND TO MAKE OTHER CHANGES IN THE FOREST SERVICE STATUTES AND (2) PROVIDE A RIGHT OF ENTRY FOR THE COMMISSIONER OF AGRICULTURE TO ENFORCE THE LAWS RELATED TO BEDDING.*

Identical to [H 366](#), filed 3/20/13.

Amends GS 1-339.17(c1) and GS 20-81.12(b35) making technical changes, replacing "Division of Forest Resources" with "North Carolina Forest Service," conforming to the renaming of the NC Forest Service.

Amends GS 77-13 and GS 77-14, making technical changes, replacing "Department of Environment and Natural Resources" with "Department of Agriculture and Consumer Services."

Amends GS 97-2 (*Definitions*), GS 105-259(b)(41), GS 105-277.7(a)(2), GS 105-296(j), and GS 106-202.14(b)(3), making technical changes, replacing "Division of Forest Resources" with "North Carolina Forest Service."

Amends GS 106-860(d)(11), making technical changes, replacing "Director of Forest Resources" with "Assistant Commissioner of the North Carolina Forest Service."

Amends GS 106-878, 106-887(a), and 106-903, making technical changes, replacing "Division of Forest Resources" with "North Carolina Forest Service."

Amends GS 106-955 (*Definitions*), replacing "Division of Forest Resources" with "North Carolina Forest Service" and making other technical changes. Provides that the term *fire fighter* also now includes engaging in emergency response duties pursuant to GS 166A-19.77.

Amends GS 106-956, changing the title from *Standby duty* to *On-call*. Provides that on-call duty is when a firefighter is required to be available to return to the duty station or respond to an emergency within 30 minutes. Firefighters on call will receive an electronic communication device. After 14 consecutive days on duty, the fire fighter will be off duty for two days. On the days the firefighter is off duty, he or she can only be contacted in times of emergency.

Amends GS 106-966(1), GS 106-968, GS 106-969, making technical changes, replacing "Division of Forest Resources" with "North Carolina Forest Service."

Amends GS 113-291.10(a)(3), making technical changes, replacing "Director" with "Assistant Commissioner."

Amends GS 143-116.8 (*Motor vehicle laws applicable to State parks and forests road system*), making technical changes, adding Department of Agriculture and Consumer Services to those administering land in the state parks and forests.

Provides that it is illegal to operate a vehicle in the State forest system at a speed above 25 mph. This speed limit is subject to change depending on the conditions. No speed limit is effective until posted.

Provides that the Commissioner of Agriculture (Commissioner) has authority to place vehicle control signs and signals in the state forest road system, or any other signs as seems appropriate. Failure to obey any of these signs is an infraction and can be punished as provided in GS 20-176.

Provides that the Commissioner may, through rules and regulations, establish parking areas and can remove illegally parked vehicles.

Amends GS 143-166.2(d), GS 143-166.7, and GS 143-214.25A(a), making technical changes.

Amends GS 143A-65.1, changing section title to *North Carolina Forest Service*.

Effective July 1, 2013.

**Intro. by Barefoot, Cook, Walters.**

[GS 105, GS 1, GS 20, GS 77, GS 97, GS 106, GS 143, GS 143A](#)

[View summary](#)

[Transportation, Environment](#)

S 388 (2013-2014) [UNEMPLOYMENT INSURANCE LAW CHANGES--2 \(NEW\)](#). Filed Mar 20 2013, *AN ACT TO AMEND THE UNEMPLOYMENT INSURANCE LAWS, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON UNEMPLOYMENT INSURANCE.*

Amends GS 106-65.105 to give the Commissioner of Agriculture the right of entry on the premises where necessary to enforce the provisions of Article 4H (*Bedding*) or rules adopted by the Board of Agriculture. Requires an administrative search and inspection warrant if consent to entry is not obtained.

**Intro. by Rabin, Cook, Walters.**

[GS 106](#)

[View summary](#)

[Agriculture](#)

S 389 (2013-2014) [LAND USE SURROUNDING MILITARY INSTALLATIONS](#). Filed Mar 20 2013, *A BILL TO BE ENTITLED AN ACT TO SUPPORT THE ACTIVITIES OF THE ARMED FORCES AND TO MAINTAIN AND ENHANCE THE MILITARY'S PRESENCE IN NORTH CAROLINA BY REGULATING THE HEIGHT OF BUILDINGS AND STRUCTURES LOCATED IN AREAS THAT SURROUND MILITARY INSTALLATIONS IN THE STATE.*

To be summarized 3/21/13.

**Intro. by Brown.**

[GS 143](#)

[View summary](#)

[Land Use, Planning and Zoning, Military and Veteran's Affairs](#)

S 390 (2013-2014) [NC CARE IN RADIOLOGIC IMAGING](#). Filed Mar 20 2013, *A BILL TO BE ENTITLED AN ACT PROVIDING FOR THE REGULATION AND LICENSING OF PERSONS WHO PERFORM AND ADMINISTER RADIOLOGIC IMAGING AND RADIATION THERAPY PROCEDURES.*

To be summarized 3/21/13.

**Intro. by Meredith, Bingham.**

[GS 90](#)

[View summary](#)

[Occupational Licensing, Health Care Facilities and Providers](#)

S 391 (2013-2014) [401 CERTIFICATION CLARIFICATION](#). Filed Mar 20 2013, *A BILL TO BE ENTITLED AN ACT TO DECLARE THAT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES HAS WAIVED ITS RIGHT TO ISSUE A 401 CERTIFICATION AFTER PASSAGE OF A CERTAIN TIME AND TO FORBID THE DEPARTMENT FROM REQUIRING OR ISSUING A CERTIFICATION IN THAT CASE.*

To be summarized 3/21/13.

**Intro. by Daniel, Brock.**

GS 143

[View summary](#)

**Environment, Department of Environmental Quality  
(formerly DENR)**

## LOCAL/HOUSE BILLS

H 33 (SL 2013-13) (2013-2014) [CLEVELAND/POLK/RUTHERFORD TRAPPING REPEAL](#). Filed Jan 31 2013, *A BILL TO BE ENTITLED AN ACT TO REPEAL THE LAW PROHIBITING THE SETTING OF STEEL TRAPS ON CERTAIN RENTED OR LEASED LAND IN CLEVELAND, POLK, AND RUTHERFORD COUNTIES.*

A BILL TO BE ENTITLED AN ACT TO REPEAL THE LAW PROHIBITING THE SETTING OF STEEL TRAPS ON CERTAIN RENTED OR LEASED LAND IN CLEVELAND, POLK, AND RUTHERFORD COUNTIES. Enacted March 19, 2013. Effective March 19, 2013.

**Intro. by Whitmire, Hager, T. Moore, Hastings.**

Cleveland, Polk, Rutherford

[View summary](#)

**Animals**

H 365 (2013-2014) [SPECIAL ELECTION CHATHAM CO. SCHOOL BD.](#) Filed Mar 20 2013, *A BILL TO BE ENTITLED AN ACT TO CALL A SPECIAL ELECTION TO FILL A VACANCY ON THE CHATHAM COUNTY BOARD OF EDUCATION.*

Provides that the Chatham County Board of Elections will hold a special election on November 5, 2013, to fill the vacancy for District 4 on the Chatham County Board of Education.

Candidates for the election must file a notice of candidacy with the Chatham County Board of Elections after 12:00 pm on July 5, 2013, and before 12:00 noon on July 19, 2013. Filing fee is \$5 and candidates shall certify in writing that they are bona fide residents of District 4 and qualified to vote.

**Intro. by McManus.**

Chatham

[View summary](#)

**Education**

H 375 (2013-2014) [INCREASE ALLOWED SIZE OF PASSENGER BUSES](#). Filed Mar 20 2013, *A BILL TO BE ENTITLED AN ACT TO ALLOW PASSENGER BUSES OWNED AND OPERATED BY THE CITY OF CHARLOTTE TO HAVE AN OVERALL LENGTH OF SIXTY FEET OR LESS.*

Amends GS 20-116(l) to allow Charlotte to own and operate passenger buses having an overall length of no more than 60 feet on public streets and highways and requires that passenger buses with an overall length of more than 45 feet but no more than 65 feet be operated on public streets and highways with a posted speed limit of 45 miles per hour or greater.

Further specifies in an uncodified provision that Charlotte may operate passenger buses that are 45 feet or less in length throughout the state and passenger buses that are more than 45 feet, but not more than 60 feet, in length within Mecklenburg County or any contiguous county.

**Intro. by Jeter, Bryan, Schaffer, Cotham.**

[Mecklenburg](#)

[View summary](#)

**Transportation**

H 404 (2013-2014) [CAMDEN LOCAL STORMWATER FEES](#). Filed Mar 20 2013, *A BILL TO BE ENTITLED AN ACT TO ALLOW CAMDEN COUNTY TO COLLECT DELINQUENT STORMWATER UTILITY FEES IN THE SAME MANNER AS DELINQUENT PERSONAL AND REAL PROPERTY TAXES.*

To be summarized 3/21/13.

**Intro. by Steinburg.**

[Camden](#)

[View summary](#)

H 406 (2013-2014) [LOCAL FLEXIBILITY RE: SCHOOL CALENDAR](#). Filed Mar 20 2013, *A BILL TO BE ENTITLED AN ACT TO PROVIDE ADDITIONAL FLEXIBILITY TO THE BOARD OF EDUCATION IN ADOPTING THE SCHOOL CALENDAR IN CERTAIN LOCAL SCHOOL ADMINISTRATIVE UNITS.*

To be summarized 3/21/13.

**Intro. by McNeill, Hurley.**

[Randolph](#)

[View summary](#)

**Elementary and Secondary Education**

## LOCAL/SENATE BILLS

S 268 (2013-2014) [SUNSET BEACH/CANAL DREDGING/MAINTENANCE FEE](#). Filed Mar 12 2013, *A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF SUNSET BEACH TO IMPOSE A CANAL DREDGING AND MAINTENANCE FEE.*

Senate committee substitute to the 1st edition makes the following changes. Makes a conforming change adding Sunset Beach to the towns affected by changes made in Section 2 of SL 2011-108.

**Intro. by Rabon.**

[Brunswick](#)

[View summary](#)

S 380 (2013-2014) [CHARLOTTE DOUGLAS INT'L AIRPORT COMMISSION](#) Filed Mar 20 2013, *A BILL TO BE ENTITLED AN ACT TO CREATE THE CHARLOTTE DOUGLAS INTERNATIONAL AIRPORT COMMISSION UNDER THE CITY OF CHARLOTTE.*

Identical to [H 135](#), filed 2/20/13.

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 Jackson.**

GS 130A

[View summary](#)

**Environment, Department of Environmental Quality  
(formerly DENR)**

## ACTIONS ON BILLS

## PUBLIC BILLS

### **H 17: GUN PERMITS/CONFIDENTIALITY (NEW).**

*House: Reptd Fav Com Substitute*

*House: Cal Pursuant Rule 36(b)*

*House: Placed On Cal For 03/21/2013*

### **H 18: YOUTH SKIN CANCER PREVENTION ACT.**

*House: Passed 2nd Reading*

*House: Passed 3rd Reading*

### **H 31: AMEND HABITUAL DWI.**

*Senate: Rec From House*

*Senate: Passed 1st Reading*

*Senate: Ref To Com On Judiciary II*

### **H 32: INCREASE YEAR'S ALLOWANCE.**

*Senate: Rec From House*

*Senate: Passed 1st Reading*

*Senate: Ref To Com On Finance*

### **H 40: AMEND HABITUAL DWI.**

*Senate: Rec From House*

*Senate: Passed 1st Reading*

*Senate: Ref To Com On Judiciary II*

### **H 57: CHILD NUTRITION PROGRAM SOLVENCY AND SUPPORT.**

*Senate: Rec From House*

*Senate: Passed 1st Reading*

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

### **H 83: ENACT CON COMMITTEE RECOMMENDATIONS.**

*House: Assigned To Regulatory Reform Subcommittee on Business and Labor*

### **H 125: PUBLIC AGENCY COMPUTER CODE NOT PUBLIC RECORD.**

*Senate: Rec From House*

*Senate: Passed 1st Reading*

*Senate: Ref To Com On Judiciary I*

**H 150: ZONING/DESIGN & AESTHETIC CONTROLS.**

*House: Amend Adopted A2*

*House: Passed 3rd Reading*

*House: Ordered Engrossed*

**H 161: MANDATORY RETIREMENT AGE FOR MAGISTRATES.**

*Senate: Rec From House*

*Senate: Passed 1st Reading*

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

**H 180: MECHANICS LIENS/TECHNICAL CORRECTIONS.**

*House: Concurred In S/Com Sub*

*House: Ordered Enrolled*

**H 181: PHYSICIAN SUPRVSN. REQUIRED/NURSE ANESTHETIST.**

*House: Reptd Fav Com Sub 2*

*House: Cal Pursuant Rule 36(b)*

**H 183: DELAY TRANSFER/CLEVELAND COUNTY CORR. FAC. (NEW).**

*Senate: Rec From House*

*Senate: Passed 1st Reading*

*Senate: Ref To Com On Judiciary II*

*Senate: Rec From House*

*Senate: Passed 1st Reading*

*Senate: Ref To Com On Judiciary II*

**H 189: VARIOUS TAX LAW AND FILM GRANT CHANGES.**

*Senate: Rec From House*

*Senate: Passed 1st Reading*

*Senate: Ref To Com On Judiciary II*

*Senate: Rec From House*

*Senate: Passed 1st Reading*

*Senate: Ref To Com On Judiciary II*

**H 192: ALLOW ROW USAGE IN CENTRAL BUSINESS DISTRICTS.**

*House: Reptd Fav Com Substitute*

*House: Re-ref Com On Regulatory Reform*

**H 194: ALLOW PAVE CERTIFICATION/VETERINARY LICENSE.**

*House: Reptd Fav*

*House: Re-ref Com On Commerce and Job Development*

**H 199: INCREASE JURISDICTIONAL AMOUNT/DISTRICT CT.**

*House: Reptd Fav*

*House: Cal Pursuant Rule 36(b)*

*House: Placed On Cal For 03/21/2013*

**H 209: DV ORDERS/FINDINGS NOT REQUIRED (NEW).**

*Senate: Rec From House*

*Senate: Passed 1st Reading*

*Senate: Ref To Com On Judiciary II*

**H 223: ELECTRIC MEMBERSHIP CORPS/MEMBER CONTROL.**

*House: Assigned To Regulatory Reform Subcommittee on Business and Labor*

**H 230: CLARIFY READ TO ACHIEVE/SCHOOL PERFORMANCE GRADES (NEW).**

*House: Passed 2nd Reading*

*House: Passed 3rd Reading*

*House: Passed 2nd Reading*

*House: Passed 3rd Reading*

**H 242: VOLUNTEER FIRE DEPT. SALES TAX REFUND CHANGE.**

*House: Withdrawn From Com*

*House: Re-ref Com On Government*

**H 243: LIENS/SELF-SERVICE STORAGE FACILITIES.**

*House: Reptd Fav Com Substitute*

*House: Cal Pursuant Rule 36(b)*

*House: Placed On Cal For 03/21/2013*

**H 249: SUBSTITUTE TEACHER DEDUCTION/PERSONAL LEAVE.**

*House: Passed 2nd Reading*

*House: Passed 3rd Reading*

**H 250: CHARTER SCHOOL ENROLLMENT & CHARTER REVISIONS (NEW).**

*House: Amend Adopted A1*

*House: Passed 2nd Reading*

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

*House: Passed 2nd Reading*

*House: Passed 3rd Reading*

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

*House: Passed 2nd Reading*

*House: Passed 3rd Reading*

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

*Senate: Rec From House*

*Senate: Passed 1st Reading*

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

**H 280: PUBLIC STAFF/DUTY TO REPRESENT THE PUBLIC.**

*House: Reptd Fav*

*House: Cal Pursuant Rule 36(b)*

*House: Placed On Cal For 03/21/2013*

**H 301: CLARIFYING CHANGES/ENGINEERS/SURVEYORS LAWS.**

*House: Assigned To Regulatory Reform Subcommittee on Business and Labor*

**H 333: SEX OFFENDER RESIDENCY/REGIS. AMENDMENTS.**

*House: Passed 1st Reading*

*House: Ref To Com On Judiciary Subcommittee B*

**H 335: AID RAPID RESPONSE TO STATES OF EMERGENCY.**

*House: Passed 1st Reading*

*House: Ref To Com On Finance*

**H 336: CONTINUING BUDGET AUTHORITY (NEW).**

*House: Passed 1st Reading*

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

**H 337: FORSYTH TECH REPURPOSE OF FUNDS.**

*House: Passed 1st Reading*

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

**H 338: WC/SUBROGATION/EMPLOYER CONSENT.**

*House: Passed 1st Reading*

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

**H 339: LOTTERY EXPENDITURES.**

*House: Passed 1st Reading*

*House: Ref To Com On Appropriations*

**H 340: LIMITED LINES TRAVEL INSURANCE.**

*House: Passed 1st Reading*

*House: Ref To Com On Insurance*

**H 341: TAX CREDIT FOR DOL APPRENTICE HIRES.**

*House: Passed 1st Reading*

*House: Ref To Com On Finance*

**H 342: HONOR WINSTON-SALEM'S 100TH ANNIVERSARY.**

*House: Passed 1st Reading*

*House: Cal Pursuant 32(a)*

*House: Placed On Cal For 03/27/2013*

**H 343: COURTS/PROCEDURE AND FEE AMENDMENTS.-AB**

*House: Passed 1st Reading*

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

**H 344: UNIFORM MH REPORTING REQUIREMENTS FOR NICS.**

*House: Passed 1st Reading*

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

**H 345: INCREASE PENALTIES FOR MISUSE OF 911 SYSTEM.**

*House: Passed 1st Reading*

*House: Ref To Com On Judiciary Subcommittee B*

**H 346: GOVERNING BODIES/COLLECT UNPAID JUDGMENTS.**

*House: Passed 1st Reading*

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

**H 348: PUBLIC SAFETY TECHNOLOGY/STATE ROW.**

*House: Passed 1st Reading*

*House: Ref To Com On Transportation*

**H 350: COURT IMPROVEM'T PROJECT JUV LAW CHANGES.-AB**

*House: Passed 1st Reading*

*House: Ref To Com On Judiciary Subcommittee B*

**H 351: STUDY PRESCRIPTION DRUG ABUSE BY STUDENTS.**

*House: Passed 1st Reading*

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

**H 363: HONOR FOUNDERS/SPRINGFIELD'S 150TH.***House: Filed***H 364: TREAS.DEBT ISSUANCE ACCOUNTABILITY/PED STDY (NEW).***House: Filed***H 366: NC FARM ACT OF 2014 (NEW).***House: Filed**House: Filed***H 367: TITLE TO UNCLAIMED COLLECTIONS.-AB***House: Filed***H 368: BD. OF AGRICULTURE FORESTRY/NURSERY APPTS.-AB***House: Filed***H 369: CRIMINAL LAW CHANGES.***House: Filed**House: Filed**House: Filed***H 370: SHORTEN REVIEW PERIOD/STATE PROPERTY SALES.-AB***House: Filed***H 371: CHIROPRACTIC ASSISTANT CERTIFICATION/FEE.-AB***House: Filed***H 372: EXECUTIVE MANSION/SALE OF EXCESS PROPERTY.-AB***House: Filed***H 373: EXTEND STATE HOLD HARMLESS SALES TAX FUNDS.***House: Filed***H 374: RESCIND CONSTITUTIONAL CONVENTION CALLS.***House: Filed***H 376: ESTABLISH A+ SCHOOLS SPECIAL FUND.-AB***House: Filed***H 377: EXEMPT DCR FEE CHANGES/CHAPTER 150B.-AB***House: Filed***H 378: STUDY OVERSIGHT OF MPOS.***House: Filed***H 379: AMEND VETERINARY PRACTICE ACT/FEEES.***House: Filed**House: Filed***H 380: DEFINE CERTIFIED REGISTERED NURSE ANESTHETIST.***House: Filed***H 381: RETIREMENT FISCAL INTEGRITY ACT OF 2013.-AB***House: Filed*

**H 382: PYROTECHNICS/UNC SCHOOL OF ARTS EXCEPTION.***House: Filed***H 383: AMEND GRAIN DEALER LICENSING LAWS.-AB***House: Filed***H 384: AMEND DEFINITIONS/PROPERTY CLASSIF./EQU. DIST.***House: Filed***H 385: YOUTH ACCOUNTABILITY TASK FORCE.***House: Filed***H 386: EVIDENCE & DNA EXPUNCTION LAWS.-AB***House: Filed***H 387: AMEND CERTAIN CRIMINAL PROVISIONS.-AB***House: Filed***H 388: ASSIGNED COUNSEL/AMEND AND CLARIFY.-AB***House: Filed***H 389: RESTORE HOLD HARMLESS SALES TAX FUNDS.***House: Filed***H 390: STATE IT GOVERNANCE CHANGES.-AB***House: Filed***H 391: VOLUNTEER SERVICE IN RETIREMENT.***House: Filed***H 392: WARRANT STATUS/DRUG SCREEN PUBLIC ASSIST (NEW).***House: Filed***H 393: ESSENTIAL FUNDING FOR PUBLIC SCHOOLS.-AB***House: Filed***H 394: EXTEND REHABILITATION TAX CREDITS.-AB***House: Filed***H 395: EXEMPT DCR FROM UMSTEAD ACT.-AB***House: Filed***H 396: ENACT PRIVATE WELL WATER EDUCATION ACT.-AB***House: Filed***H 397: EXPAND DISTRICT JUDGE ELIGIBILITY.***House: Filed***H 398: SYSTEMATICALLY REFORM MEDICAID.-AB***House: Filed***H 399: AMEND LAWS PERTAINING TO DHHS.-AB***House: Filed***H 400: DCR/GENERATE REVENUE/VENDOR SERVICES.-AB**

*House: Filed*

**H 401: EFFICIENT AND AFFORDABLE ENERGY RATES.**

*House: Filed*

**H 402: TRICARE SUPPLEMENT FOR FLEX ACCOUNTS.**

*House: Filed*

**H 403: ASSESS PROPANE DEALERS/DISTRIBUTORS.**

*House: Filed*

**H 405: JUDGE AND CLERKS/CONCEALED HANDGUN PERMIT (NEW).**

*House: Filed*

**S 8: INCREASE FINE FOR VEHICLE REMOVAL.**

*Senate: Reptd Fav*

**S 9: UTILITIES/DESIGN/SURVEY LOCATION SERVICES.**

*House: Rec From Senate*

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

*House: Reptd Fav*

*House: Cal Pursuant Rule 36(b)*

**S 20: GOOD SAMARITAN LAW/NALOXONE ACCESS.**

*House: Reptd Fav Com Substitute*

*House: Cal Pursuant Rule 36(b)*

**S 33: USE OF CRIMINAL HISTORY RECORDS BY LIC. BDS.**

*House: Reptd Fav*

*House: Cal Pursuant Rule 36(b)*

**S 43: STUDY SAVINGS FOR ADMINISTRATION OF CLAIMS.**

*House: Reptd Fav*

*House: Re-ref Com On Finance*

**S 44: WORKERS COMP COVERAGE/PUBLIC RECORDS.**

*House: Reptd Fav*

*House: Cal Pursuant Rule 36(b)*

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

*House: Passed 2nd Reading*

*House: Passed 3rd Reading*

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

*House: Passed 2nd Reading*

*House: Passed 3rd Reading*

*House: Ordered Enrolled*

**S 71: AMEND IRRIGATION CONTRACTORS LICENSING LAWS.**

*Senate: Reptd Fav Com Substitute*

*Senate: Com Substitute Adopted*

**S 83: ENCOURAGE VOLUNTEER CARE IN FREE CLINICS.**

*Senate: Reptd Fav Com Substitute*

*Senate: Com Substitute Adopted*

**S 84: CANCEL AIRCRAFT LIEN W/SURETY BOND DEPOSIT.**

*House: Passed 2nd Reading*

*House: Passed 3rd Reading*

*House: Ordered Enrolled*

**S 97: PROPERTY TAX/DEANNEXATION.**

*House: Passed 2nd Reading*

**S 148: EXEMPT CERTAIN STEEL TUBING/ELECTRICAL K'ORS.**

*Senate: Passed 2nd Reading*

*Senate: Passed 3rd Reading*

**S 168: CLARIFY EDUCATION REPORTING REQUIREMENTS.**

*Senate: Passed 3rd Reading*

**S 175: BANKING LAWS CLARIFICATIONS/CORRECTIONS.**

*Senate: Passed 2nd Reading*

*Senate: Passed 3rd Reading*

**S 200: EXTEND TIME FOR FORENSIC ACCREDITATION (NEW).**

*Senate: Passed 2nd Reading*

**S 205: ELIMINATE UNNECESSARY TESTING/ANIMAL WASTE.**

*Senate: Passed 2nd Reading*

*Senate: Passed 3rd Reading*

**S 207: MAINTAINING WATER & SEWER FISCAL HEALTH.**

*Senate: Reptd Fav As Amended*

*Senate: Com Amend Adpt & Engross 1*

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

*Senate: Reptd Fav*

**S 351: TIMELY NOTICE TO CHARITIES/LICENSURE STATUS.**

*Senate: Passed 1st Reading*

*Senate: Ref To Com On Health Care*

**S 352: BLACK BEAR MANAGEMENT.**

*Senate: Passed 1st Reading*

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

**S 353: HEALTH AND SAFETY LAW CHANGES (NEW).**

*Senate: Passed 1st Reading*

*Senate: Ref To Com On Transportation*

**S 354: REVISE AUDITOR'S RESPONSIBILITIES.-AB**

*Senate: Passed 1st Reading*

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

**S 355: TECH CORRECTION/GASTON, NASH, UNION LOCAL ACT.**

*Senate: Passed 1st Reading*

*Senate: Ref To Com On Transportation*

*Senate: Passed 1st Reading*

*Senate: RefTo Com On Transportation*

**S 356: MODIFY TAX CONFIDENTIALITY.**

*Senate: Passed 1st Reading*

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

**S 357: IN-STATE TUITION FOR VETERANS.**

*Senate: Passed 1st Reading*

*Senate: RefTo Com On Education/Higher Education*

**S 358: GUARANTEED ASSET PROTECTION WAIVERS.**

*Senate: Passed 1st Reading*

*Senate: Ref to Judiciary I. If fav, re-ref to Commerce*

**S 359: FREEDOM TO NEGOTIATE HEALTH CARE RATES.**

*Senate: Passed 1st Reading*

*Senate: RefTo Com On Insurance*

**S 360: JUDICIAL ELECTIONS AMENDMENT.**

*Senate: Passed 1st Reading*

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

**S 361: EXCELLENT PUBLIC SCHOOLS ACT OF 2013.**

*Senate: Passed 1st Reading*

*Senate: RefTo Com On Education/Higher Education*

**S 362: STUDY ENERGY EFFICIENCY INCENTIVES.**

*Senate: Passed 1st Reading*

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

**S 363: BUSINESS TAX REDUCTION AND REFORMS.**

*Senate: Passed 1st Reading*

*Senate: RefTo Com On Finance*

**S 364: UPDATE ELECTRONIC PRESCRIPTION RULES.**

*Senate: Passed 1st Reading*

*Senate: RefTo Com On Health Care*

**S 365: AFFORDABLE AND RELIABLE ENERGY ACT.**

*Senate: Passed 1st Reading*

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

**S 366: REMOVE FEE FOR MILITARY SPECIAL PLATES.**

*Senate: Passed 1st Reading*

*Senate: RefTo Com On Finance*

**S 367: SYSTEMATICALLY REFORM MEDICAID.-AB**

*Senate: Passed 1st Reading*

*Senate: RefTo Com On Health Care*

**S 368: COUNTY/SHERIFF FEE CHANGES/FELONY ESCAPE (NEW).**

*Senate: Passed 1st Reading*

*Senate: Ref to Judiciary II. If fav, re-ref to Finance*

**S 369: NAME CHANGE REQUIREMENTS FOR MINORS.**

*Senate: Passed 1st Reading*

*Senate: RefTo Com On Judiciary II*

**S 370: RESPECT FOR STUDENT PRAYER/RELIGIOUS ACTIVITY (NEW).**

*Senate: Passed 1st Reading*

*Senate: RefTo Com On Education/Higher Education*

**S 371: PATIENT SAFETY IN OPERATING ROOMS.**

*Senate: Passed 1st Reading*

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

**S 372: OMNIBUS COUNTY LEGISLATION.**

*Senate: Passed 1st Reading*

*Senate: RefTo Com On Agriculture/Environment/Natural Resources*

**S 373: CALENDAR WAIVER/ENHANCED PROG.**

*Senate: Passed 1st Reading*

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

**S 374: NC PUBLIC SCHOOLS BUDGET FLEXIBILITY ACT.**

*Senate: Passed 1st Reading*

*Senate: Ref to Education/Higher Education. If fav, re-ref to Appropriations/Base Budget*

**S 375: DEALERS MUST PROVIDE USED CAR HISTORIES.**

*Senate: Filed*

**S 376: MONTGOMERY CO. EMPLOYEES IN STATE HEALTH PLAN.**

*Senate: Filed*

*Senate: Filed*

**S 377: SUSPEND TRUCK INSPECTION/SEVERE WEATHER.**

*Senate: Filed*

**S 378: ASSESS PROPANE DEALERS/DISTRIBUTORS.**

*Senate: Filed*

**S 379: EXP. OF NATURAL GAS & PROPANE FOR AGRICULTURE (NEW).**

*Senate: Filed*

**S 381: STATE TO CONVEY GATES CORRECTIONAL FACILITY (NEW).**

*Senate: Filed*

**S 382: AMEND VETERINARY PRACTICE ACT/FEEES.**

*Senate: Filed*

**S 383: CAREER PREP ADULT HIGH SCHOOLS.**

*Senate: Filed*

**S 384: PRESENT-USE VALUE MODIFICATIONS.**

*Senate: Filed*

**S 385: COURTS/PROCEDURE AND FEE AMENDMENTS.-AB**

*Senate: Filed*

**S 386: BOARD OF AGRICULTURE SWINE APPT (NEW).**

*Senate: Filed*

**S 387: FOREST SERVICE CHANGES/BEDDING LAW ROE (NEW).**

*Senate: Filed*

**S 388: UNEMPLOYMENT INSURANCE LAW CHANGES--2 (NEW).**

*Senate: Filed*

*Senate: Filed*

**S 389: LAND USE SURROUNDING MILITARY INSTALLATIONS.**

*Senate: Filed*

**S 390: NC CARE IN RADIOLOGIC IMAGING.**

*Senate: Filed*

**S 391: 401 CERTIFICATION CLARIFICATION.**

*Senate: Filed*

### LOCAL BILLS

**H 195: CORNELIUS/EXTEND USE OF DESIGN-BUILD.**

*House: Assigned To Regulatory Reform Subcommittee on Local Government*

**H 270: RONDA RECALL.**

*House: Passed 2nd Reading*

*House: Passed 3rd Reading*

**H 334: BUNCOMBE CTY LOTTERY FUND USE EXPANSION (NEW).**

*House: Passed 1st Reading*

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

**H 347: AMEND GREENSBORO FIRE RETIREMENT/CHARTER (NEW).**

*House: Passed 1st Reading*

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

**H 349: FAYETTEVILLE/MAY DISCLOSE POLICE COMPLIANT.**

*House: Passed 1st Reading*

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

**H 365: SPECIAL ELECTION CHATHAM CO. SCHOOL BD.**

*House: Filed*

**H 375: INCREASE ALLOWED SIZE OF PASSENGER BUSES.**

*House: Filed*

**H 404: CAMDEN LOCAL STORMWATER FEES.**

*House: Filed*

**H 406: LOCAL FLEXIBILITY RE: SCHOOL CALENDAR.**

*House: Filed*

**S 152: CORRECT TECH. ERROR IN BURGAW OCCUPANCY TAX.**

*Senate: Reptd Fav*

**S 172: JACKSONVILLE OCC. TAX/WRIGHTSVILLE DEANNEX. (NEW).**

*Senate: Reptd Fav*

*Senate: Reptd Fav*

**S 177: HOOKERTON/MAYSVILLE SATELLITE ANNEXATIONS.**

*Senate: Reptd Fav*

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

*Senate: Passed 2nd Reading*

*Senate: Passed 3rd Reading*

**S 268: SUNSET BEACH/CANAL DREDGING/MAINTENANCE FEE.**

*Senate: Reptd Fav Com Substitute*

*Senate: Com Substitute Adopted*

*Senate: Re-ref Com On Finance*

**S 380: CHARLOTTE DOUGLAS INT'L AIRPORT COMMISSION**

*Senate: Filed*

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