



The Daily Bulletin: 2013-03-21

PUBLIC/HOUSE BILLS

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.*

Under current law, the Teachers' and State Employees' Retirement System (TSERS) and the Local Governmental Employees' Retirement System (LGERS), applicable to employees of counties, cities, and towns, specifies the types of payments by employers to employees that are included or excluded as compensation.

Amends GS 135-1(7a) (TSERS) and GS 128-21(7a) (LGERS) to provide that any remuneration, including salary, that is determined by the respective Retirement Systems Division staff, upon conducting a fraud investigation as provided under GS 135-1(11b) (TSERS) or GS 128-1(11c) (LGERS), to have been paid to a member for the principal purpose of enhancing the member's benefits under the retirement plan is presumed not to be compensation for retirement purposes. Provides that the presumption may be rebutted by the member or by the employer on the member's behalf, and that with receipt of sufficient evidence, the presumption may be reversed. Provides that the decision lies solely within the respective Board of Trustees' discretion as to whether the presumption by the administrative staff has been rebutted by sufficient evidence.

Amends GS 135-5 (TSERS) and GS 128-027 (LGERS) to direct the respective Board of Trustees to establish a contribution-based benefit cap factor upon the advice of a consulting actuary. Provides that every service retirement allowance provided under the respective statutes, for employees who became members on or after July 1, 2013, is subject to adjustment under a contribution-based benefit cap. Specifies process in which the respective Boards must engage before establishing a service allowance under each section and identifies the formula for calculating a member's contribution-based benefit cap.

Amends GS 135-4 (TSERS) and GS 128-26(v) (LGERS) regarding retroactive membership service to provide that a member who is retroactively reinstated as an employee to the date of the prior involuntary termination must provide certification and any agreement between the member and the employer as to back pay and benefits as a condition of being allowed retroactive membership service. Provides that in the event that the service purchase provision in these sections is invoked in a dispute settlement between an employee and an employer, the average final compensation used for recalculating a retirement benefit cannot be based on hypothetical compensation for any months after the date of the prior involuntary termination that triggered the use of the service purchase provision.

Amends the following provisions, regarding TSERS, to delete restriction that the provisions apply only to an employee who became a member before August 1, 2011: GS 135-3(8) and GS 135-5. Also deletes provisions under GS 135-3(8)b4. (regarding members who are not law enforcement officers) and GS 135-3(8)b5. (regarding members who are law enforcement officers) concerning those becoming members after August 1, 2011, and who separate from service upon attaining a certain age with specified years of service and their eligibility for a reduced or unreduced retirement allowance. Amends GS 135-5 to delete provision (a)(1a) regarding retirement by members becoming members after August 1, 2011, who meet specified age and creditable service requirements. Also deletes subsection (a)(4a) regarding retirement of a member who is a law enforcement officer meeting the specified retirement requirements for age and years of service for those becoming members after August 1, 2011. Deletes subsection (a2) regarding early service retirement benefits for those becoming members after August 1, 2011. Makes conforming changes to subsection (b19) as amended by this act. Deletes subsection (b20) regarding service retirement allowance for employees who became members on or after August 1, 2011, and subsection (m3) regarding survivor's alternate benefits.

Deletes subsection (a1) of GS 135-57 (regarding the service retirement provisions of the Consolidated Judicial Retirement Act), which provides retirement guidelines for a member whose membership began on or after August 1, 2011, who is at least

50 years old, and has 10 years of membership service. Makes a conforming change, deleting subsection (c1). Also deletes restriction that the provisions apply only to an employee who became a member before August 1, 2011.

Amends GS 143-166.41, special separation allowance for law enforcement officers, to delete restriction that the provisions apply only to a law enforcement officer employed by a state department, agency, or institution prior to August 1, 2011. Provides that the law enforcement officer may retire under the provisions of either GS 135-5(a) or GS 143-166.30 (was, under GS 135-5(a)). Deletes subsection (a1).

Directs the Department of the State Treasurer (Department) to propose to the General Assembly, by May 1, 2014, a framework for an optional retirement plan that may be elected in lieu of participating in TSERS. Declares that the plan is to be titled the Teachers' and State Employees' Optional Retirement System of North Carolina.

Appropriates \$1 million for the 2013-14 fiscal year and \$3 million for the 2014-15 fiscal year from the General Fund to the Department to provide the start-up costs for establishing the optional retirement system. Provides that funds remain available to the Department to provide the start-up costs and do not revert at the end of the fiscal year. Directs that the Department hold the funds in an account until they are expended for the exclusive benefit of future participants in the optional retirement system.

Appropriates \$310,000 for the 2013-14 fiscal year and \$615,000 for the 2014-15 fiscal year from the General Fund to the Department for use to staff the start-up of the optional retirement system with seven positions.

Effective July 1, 2013.

Intro. by Collins.

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

[View summary](#)

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

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.*

Amends GS Chapter 108A, creating a new section, GS 108A-26.1 (*Information sharing of outstanding arrest warrant of applicant for or recipient of program assistance*), providing that a county department of social services will notify applicants for program assistance, under Part 2 or Part 5 of this Article, that confidential information from the applicant's record may be released if a felony or misdemeanor arrest warrant is issued against the applicant. County departments of social services will notify all recipients under programs of assistance at the time of renewal that the applicant's confidential information may not be protected in the instances described above.

As far as allowed by law, a county department of social services will conduct a criminal history check of an applicant or recipient of program assistance under Part 2 or Part 5 of this Article. If the record check reveals that a warrant has been issued for the commission of a felony or a misdemeanor, the department of social services must, within 24 hours or by the end of the next business day, notify local law enforcement. The information that can be released is limited to name, address, telephone number, Social Security number, birth date, and physical description; all other information will be kept confidential.

The Social Services Commission (Commission) will adopt rules regarding the sharing of information between county departments of social services and local law enforcement agencies, the accuracy of information shared, and other rules the Commission deems necessary.

Each county's department of social services is authorized to enter into a memorandum of agreement with the head of any law enforcement agency as defined in GS 90-95.2, in order to perform the functions described in this section.

Amends GS Chapter 108A by creating a new section, GS 108A-26.2 (*Individual subject to felony charge; eligibility for program assistance; federal approval; review by department*), providing that departments of social services will not grant public assistance under Part 2 or 5 of Article 2 of GS 108A if they receive information that the applicant or recipient is subject to arrest on an outstanding warrant arising from violating parole or probation or from a felony charge. However, this does not affect the eligibility for assistance of other members of the applicant or recipient's household. An applicant or recipient will be eligible to receive program assistance if all other criteria of the law are met when he or she is no longer subject to arrest under an outstanding warrant.

Amends GS Chapter 114 by creating a new section, GS 114-19.33 (*Criminal record checks of applicants for or recipients of program assistance*), providing that the Department of Justice can provide to a county department of social services, from the State and National Repositories of Criminal Histories, the criminal history of any person who applies for program assistance under Part 2 or 5 of Article 2 of GS Chapter 108A. The county department will provide to the Department of Justice, along with a request, a form signed by the applicant or recipient acknowledging receipt of notification required by GS 108Aa-26.1(a), any identifying information required by the State and National Repositories, and any other information needed by the Department of Justice. Except as provided by GS 108A-26.1, the department of social services will keep all information obtained pursuant to this section confidential.

Intro. by Arp.

GS 108A, GS 114

[View summary](#)

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.*

LEA Adjustment

Appropriates to the Department of Public Instruction (Department) \$100 million for the 2013-14 fiscal year to reduce the LEA adjustment.

Teacher Salaries

States that it is the intent of the 2013 General Assembly to provide a significant salary increase for teachers for the 2013-14 fiscal year.

Standardized Tests

Appropriates to the Department \$8 million for the 2013-14 fiscal year and another \$8 million for the 2014-15 fiscal year in order to provide recurring funding for all 8th graders to take EXPLORE tests, all 10th graders to take PLAN tests, and all 11th graders to take ACT tests.

Comprehensive Reading Initiative

Appropriates to the Department \$52,554,023 for the 2013-14 fiscal year and \$66,787,256 for the 2014-15 fiscal year to provide recurring funding support for (1) a wide variety of initiatives designed to work holistically to raise student reading achievement and (2) some math instruction. These initiatives must include a reading achievement plan, summer reading camps, extended reading opportunities, alternative reading assessments, a reading plan for parents, tutoring for retained third graders, and progress reports for retained third graders.

Kindergarten Entry Assessment

Appropriates \$750,000 to the Department for the 2014-15 fiscal year to provide recurring funding for kindergarten entry assessments, beginning with the 2014-2015 school year.

Kindergarten Developmental Screening

Appropriates to the Department \$754,588 for the 2014-15 fiscal year to provide recurring funding for developmental screening of early language, literacy, and math skills in kindergarten.

EVAAS

Appropriates to the Department \$850,000 for the 2013-14 fiscal year and \$850,000 for the 2014-15 fiscal year to provide recurring funding to support the development and implementation of the Education Value-Added Assessment System (EVAAS).

Classroom Technology

Appropriates to the Department \$60 million for the 2013-14 fiscal year and \$60 million for the 2014-15 fiscal year to provide recurring funding to accommodate technology needs in the public schools during implementation of the Instructional Improvement System. Funds will be used to supplement funding for textbooks and instructional materials used to acquire digital and hardcover classroom resources.

Transportation--Fuel Shortage

Appropriates to the Department \$23 million for the 2013-14 fiscal year and \$23 million for the 2014-15 fiscal year to provide recurring funding to address the gap between budgeted and actual fuel costs.

Additional NCVPA Staff and Operational Funding

Appropriates to the Department \$989,454 for the 2013-14 fiscal year and \$991,072 for the 2014-15 fiscal year for the North Carolina Virtual Public School Program.

Additional Charter Schools Staff

Appropriates to the Department \$320,000 for the 2013-14 fiscal year and \$320,000 for the 2014-15 fiscal year to provide recurring funding for additional charter schools staff and to increase the number of charter school consultants at the Department and to provide funding for the Charter School Advisory Council.

Special State Reserve for Children with Special Needs

Appropriates to the Department \$1.350 million for the 2013-14 fiscal year and \$1.350 million for the 2014-15 fiscal year to provide recurring funding for a special state reserve for children with special needs.

NC Teacher Corps

Appropriates to the Department \$1.8 million for the 2014-15 fiscal year to provide recurring funding for the NC Teacher Corps Program.

Statewide Instructional Improvement System

Appropriates to the Department \$612,125 for the 2013-14 fiscal year and \$4,071,000 for the 2014-15 fiscal year to provide recurring funding for the Statewide Instructional Improvement System.

Professional Development

Appropriates to the Department \$10.6 million for the 2014-15 fiscal year to provide recurring funding for professional development.

Turning Around the Lowest Achieving Schools

Appropriates to the Department \$11.9 million for the 2014-15 fiscal year to provide recurring funding to turn around the lowest achieving schools.

Incentives for Lowest Achieving Schools

Appropriates to the Department \$9 million for the 2014-15 fiscal year in recurring funds to fund rewards and retain effective educators in hard-to-staff schools.

Regional Leadership Academies

Appropriates to the Department \$8 million for the 2014-15 fiscal year in recurring funds to fund Regional Leadership Academies.

Induction Support in High-Need Schools

Appropriates to the Department \$11.9 million for the 2014-15 fiscal year to provide recurring funding for coaching and support for newly certified teachers in the lowest achieving schools.

Teach for America

Appropriates to the Department \$2.5 million for the 2014-15 fiscal year to provide recurring funding for the Teach for America program.

Student Survey of Teacher Performance

Appropriates to the Department \$1.5 million for the 2014-15 fiscal year in recurring funds to provide funding for a student survey of teacher performance.

Summer School Initiative

Appropriates to the Department \$413,904 for the 2013-14 fiscal year and \$337,754 for the 2014-15 fiscal year to fund the replacement of old, worn, unsafe, and damaged dorm furniture at the Eastern North Carolina School for the Deaf and recurring funds for a new summer school initiative.

Career Technical Education Program

Appropriates to the Department \$274,538 for the fiscal year 2013-14 and \$238,538 for the fiscal year 2014-15 in recurring funds to fund a career technical education program for students at the NC School for the Deaf in Morganton.

Technology for the Governor Morehead School

Appropriates to the Department \$318,073 for the 2013-14 fiscal year and \$506,068 for the 2014-15 fiscal year to provide recurring funding for school technology at the Governor Morehead School.

Safety Equipment for the Governor Morehead School

Appropriates to the Department \$858,000 for the 2013-14 fiscal year for the purchase of safety equipment for the Governor Morehead School and the Eastern NC School for the Deaf.

Preschool and Early Intervention Programs

Appropriates to the Department \$436,244 for the 2013-14 fiscal year and \$436,244 for the 2014-15 fiscal year to provide recurring funding for preschool and early intervention programs at the Governor Morehead School and the Eastern NC School for the Deaf.

All funds are appropriated from the General Fund.

Effective July 1, 2013.

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.*

Repeals GS 10-129.39, sunset provisions for historic qualified rehabilitation expenditures and expenses tax credit program.

Repeals GS 105-129.75, sunset provision for historic mill rehabilitation tax credit program.

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.*

Amends GS 66-58 (*Sale of merchandise or services by governmental units*), providing that the Department of Cultural Resources is exempt from the prohibition of the sale of goods in competition with citizens of North Carolina.

Intro. by Queen, Brody, Torbett.

GS 66

[View summary](#)

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.*

Amends GS 87-97(i), providing that the rules adopted by the Commission for Public Health (Commission) in regards to sampling and testing of well water and the reporting of test results must also require local health departments to educate private citizens, who are receiving new private drinking water wells, on the scope of testing required, the availability of optional testing, the limitations of both the required and optional testing, and the minimum drinking water standards.

Amends GS 87-97(j), requiring that the local health department must include, with the required test results given to the owners of newly constructed drinking water wells, a notice detailing the scope of the required testing under this Article and the available optional testing, which are set forth in the regulations adopted pursuant to subsection (i) (those outlined above).

Intro. by Catlin, Moffitt, Millis, Hollo.

GS 87

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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.*

Amends Section 22 of Article IV of the NC Constitution, providing that a person can be elected or appointed as a district court judge if he or she has served for a total of 10 or more years as an elective or appointed sheriff, 10 or more years as an elected or appointed clerk of superior court, 10 or more years as a magistrate, or has 25 years of experience as a certified law enforcement officer in North Carolina.

Sets out the amendment as it would appear on the ballot at the November 2014 statewide election.

If a majority of votes cast on the question are in favor of the amendment, the State Board of Elections will certify the amendment to the Secretary of State. The Secretary of State will then enroll the amendment in the permanent records of that office.

Amendment is effective upon certification.

Intro. by Burr, Collins, Stone, Hager.

CONST

[View summary](#)**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.*

Identical to [S 367](#), filed 3/19/13.

Requires the Department of Health and Human Services to implement systematic Medicaid reform as contemplated by its Request for Information process.

Intro. by Burr, Hollo, Avila.

UNCODIFIED

[View summary](#)**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.*

Amends GS 7B-507 to clarify that any order placing or continuing the placement of a juvenile in the custody or placement responsibility of a county department of social services must contain specific findings as to whether the department has either made reasonable efforts (1) to prevent the need for placement or (2) to eliminate the need for placement. Provides that in any order placing a juvenile in the custody or placement responsibility of a department, the court may deem that a reasonable effort to eliminate the need for placement of the juvenile is not required or should cease because a court has determined that the parent has committed sexual abuse against the child or against another child of the parent or the parent has been required to register as a sex offender on any governmental administered registry.

Amends GS 7B-909 to require that the review of an agency's plan for placement of a juvenile must be held within six months of accepting a relinquishment of the juvenile for adoption unless the juvenile has already become the subject of an adoption decree.

Clarifies the meaning of "estate" for the purpose of recovery under GS 108A-70.5(b)(2).

Enacts new GS 28A-2A-24 (*Medicaid beneficiaries*) to require that before any probate estate may be closed under GS 108A-70.5 (*Medicaid Estate Recovery Plan*) for a decedent enrolled at the time of death in the state's Medicaid program, the personal representative of the estate must file a release from the Division of Medical Assistance with the clerk of court exercising probate jurisdiction. Specifies that the release must include one of the following: (1) evidence of payment of all medical assistance benefits, premiums, or other such costs due from the estate under law; (2) a waiver of the state's Medicaid-related claims; and (3) a statement from the Division that no amount is due.

Enacts new GS 36C-118 (*Notice of deceased Medicaid beneficiaries*) to require any trustee with the duty or authority to pay the debts of a deceased trust beneficiary to provide notice to the Department of Health and Human Services, Division of Medical Assistance, within 90 days of the death of the trust beneficiary, if the deceased trust beneficiary received any medical assistance from the state's Medicaid program. Provides that the Division may make a claim against any trust deemed an available resource under applicable law.

Amends GS 108C-3 (*Medicaid and Health Choice provider screening*) to add the following to those providers designated as limited categorical risk provider types: (1) portable X-ray suppliers; (2) religious nonmedical health care institutions; (3) registered dietitians; and (4) clearinghouses, billing agents, and alternate payees. Adds the following to those providers designated as moderate categorical risk provider types: (1) local health departments and (2) nonemergency medical transportation.

Amends GS 130A-22(b3) to provide that the administrative penalty imposed for a violation of Article 19A of GS Chapter 130A (*Lead-based paint hazard management program*) cannot exceed \$5,000 (was, \$1,000) and provides that the penalty for a violation of Article 19B (*Certification and accreditation of lead-based paint renovation activities*) cannot exceed \$5,000 (was, \$750) for each day that the violation continues.

Amends GS 130A-101(a) to require that a certificate of livebirth must be filed with the local registrar in the county where the birth occurs within five days (was, within 10) after the birth.

Amends GS 130A-209(a) to require that no later than October 1, 2014, all health care facilities and health care providers that detect, diagnose, or treat cancer or benign brain or central nervous system tumors must submit reports to the central registry on each diagnosis of cancer, or benign brain or central nervous system tumors via electronic transmission. Requires the electronic transmission of the reports to be in a format prescribed by the United States Department of Health and Human Services, Centers for Disease Control and Prevention, National Program of Cancer Registries. Makes a technical change.

Effective October 1, 2013.

Intro. by Burr.

[GS 7B](#), [GS 28A](#), [GS 36C](#), [GS 108A](#), [GS 108C](#), [GS 130A](#)

[View summary](#)

[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.*

Enacts new GS 111-47.2, allowing the Department of Cultural Resources (Department) to operate or contract for the operation of food or vending services at museums and historic sites that the Department operates. Requires that the net proceeds of the revenue generated from such food and vending services be credited to the account of the museum or historic site where the funds were generated for the operation expenses. Provides that the section does not alter any contract for food or vending services at any Department-operated museum or historic site that is in force at the time that the statute becomes law.

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.*

Enacts new GS 62-155.1 requiring the North Carolina Utilities Commission (Commission) to develop a rate structure for all residential, commercial, public, and industrial customers of electric power that: (1) includes an inverted rate structure under which customers using larger quantities of electricity will pay a higher price per kilowatt hour and customers using lesser quantities will pay a lower price; (2) requires the rate structure to be in tiered blocks; (3) requires development of separate inverted tiered block rate structures (rate structures) for residential, commercial, public, and industrial customers; (4) directs that the inverted tiered blocks are to be developed for the purpose of promoting energy conservation and energy efficiency; (5) provides that the rate structures for residential customers be designed to avoid a negative economic impact on low-income families and rental units; (6) requires that the rate structure for residential customers be scaled to achieve a

40% to 60% statewide reduction in electricity use from 2010 use levels within 10 years; (7) provides that the rate structure for industrial and commercial customers be tailored on a case-by-case basis; and (8) directs that all rate structures be designed to guarantee that electric public utilities regulated under the proposed new additions to GS Chapter 62 receive a reasonable rate of return on their capital expenditures.

Enacts new GS 62-155.2 to create the Energy Efficiency Public Benefit Loan Fund (Loan Fund). Directs the Commission to contract with a third-party administrator or an independent government agency to administer the Loan Fund. Specifies the sources for the Loan Fund. Identifies the purpose of the Loan Fund is to issue loans subject to provisions in subsection (e) of proposed GS 62-155.2, regarding grants to low-income households, to customers for use in investing in energy efficiency and renewable energy projects designed to promote energy conservation and efficiency and a reduction in electric energy consumption. Additionally provides criteria regarding loan payments and eligible projects. Defines renewable energy as it is defined in GS 62-133.8. Authorizes the Commission to adopt rules to implement this section.

Adds new Article 5I (*Avoidable Pollution Tax for Certain Energy Inefficient Products*) to GS Chapter 105. Provides that the definitions in GS 105-164.3 apply to proposed Article 5I, except provides that sale does not include lease or rental, and defines energy inefficient product to mean a product that (1) is used for residential purposes, (2) belongs to a product category evaluated by the U.S. Environmental Protection Agency and the U.S. Department of Energy to set energy efficiency guidelines and qualify products for the Energy Star label, and (3) does not qualify for the Energy Star label.

Provides for a 5% privilege tax on energy inefficient product retailers for each such product sold and a 5% excise tax on the storage, use, or consumption of energy inefficient products in the state. Provides details regarding the administration of the privilege and excise taxes, considered additional state sales taxes. Provides that the exemptions and refunds allowed in Article 5 of GS Chapter 105 do not apply to the taxes imposed in new Article 5I except for the exemption for sales that the state is constitutionally prohibited from taxing. Directs the Secretary of Revenue (Secretary) to credit the taxes collected under proposed Article 5I to the Loan Fund created in new GS 62-155.2 minus the amount owed to the Department of Revenue (Department) for administrative expenses. Permits the Secretary to retain no more than \$425,000 annually as reimbursement to the Department for its collection costs.

Effective January 1, 2014.

Intro. by Fisher, Harrison, Gill.

[GS 105, GS 62](#)

[View summary](#)

[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.*

Amends GS 115C-341.1 (plan of flexible compensation to eligible employees of local school administrative units), GS 115D-25.2 (authorizing the State Board of Community Colleges to provide a plan of flexible compensation to eligible employees of constituent institutions), GS 116-17.2 (authorizing the UNC Board of Governors to provide a plan of flexible compensation to eligible employees of constituent institutions), and GS 126-95 (provide a plan of flexible compensation to eligible officers and employees of state departments, institutions, and agencies) to allow the plans to also offer a TRICARE supplement. Provides that a state entity that does offer a TRICARE supplement must use a competitive bid process to award contracts to any third party provider. Requires the NC Flex plan to offer a TRICARE supplement by January 1, 2015.

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.*

Identical to [S 378](#), filed 3/20/13.

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 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.*

Amends GS 14-269(b) by adding a new (b)(4d), providing that a justice or judge of the General Court of Justice in North Carolina who has a concealed handgun permit issued in accordance with law is exempt from the prohibition of carrying a concealed weapon, provided that the justice or judge will not carry at any time while consuming alcohol or an unlawful controlled substance or while either remains in the person's body.

Amends GS 14-415.27, changing the title of the section to *Expanded permit scope for district attorneys, assistant district attorneys, investigators employed by the office of the district attorney, justices, and judges (was, Expanded permit scope for district attorneys, assistant district attorneys, and investigators employed by office of the district attorney)*. Adds justices or judges to those that may carry a concealed handgun in specified areas, including a law enforcement or correctional facility.

Makes technical changes.

Effective December 1, 2013.

Intro. by McNeill.

GS 14

[View summary](#)

Court System, Criminal Law and Procedure

H 407 (2013-2014) [TRUSTEE-ATTY FEE/FORECLOSURES/CLERK APPROVAL](#). Filed Mar 21 2013, *A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CLERKS OF SUPERIOR COURT TO DETERMINE THE REASONABLENESS OF COUNSEL FEES PAID TO AN ATTORNEY SERVING AS A TRUSTEE IN A POWER OF SALE FORECLOSURE PROCEEDING.*

Amends GS 45-21.31 to allow the clerk of superior court in the county where a sale has been held to allow reasonable counsel fees to an attorney serving as a trustee where the attorney, on behalf of the trustee, renders services as an attorney that are different from the services normally performed by a trustee and of a type which would reasonably justify the retention of legal counsel by a trustee who is not licensed to practice law.

Intro. by Turner.

GS 45

[View summary](#)

Civil Law

H 410 (2013-2014) [CANCEL TITLE TO MANUFACTURED HOME](#). Filed Mar 21 2013, *A BILL TO BE ENTITLED AN ACT TO ALLOW THE DIVISION OF MOTOR VEHICLES TO CANCEL A CERTIFICATE OF TITLE TO A MANUFACTURED HOME WHEN THE PERSON REQUESTING CANCELLATION DOES NOT HAVE THE CERTIFICATE OF TITLE.*

Amends GS 109.2 to provided that if a certificate of title has been issued for a manufactured home, no issued title is available, and the home qualifies as real property, then the owner listed on the title is deemed to have surrendered title to the Division of Motor Vehicles if the owner of the property on which the manufactured home is affixed submits (1) an affidavit that the home meets this definition and (2) a tax record showing that the home listed for ad valorem taxes as real property in the name of the record owner of the real property on which the home is affixed.

Amends the information that must be included in the affidavit that a manufactured home meets the definition of real property in GS 105-273(13) to include a statement that the affiant is (1) the record owner of the real property on which the manufactured home is affixed and the lease for the home does not include a provision allowing the owner listed on the certificate of title to dispose of the home before the end of the primary term of lease or (2) the owner of the manufactured home and owns the property that the home is affixed to or has entered into a lease with a primary term of at least 20 years for the real property that the home is affixed to. Providing false information on the affidavit is a Class 2 misdemeanor.

Effective July 1, 2013.

Intro. by Jordan.

GS 20

[View summary](#)

Transportation, Property and Housing, Department of Transportation

H 415 (2013-2014) [LIMIT SUCCESSOR ASBESTOS-RELATED LIABILITY](#). Filed Mar 21 2013, *A BILL TO BE ENTITLED AN ACT TO LIMIT ASBESTOS-RELATED LIABILITIES FOR CERTAIN SUCCESSOR CORPORATIONS.*

Amends GS Chapter 99E by adding new Article 5, *Successor Asbestos-Related Liability*.

Adds new GS 99E-40 (*Definitions*), providing the terms and definitions to be used in this Article, including *asbestos claim, corporation, successor, successor asbestos-related liability, transferor*.

Creates new GS 99E-42 (*Limitation on successor asbestos-related liability*), providing that, except as further limited in the statute, the cumulative successor asbestos-related liabilities of a successor corporation are limited to the fair market value of the total gross assets of the transferor, determined at the time of the merger/consolidation. No successor or asbestos-related liabilities are available in excess of this limitation. If a transferor assumes or incurs successor asbestos-related liabilities in connection with a prior merger/consolidation with a prior transferor, the fair market value of the total assets of the prior transferor determined at the time of the earlier merger or consolidation will be substituted for the limitation described above for purposes of determining the limitation of liability of a successor corporation.

Creates new GS 99E-41 (*Applicability*), establishing that the limitations in GS 99E-42 apply to any successor except for (1) certain workers' compensation benefits, (2) claims against a corporation that are not considered a successor asbestos-related liability, (3) any obligation under 29 USC 151 or under any collective bargaining agreement, (4) certain successors that continued in the business of mining asbestos or in named related asbestos businesses.

Creates new GS 99E-43 (*Establishing fair market value of total gross assets*). Allows a successor corporation to establish fair market value of total gross assets for the purpose of limitations under GS 99E-35 through any one of the following methods: (1) by reference to the going concern value of the assets or to the purchase price attributable to or paid for the assets in an arms-length transaction or (2) in the absence of other readily available information from which the fair market value can be determined, by reference to the value of the assets recorded on a balance sheet.

Provides that total gross assets include intangible assets. Sets other conditions to the extent that total gross assets include any liability insurance that was issued to the transferor whose assets are being valued for purposes of this section, no insurance or other obligations will be affected.

Creates new GS 99E-44 (*Adjustment*), providing that the fair market value of total gross assets at the time of the merger/consolidation will increase annually at a rate equal to the sum of (1) the prime rate as listed in the *Wall Street Journal* for each calendar year since the merger/consolidation and (2) one percent.

The above calculation is subject to the following limitations: (1) the rate defined above cannot be compounded, (2) the adjustment of the fair market value of total gross assets will continue as provided above until the adjusted value is first exceeded by the cumulative amounts of successor asbestos-related liabilities paid or committed to be paid, and (3) no adjustment can be applied to any liability insurance that may be included in the definition of total gross assets in GS 99E-43.

Creates new GS 99E-45 (*Scope of Article; application*), providing that the article will be liberally construed with regard to successors and it will apply to all asbestos claims filed against a successor on or after the effective date of this act. Also applies to any pending asbestos claims against a successor in which a trial has not yet commenced as of the effective date.

Effective July 1, 2013.

Intro. by Schaffer, Blust, Murry.

[GS 99E](#)

[View summary](#)

[Corporation and Partnerships, Civil Law](#)

H 416 (2013-2014) [INCREASE SMALL CLAIMS AMOUNT](#). Filed Mar 21 2013, *A BILL TO BE ENTITLED AN ACT TO INCREASE THE JURISDICTIONAL AMOUNT FOR SMALL CLAIMS ACTIONS TO TEN THOUSAND DOLLARS*.

Amends GS 7A-210, as the title indicates. Applies to actions filed on or after July 1, 2013.

Intro. by Hurley, Daughtry.

[GS 7A](#)

[View summary](#)

[Civil Law, Civil Procedure](#)

H 417 (2013-2014) **MODIFY INTERNAL AUDITING STATUTES**. Filed Mar 21 2013, *A BILL TO BE ENTITLED AN ACT TO MODIFY THE INTERNAL AUDITING STATUTES APPLICABLE TO LARGE STATE DEPARTMENTS AND THE UNIVERSITY SYSTEM.*

Amends GS 143-745 as follows. Amends the definition of agency head to also include the President of the Community College System, the State Controller, and other independent appointed officers with authority over a state agency and removes the Superintendent of Public Instruction. Also amends the definition of *state agency* to include all institutions, boards, commissions, and authorities that are a unit of the state executive branch; makes conforming changes and provides that the term does not include a unit of local government.

Deletes provisions of GS 143-746(c) and instead states that any state employee who performs the internal audit function must meet the minimum qualifications for internal auditors established by the Office of State Personnel. Amends GS 143-746(d), providing that the Director of Internal Auditing (Director) will report to (1) the agency head; (2) the chief deputy or chief administrative assistant; or (3) the agency governing board, if the board exists. States that the Director will be situated to avoid impairing independence. Makes other clarifying changes to GS 143-746.

Makes other clarifying changes to GS 143-147.

Enacts new GS 143-748 providing that internal audit work papers are confidential except as otherwise provided or upon subpoena. Provides that a published internal audit report is public record as long as the information is not confidential under federal or state law or would not compromise security of a state agency. Provides for the retention and inspection of audit reports and reports of other examinations, investigations, surveys, and reviews.

Effective for offenses committed on or after December 1, 2013, enacts new GS 143-749 making it a Class 2 misdemeanor for any state agency officer, employee, or agent to willfully make or cause to be made to an agency internal auditor or designee any false, misleading, or unfounded report in order to interfere with the performance of an audit, special review, or investigation, or to hinder or obstruct the auditor in performing the auditor's duties.

Intro. by Hastings, Stone, S. Ross, R. Brown.

[GS 143](#)

[View summary](#)

[Higher Education, State Agencies](#)

PUBLIC/SENATE BILLS

S 140 (2013-2014) **FINANCIAL EXPLOITATION OF OLDER ADULTS**. Filed Feb 27 2013, *A BILL TO BE ENTITLED AN ACT TO INCREASE THE RECOGNITION, REPORTING, AND PROSECUTION OF THOSE WHO WOULD DEFRAUD OR FINANCIALLY EXPLOIT DISABLED OR OLDER ADULTS, AND TO CONTINUE THE TASK FORCE ON FRAUD AGAINST OLDER ADULTS, AS RECOMMENDED BY THE TASK FORCE ON FRAUD AGAINST OLDER ADULTS.*

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

Makes technical and clarifying changes, changing references to elder/elderly persons to older/older adults.

Amends GS 108A-106.1(a), deleting depositor (was, adult customer or depositor) from those whose financial records are to be provided.

Amends GS 108A-106.1(a) and (b), reorganizing GS 108A-106.1(a4) to become GS 108A-106.1(b).

Changes GS 108A-106.1(c), (now GS 108A-106.1(d)) language from "older adult joint account holder" to "disabled adult joint account holder."

Makes conforming changes.

Amends GS 108A-116(a), deleting depositor (was, adult customer or depositor) from those whose financial records are to be provided to law enforcement.

Makes technical and conforming changes.

Intro. by Bingham.

GS 14, GS 53B, GS 108A

[View summary](#)

Banking and Finance, Consumer Protection, Criminal Justice, Social Services

S 200 (2013-2014) **EXTEND TIME FOR FORENSIC ACCREDITATION (NEW)**. Filed Mar 5 2013, *A BILL TO BE ENTITLED AN ACT TO EXTEND THE TIME FOR LOCAL FORENSIC SCIENCE LABS TO OBTAIN ACCREDITATION.*

Senate amendment to the 2nd edition changes the deadline for local forensic science labs and certain forensic scientists to receive accreditation to July 1, 2018 (was, 2020).

Intro. by Bingham, Goolsby, Newton.

UNCODIFIED

[View summary](#)

Criminal Justice

S 334 (2013-2014) **DOROTHEA DIX LEASE**. Filed Mar 14 2013, *A BILL TO BE ENTITLED AN ACT TO REESTABLISH THE STATUS QUO ANTE WITH REGARD TO THE DOROTHEA DIX PROPERTY IN ORDER TO ALLOW A TRANSACTION THAT REPRESENTS THE STATE'S NECESSITY OF HOUSING THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, RALEIGH'S GOAL OF CREATING A WORLD CLASS DESTINATION PARK, THE MENTAL HEALTH COMMUNITY'S NEED FOR APPROPRIATE SERVICES, AND THE PEOPLE OF NORTH CAROLINA'S RIGHT TO A FAIR RETURN ON INVESTMENT.*

Senate committee substitute to the 1st edition makes the following changes. Corrects a whereas clause.

Intro. by Hise, Pate, Tucker.

Wake, UNCODIFIED

[View summary](#)

Department of Administration, Department of Health and Human Services, Mental Health

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.*

Enacts new Article 9G (*Military Lands Protection*) in GS Chapter 143. Prohibits cities and counties from authorizing the construction of, and prohibits the construction of, a tall building or structure (as defined, includes those that are more than 200 feet high, with specified exceptions) in any area surrounding a major Department of Defense military installation in the state unless the city or county receives a certification issued by the Building Code Council (Council) or proof of the Council's failure to act within the allowed time period. Also prohibits cities and counties from authorizing utility services to any building or structure constructed in violation of the statute. Exempts wind energy facilities and expansions of those facilities from the certification requirement. Sets out information that must be included in an application for certification, including identification of and notice to installations that are located within five miles of the proposed construction and a written "Determination of No Hazard to Air Navigation" from the Federal Aviation Administration. Requires the Council to deny a certification application if the Council finds (1) construction of the building or structure would interfere with the mission, training, or operations of any major military installation and be detrimental to continued military presence in the state or (2) the Council has not received the applicant's "Determination of No Hazard to Air Navigation." Requires the Council to make a decision on an application within

60 days or before the Council's next scheduled meeting, whichever occurs last. If the Council does not act in this timeframe, the applicant may treat the failure to act as an approval of the permit. Provides for enforcement and penalties, with the fine cap set at \$5,000. Requires that proceeds of any civil penalties be remitted to the Civil Penalty and Forfeiture Fund.

Effective October, 1, 2013.

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.*

Enacts new Article 43, Radiologic Technologists and Radiation Therapists, to GS Chapter 90 to establish standards of education, examination, and licensure for persons operating equipment used for radiologic imaging and radiation therapy procedures. Defines terms applicable to Article 43. Prohibits, on or after October 1, 2014, any person from administering, offering to administer, or otherwise indicating that the person is licensed to administer radiologic imaging or radiation therapy procedures unless the person is licensed under Article 43. Exempts eight listed parties from Article 43. Creates an eleven-member Radiologic Imaging and Radiation Therapy Board of Examiners (Board), with appointments and terms, as indicated. Directs the Board to establish licensure standards for a radiographer, radiation therapist, nuclear medicine technologist, cardiovascular invasive specialist, magnetic resonance technologist, and limited X-ray machine operator. Permits a person licensed under Article 43 to perform specified actions using radioactive substances or equipment emitting radiation, and lists three limitations specifically related to the performance of computed tomography. Sets forth additional details related to Board meetings and administration. Enumerates 12 powers and duties of the Board. Lists requirements for licensure for all applicants, and lists requirements specific to applicants for licensure in an area of radiologic imaging or radiation therapy and requirements specific to applicants for licensure as limited X-ray operators. Directs the Board to establish criteria, standards, and an approval mechanism for educational programs in radiologic imaging and radiation therapy. Requires that applicants pass a Board-approved examination, and directs the Board to accept persons currently registered by other boards, as specified. States that certain X-ray machine operators will take an exam administered by the American Registry of Radiologic Technologists. Details additional provisions for license issuance, temporary licenses, license renewal, and requires licensees to display licenses or a verified copy in each place of regular employment. Authorizes medical facilities and educational institutions to offer programs approved by the Board in applicable subject areas, provided certain guidelines are met. Authorizes the Board to grant a license to a person licensed, certified, or registered to perform or administer radiologic imaging or radiation therapy procedures in another jurisdiction with substantially equivalent standards of competency. Directs the Board to set fees, as specified, and to pay all expenditures out of funds from the fees. Allows the Board to discipline applicants or licensees, after a hearing, under nine specified circumstances. Makes each violation of Article 43 a Class 1 misdemeanor. Authorizes the Board to apply to any appropriate court to enjoin violations of Article 43. Authorizes the Board to assess, after considering four factors, a civil penalty up to \$1,000 for a violation of Article 43 or adopted rules, with proceeds remitted to the Civil Penalty and Forfeiture Fund. Specifies that, for a period not to exceed two years after this act becomes effective upon payment of the proper fee, an individual providing documentation of employment for two of the preceding three years as a radiographer, radiation therapist, nuclear medicine technologist, magnetic resonance technologist, cardiovascular invasive specialist, or limited X-ray machine operator may be issued a license by the Board, without having to pass an examination. Requires the Board to adopt rules to provide a method for recognizing individuals whose training and experience are determined to be equivalent to that of a graduate of an accredited educational program in the area of specialty. Provides that any rules adopted by the Board expire seven years after the act becomes effective.

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.*

Enacts new GS 143-214.15 prohibiting the Department of Environment and Natural Resources (DENR) from requiring or issuing a water quality certification under section 401 the Clean Water Act if it fails or refuses to act on a request for a certification within one year after receiving the request. In such cases, the certification requirement is deemed to be waived.

Sets out the General Assembly's finding that DENR's failure to act on a certification request under section 401(a)(1) of the Clean Water Act within a reasonable time, not to exceed one year, constitutes a waiver of the certification requirement.

Effective July 1, 2013.

Intro. by Daniel, Brock.

GS 143

[View summary](#)

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

S 392 (2013-2014) [EXEMPT VETERAN INCOME FROM TAXATION](#). Filed Mar 21 2013, *A BILL TO BE ENTITLED AN ACT TO EXEMPT FROM INCOME TAX MILITARY RETIREMENT INCOME.*

Amends GS 105-134.6(b), as the title indicates. Effective for taxable years beginning on or after January 1, 2013.

Intro. by Clark.

GS 105

[View summary](#)

[Tax, Military and Veteran's Affairs](#)

S 393 (2013-2014) [CONSTRUCTIVE FRAUD/LIMITATIONS PERIOD](#). Filed Mar 21 2013, *A BILL TO BE ENTITLED AN ACT RELATING TO THE LIMITATIONS PERIOD FOR ACTIONS ON THE GROUND OF CONSTRUCTIVE FRAUD.*

Amends GS 1-52(9) to provide that the provisions of the subdivision regarding limitation periods for actions on fraud applies to actual or constructive fraud (was, fraud). Provides that this subdivision does not apply in claims alleging constructive fraud brought under Article 3A of GS Chapter 39 or claims for actual or constructive fraud under GS 75-1.1. Makes a conforming change.

Effective when the act becomes law and applies to claims arising on or after that date.

Intro. by Clodfelter.

GS 1

[View summary](#)

[Civil Law, Civil Procedure](#)

S 394 (2013-2014) [LOWER TAX RATES FOR A STRONGER NC ECONOMY](#). Filed Mar 21 2013, *A BILL TO BE ENTITLED AN ACT TO ADOPT A BIPARTISAN TAX REFORM PLAN TO PROMOTE ECONOMIC DEVELOPMENT IN NORTH CAROLINA BY ESTABLISHING A SOUND STATE TAX STRUCTURE THAT REVISES THE EXISTING STRUCTURE ON A REVENUE-NEUTRAL BASIS, LOWERS ALL MAJOR TAX RATES, TAXES ALL INCOME AT THE SAME RATE, AND MAKES THE STRUCTURE SIMPLER, FAIRER, AND CONSISTENT WITH THE MODERN ECONOMY, AS RECOMMENDED BY PAST TAX STUDIES.*

To be summarized in the next *Daily Bulletin*.

Intro. by Clodfelter.

[GS 105](#), [GS 115C](#), [GS 53](#), [GS 55](#), [GS 57C](#), [GS 59](#), [GS 93](#), [GS 95](#),
[GS 108A](#), [GS 110](#), [GS 113](#), [GS 113A](#), [GS 143B](#), [GS 153A](#), [GS 160A](#)

[View summary](#)

Tax

S 395 (2013-2014) [TRICARE SUPPLEMENT FOR FLEX ACCOUNTS](#). Filed Mar 21 2013, *A BILL TO BE ENTITLED AN ACT TO ALLOW A TRICARE SUPPLEMENT FOR FLEXIBLE COMPENSATION PLANS OFFERED BY THE STATE.*

Identical to [H 402](#), filed 3/20/13.

Amends GS 115C-341.1 (plan of flexible compensation to eligible employees of local school administrative units), GS 115D-25.2 (authorizing the State Board of Community Colleges to provide a plan of flexible compensation to eligible employees of constituent institutions), GS 116-17.2 (authorizing the UNC Board of Governors to provide a plan of flexible compensation to eligible employees of constituent institutions), and GS 126-95 (provide a plan of flexible compensation to eligible officers and employees of state departments, institutions, and agencies) to allow the plans to also offer a TRICARE supplement. Provides that a state entity that does offer a TRICARE supplement must use a competitive bid process to award contracts to any third party provider. Requires the NC Flex plan to offer a TRICARE supplement by January 1, 2015.

Intro. by Meredith.

[GS 116](#), [GS 115C](#), [GS 115D](#), [GS 126](#)

[View summary](#)

Insurance

S 396 (2013-2014) [MODIFY SALES TAX FOR PRODUCTS OF MINES](#). Filed Mar 21 2013, *A BILL TO BE ENTITLED AN ACT TO EXEMPT FROM SALES TAX THE PRODUCTS OF MINES IN THEIR ORIGINAL OR UNMANUFACTURED STATE WITHOUT RESPECT TO WHO MAKES THE SALE.*

Amends GS 105-164.13, as the title indicates. Effective July 1, 2013, and applies to sales made on or after that date.

Intro. by Meredith.

[GS 105](#)

[View summary](#)

Tax

S 397 (2013-2014) [NATURAL GAS/RATE ADJUSTMENT MECHANISM](#). Filed Mar 21 2013, *A BILL TO BE ENTITLED AN ACT AUTHORIZING THE UTILITIES COMMISSION TO ADOPT, IMPLEMENT, MODIFY, OR ELIMINATE A RATE ADJUSTMENT MECHANISM FOR NATURAL GAS LOCAL DISTRIBUTION COMPANY RATES.*

Identical to [H 119](#), filed 2/19/13.

Amends Article 7 of GS Chapter 62 by enacting new GS 62-133.7A, allowing the Utilities Commission (Commission) to adopt, use, adjust, or eliminate the rate mechanism utilized for natural gas local distribution companies so that such companies can recover the expenses of complying with federal gas pipeline safety standards. Such adjustment is only allowed when the Commission finds it to be in the public's interest.

Intro. by Newton.

[GS 62](#)

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

S 398 (2013-2014) **GOVERNOR'S BUDGET**. Filed Mar 21 2013, *A BILL TO BE ENTITLED AN ACT TO MAKE BASE BUDGET APPROPRIATIONS FOR CURRENT OPERATIONS OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES, AS RECOMMENDED BY THE GOVERNOR AND INTRODUCED BY THE APPROPRIATIONS COMMITTEE CHAIRS PURSUANT TO G.S. 143C-5-1.*

Blank bill.

Intro. by Brunstetter, Brown, Hunt.

APPROP

[View summary](#)**Budget/Appropriations**

S 399 (2013-2014) **CRIMINAL DEFENDANT MAY WAIVE JURY TRIAL**. Filed Mar 21 2013, *A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION TO PROVIDE THAT A PERSON ACCUSED OF ANY CRIMINAL OFFENSE IN SUPERIOR COURT FOR WHICH THE STATE IS NOT SEEKING A SENTENCE OF DEATH MAY WAIVE THE RIGHT TO TRIAL BY JURY AND INSTEAD BE TRIED BY A JUDGE.*

Subject to the approval of voters at a statewide general election held on November 4, 2014, amends Section 24 of Article I of the state constitution to allow a person accused of a crime to, in writing or on the record, with the trial judge's consent, waive jury trial, subject to regulations by the General Assembly. If approved by voters, the amendment becomes effective December 1, 2004, and applies to criminal offenses arraigned in superior court on or after that date.

Amends GS 15A-1201 to allow a defendant in a criminal case in superior court to waive the right to trial by jury with the judge's consent, in writing or on the record. Provides that when a defendant waives that right, the jury is dispensed and the whole matter of law and fact is to be heard by the court. Effective December 1, 2014, only if the constitutional amendment is approved.

Intro. by Brunstetter.

CONST, GS 15A

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

S 400 (2013-2014) **REVISE HOMEOWNER/HOMEBUYER PROTECTION ACT**. Filed Mar 21 2013, *A BILL TO BE ENTITLED AN ACT AMENDING THE HOMEOWNER AND HOMEBUYER PROTECTION ACT.*

Identical to [H 203](#), filed 3/4/13.

Amends GS 47G-1 to make clarifying changes and technical corrections to the following definitions as they apply in GS Chapter 47G (*Option to Purchase Contracts Executed With Lease Agreements*): (1) *covered lease agreement*, (2) *option contract or contract*, and (3) *option fee*.

Amends GS 47G-7 and GS 47H-8 to delete the provision that a violation of any provision of Chapter 47G constitutes an unfair and deceptive trade practice under GS 75-1.1.

Amends GS 47H-2 to add that the minimum content for a deed contract must also contain a completed residential property disclosure statement as provided in GS Chapter 47E. Deletes two specified requirements as delineated in current GS 47H-2.

Current law provides that a seller whose title is not held in fee simple but is encumbered by any obligation that constitutes a lien on the property may execute a contract for deed only if the underlying mortgage or encumbrance is in the seller's

name. Amends GS 47H-6 (*Title requirements*) to remove as a condition for the sale of such encumbered property that the lien be attached only to the property sold to the purchaser under the contract for deed. Makes organizational changes.

Amends GS 75-120 to define default as meaning whenever a notice of default is filed in the county where the property is located on the loan or debt that is secured by the property, including real estate taxes (was, defined as whenever a property is more than 60 days delinquent of the loan or debt secured by the property).

Amends GS 75-121, which allows an exception to the prohibition against foreclosure rescue transactions, to delete language that required the appraisal for purposes of the exception to be delivered to the person transferring the property no more than three days after the appraisal and no less than seven days prior to the transfer of the property. Also deletes language that this section does not apply to exempt transactions.

Effective October 1, 2013, and applies to transactions entered on or after that date.

Intro. by Allran.

[GS 47G, GS 75, GS 47H](#)

[View summary](#)

[Property and Housing](#)

LOCAL/HOUSE BILLS

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.*

Amends SL 2012-55, Section 1, as the title indicates.

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.*

Amends GS 115C-84.2(d) to set the opening date for public schools in the Randolph County Schools and the Asheboro City Schools systems as of August 1 and requires that first semester exams be given before winter break. Allows the local board of education to set the opening and closing dates for any school in the unit to coincide with the opening and closing dates of a community college that serves the city or county in which the school is located. Applies only to the Randolph County and Asheboro City schools. Applies beginning with the 2013-14 school year.

Intro. by McNeill, Hurley.

[Randolph](#)

[View summary](#)

[Elementary and Secondary Education](#)

H 408 (2013-2014) [BEAUFORT/RIGHT-OF-WAY SAFETY](#). Filed Mar 21 2013, *A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE DISCHARGE OF A FIREARM OR BOW AND ARROW FROM THE RIGHT-OF-WAY IN BEAUFORT COUNTY.*

Makes it unlawful to discharge a firearm or bow and arrow, or attempt to do so, from, on, across, or over the roadway or right-of-way of any public road in Beaufort County. Violations are punishable as a Class 3 misdemeanor. Provides that the act is enforceable by law enforcement officers of the Wildlife Resources Commission, by sheriffs and deputy sheriffs, and by other peace officers with general subject matter jurisdiction. Applies to offenses committed on or after October 1, 2013. Applies only to Beaufort County.

Intro. by Speciale.

[Beaufort](#)

[View summary](#)

H 409 (2013-2014) [SHELBY DEANNEXATION](#). Filed Mar 21 2013, *A BILL TO BE ENTITLED AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE CITY OF SHELBY.*

Removes described property from Shelby's corporate limits. Provides that the act has no effect on the validity of the city's liens for ad valorem taxes or special assessments outstanding before the act becomes effective. Allows Shelby to exercise the powers of extraterritorial jurisdiction within the property. Provides that if the property is not developed for Pinnacle Classical Academy by June 30, 2016, then the removal of the property from Shelby's corporate limits is repealed effective June 30, 2016, and the property is added back to Shelby's corporate limits effective July 1, 2016.

Intro. by T. Moore.

[Cleveland](#)

[View summary](#)

H 411 (2013-2014) [SCHOOL CALENDAR FLEXIBILITY/CERTAIN COUNTIES](#). Filed Mar 21 2013, *A BILL TO BE ENTITLED AN ACT TO PROVIDE ADDITIONAL FLEXIBILITY TO CERTAIN LOCAL BOARDS OF EDUCATION IN ADOPTING THE SCHOOL CALENDAR.*

Amends GS 115C-84.2(d) to allow the local boards of education in Caswell, Rockingham, and Stokes county schools to determine the dates of the opening and closing of public schools. Provides that for days on which a student is absent before September 1 because of a family vacation, the student will receive an excused absence and will have the opportunity to make up any tests or work missed. Applies only to Caswell, Rockingham, and Stokes County schools. Applies beginning with the 2013-14 school year.

Intro. by Jones, Holloway.

[Caswell, Rockingham, Stokes](#)

[View summary](#)

[Elementary and Secondary Education](#)

H 412 (2013-2014) [EDEN/DUKE ENERGY/ANNEXATION AGREEMENT](#). Filed Mar 21 2013, *A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF EDEN TO ENTER INTO AN AGREEMENT FOR PAYMENTS IN LIEU OF ANNEXATION.*

Allows the City of Eden to enter into an agreement to provide that the Dan River Plant Property (as described in the act) may not be involuntarily annexed by Eden from January 1, 2014, until December 31, 2019, except as provided in the agreement, under the General Statutes as they now exist or may be amended. Provides that Eden may not seek to repeal this act. Any agreement entered into is deemed to be proprietary and commercial in nature and is deemed consistent with the state's public policy. Provides that any agreement entered into is a continuing agreement and enforceable against the city's current and future members of the city council during the term of the agreement and extension of the agreement. Authorizes parties to the agreement to modify, amend, and extend the agreement on mutual written consent as long as it does not materially alter the concept of the agreement. Allows Eden to accept payment in lieu of taxes as consideration for the agreement and provides that Eden will accept \$1 million as payment in lieu of taxes on the Dan River Plant Property with Duke Energy making annual payments of \$200,000.

Intro. by Jones.[Rockingham](#)[View summary](#)[Public Enterprises and Utilities](#)

H 413 (2013-2014) [SCHOOL CALENDAR FLEXIBILITY/GRANVILLE COUNTY](#). Filed Mar 21 2013, *A BILL TO BE ENTITLED AN ACT TO GIVE THE GRANVILLE COUNTY BOARD OF EDUCATION ADDITIONAL FLEXIBILITY IN SETTING THE SCHOOL CALENDAR.*

Amends GS 115C-84.2(d) to allow local boards of education to determine the opening and closing dates for public schools. Provides that except for year round schools, the opening date is no earlier than August 12. Applies only to the Granville County school administrative unit. Applies beginning with the 2013-14 school year.

Intro. by Wilkins, Baskerville.[Granville](#)[View summary](#)[Elementary and Secondary Education](#)

H 414 (2013-2014) [SCHOOL CALENDAR FLEXIBILITY: GASTON CO.](#) Filed Mar 21 2013, *A BILL TO BE ENTITLED AN ACT TO PROVIDE ADDITIONAL FLEXIBILITY TO THE GASTON COUNTY BOARD OF EDUCATION IN ADOPTING THE SCHOOL CALENDAR.*

Amends GS 115C-84.2(d) to allow local boards of education to determine the opening and closing dates of public schools; deletes specifications for setting the opening and closing dates. Applies to Gaston County Schools only. Applies beginning with the 2013-14 school year.

Intro. by Torbett, Bumgardner.[Gaston](#)[View summary](#)[Elementary and Secondary Education](#)

H 418 (2013-2014) [BUNCOMBE CULTURE & REC. AUTHORITY \(NEW\)](#). Filed Mar 21 2013, *A BILL TO BE ENTITLED AN ACT AUTHORIZING BUNCOMBE COUNTY TO ESTABLISH A CULTURE AND RECREATION AUTHORITY.*

Allows Buncombe County and Asheville to, by agreement, create a Parks and Recreation Authority (Authority). The purpose of the Authority is to manage or operate parks, greenways, or recreation facilities as designated by the Board of Commissioners (Board) and City Council (Council). Provides that the Authority consists of seven members and specifies membership appointment. Appointments are for three years and provides for filling vacancies. Allows the Board or Council to transfer property to the Authority, but once an asset is conveyed to the Authority, it may not be removed from the Authority's management or control without approval by a majority of the members of the Board and Council. Establishes the Authority's powers. Authorizes the Board and Council to appropriate funds to support the Authority. Allows the Authority to establish any license and regulatory fees and charges, subject to approval by the Board and Council. Allows the county to levy a tax not to exceed \$.07 on the \$100 valuation of property in the county from year to year, to be used only for park and recreational purposes under the Authority's jurisdiction. Also allows, if funds are insufficient, for a question on issuing bonds to be submitted to the voters. Gives the Board and Council the power to terminate the Authority by a majority vote.

Intro. by Ramsey, Moffitt.[Buncombe](#)[View summary](#)

ACTIONS ON BILLS**PUBLIC BILLS****H 17: GUN PERMITS/CONFIDENTIALITY (NEW).**

House: Postponed To 03/26/2013

H 18: YOUTH SKIN CANCER PREVENTION ACT.

Senate: Rec From House

Senate: Passed 1st Reading

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

H 96: EQUAL TAX TREATMENT OF GOV'T RETIREE BENEFITS.

House: Reptd Fav

House: Re-ref Com On Finance

H 150: ZONING/DESIGN & AESTHETIC CONTROLS.

Senate: Rec From House

Senate: Passed 1st Reading

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

H 180: MECHANICS LIENS/TECHNICAL CORRECTIONS.

Ratified

Pres. To Gov. 3/21/2013

H 181: PHYSICIAN SUPRVSN. REQUIRED/NURSE ANESTHETIST.

House: Placed On Cal For 03/26/2013

H 194: ALLOW PAVE CERTIFICATION/VETERINARY LICENSE.

House: Assigned To Commerce and Job Development Subcommittee on Biotechnology and Health Care

H 199: INCREASE JURISDICTIONAL AMOUNT/DISTRICT CT.

House: Postponed To 03/26/2013

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

Senate: Rec From House

Senate: Passed 1st Reading

Senate: Ref To Com On Education/Higher Education

Senate: Rec From House

Senate: Passed 1st Reading

Senate: Ref To Com On Education/Higher Education

H 243: LIENS/SELF-SERVICE STORAGE FACILITIES.

House: Postponed To 03/26/2013

H 249: SUBSTITUTE TEACHER DEDUCTION/PERSONAL LEAVE.

Senate: Rec From House

Senate: Passed 1st Reading

Senate: Ref To Com On Education/Higher Education

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

House: Postponed To 03/26/2013

H 254: ZONING CHANGES/NOTICE TO MILITARY BASES.

House: Reptd Fav

House: Re-ref Com On Finance

H 255: UNC TUITION SURCHARGE/ADVANCE NOTICE.

Senate: Rec From House

Senate: Passed 1st Reading

Senate: Ref To Com On Education/Higher Education

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

House: Reptd Fav

House: Re-ref Com On Health and Human Services

H 257: UNCLAIMED PROPERTY PROGRAM IMPROVEMENTS.

Senate: Rec From House

Senate: Passed 1st Reading

Senate: Ref To Com On Finance

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

House: Withdrawn From Cal

House: Re-ref Com On Public Utilities and Energy

H 315: PLASTICS LABELING REQUIREMENTS.

House: Assigned To Commerce and Job Development Subcommittee on Energy and Emerging Markets

H 352: DISAPPROVE COYOTE HUNTING RULE.

House: Passed 1st Reading

House: Ref to the Com on Rules, Calendar, and Operations of the House, if favorable, Environment, if favorable, Agriculture, if favorable, Regulatory Reform, if favorable, Commerce and Job Development, if favorable, Judiciary

H 356: CUSTOMER SRVC., ECON. DEV., AND TRANSPORT'N.

House: Passed 1st Reading

House: Ref to the Com on Transportation, if favorable, Environment, if favorable, Commerce and Job Development, if favorable, Appropriations

H 357: RETIREMENT GOVERNANCE CHANGES ACT OF 2013.-AB

House: Passed 1st Reading

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

H 358: RETIREMENT TECHNICAL CORRECTIONS.-AB

House: Passed 1st Reading

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

H 359: RETIREMENT ADMINISTRATIVE CHANGES ACT OF 2013.

House: Passed 1st Reading

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

H 360: SUNDAY HUNTING ON PRIVATE LAND.

House: Passed 1st Reading

House: Ref to the Com on Agriculture, if favorable, Regulatory Reform

H 361: JUSTICE REINVESTMENT TECHNICAL CORRECTIONS.-AB

House: Passed 1st Reading

House: Ref to the Com on Judiciary Subcommittee B, if favorable, Appropriations

H 362: DEPT. OF PUBLIC SAFETY CHANGES.-AB

House: Passed 1st Reading

House: Ref to the Com on Finance, if favorable, Appropriations

H 363: HONOR FOUNDERS/SPRINGFIELD'S 150TH.

House: Passed 1st Reading

House: Cal Pursuant 32(a)

House: Placed On Cal For 04/09/2013

H 364: TREAS.DEBT ISSUANCE ACCOUNTABILITY/PED STDY (NEW).

House: Passed 1st Reading

House: Ref to the Com on Finance, if favorable, Appropriations

H 366: NC FARM ACT OF 2014 (NEW).

House: Passed 1st Reading

House: Ref To Com On Agriculture

House: Passed 1st Reading

House: Ref To Com On Agriculture

H 367: TITLE TO UNCLAIMED COLLECTIONS.-AB

House: Passed 1st Reading

House: Ref to the Com on Finance, if favorable, Appropriations

H 368: BD. OF AGRICULTURE FORESTRY/NURSERY APPTS.-AB

House: Passed 1st Reading

House: Ref To Com On Agriculture

H 369: CRIMINAL LAW CHANGES.

House: Passed 1st Reading

House: Ref to the Com on Agriculture, if favorable, Judiciary Subcommittee B

House: Passed 1st Reading

House: Ref to the Com on Agriculture, if favorable, Judiciary Subcommittee B

House: Passed 1st Reading

House: Ref to the Com on Agriculture, if favorable, Judiciary Subcommittee B

H 370: SHORTEN REVIEW PERIOD/STATE PROPERTY SALES.-AB

House: Passed 1st Reading

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

H 371: CHIROPRACTIC ASSISTANT CERTIFICATION/FEE.-AB

House: Passed 1st Reading

House: Ref to the Com on Regulatory Reform, if favorable, Finance, if favorable, Appropriations

H 372: EXECUTIVE MANSION/SALE OF EXCESS PROPERTY.-AB

House: Passed 1st Reading

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

H 373: EXTEND STATE HOLD HARMLESS SALES TAX FUNDS.

House: Passed 1st Reading

House: Ref to the Com on Finance, if favorable, Appropriations

H 374: RESCIND CONSTITUTIONAL CONVENTION CALLS.

House: Passed 1st Reading

House: Ref To Com On Judiciary

H 376: ESTABLISH A+ SCHOOLS SPECIAL FUND.-AB

House: Passed 1st Reading

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

H 377: EXEMPT DCR FEE CHANGES/CHAPTER 150B.-AB

House: Passed 1st Reading

House: Ref To Com On Finance

H 378: STUDY OVERSIGHT OF MPOS.

House: Passed 1st Reading

House: Ref to the Com on Transportation, if favorable, Rules, Calendar, and Operations of the House

H 379: AMEND VETERINARY PRACTICE ACT/FEEES.

House: Passed 1st Reading

House: Ref to the Com on Agriculture, if favorable, Environment

House: Passed 1st Reading

House: Ref to the Com on Agriculture, if favorable, Environment

H 380: DEFINE CERTIFIED REGISTERED NURSE ANESTHETIST.

House: Passed 1st Reading

House: Ref to the Com on Health and Human Services, if favorable, Regulatory Reform

H 381: RETIREMENT FISCAL INTEGRITY ACT OF 2013.-AB

House: Passed 1st Reading

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

H 382: PYROTECHNICS/UNC SCHOOL OF ARTS EXCEPTION.

House: Passed 1st Reading

House: Ref to the Com on Education, if favorable, Judiciary Subcommittee B

H 383: AMEND GRAIN DEALER LICENSING LAWS.-AB

House: Passed 1st Reading

House: Ref to the Com on Agriculture, if favorable, Judiciary Subcommittee A

H 384: AMEND DEFINITIONS/PROPERTY CLASSIF./EQU. DIST.

House: Passed 1st Reading

House: Ref To Com On Judiciary Subcommittee C

H 385: YOUTH ACCOUNTABILITY TASK FORCE.

House: Passed 1st Reading

House: Ref to the Com on Judiciary Subcommittee C, if favorable, Appropriations

H 386: EVIDENCE & DNA EXPUNCTION LAWS.-AB

House: Passed 1st Reading

House: Ref To Com On Judiciary Subcommittee C

H 387: AMEND CERTAIN CRIMINAL PROVISIONS.-AB

House: Passed 1st Reading

House: Ref To Com On Judiciary Subcommittee C

H 388: ASSIGNED COUNSEL/AMEND AND CLARIFY.-AB

House: Passed 1st Reading

House: Ref To Com On Judiciary Subcommittee B

H 389: RESTORE HOLD HARMLESS SALES TAX FUNDS.

House: Passed 1st Reading

House: Ref to the Com on Finance, if favorable, Appropriations

H 390: STATE IT GOVERNANCE CHANGES.-AB

House: Passed 1st Reading

House: Ref To Com On Government

H 391: VOLUNTEER SERVICE IN RETIREMENT.

House: Passed 1st Reading

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

H 392: WARRANT STATUS/DRUG SCREEN PUBLIC ASSIST (NEW).

House: Passed 1st Reading

House: Ref To Com On Health and Human Services

H 393: ESSENTIAL FUNDING FOR PUBLIC SCHOOLS.-AB

House: Passed 1st Reading

House: Ref To Com On Appropriations

H 394: EXTEND REHABILITATION TAX CREDITS.-AB

House: Passed 1st Reading

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

H 395: EXEMPT DCR FROM UMSTEAD ACT.-AB

House: Passed 1st Reading

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

H 396: ENACT PRIVATE WELL WATER EDUCATION ACT.-AB

House: Passed 1st Reading

House: Ref To Com On Environment

H 397: EXPAND DISTRICT JUDGE ELIGIBILITY.

House: Passed 1st Reading

House: Ref to the Com on Rules, Calendar, and Operations of the House, if favorable, Judiciary

H 398: SYSTEMATICALLY REFORM MEDICAID.-AB

House: Passed 1st Reading

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

H 399: AMEND LAWS PERTAINING TO DHHS.-AB

House: Passed 1st Reading

House: Ref to the Com on Health and Human Services, if favorable, Judiciary Subcommittee C, if favorable, Appropriations

H 400: DCR/GENERATE REVENUE/VENDOR SERVICES.-AB

House: Passed 1st Reading

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

H 401: EFFICIENT AND AFFORDABLE ENERGY RATES.

House: Passed 1st Reading

House: Ref to the Com on Public Utilities and Energy, if favorable, Commerce and Job Development

H 402: TRICARE SUPPLEMENT FOR FLEX ACCOUNTS.

House: Passed 1st Reading

House: Ref to the Com on State Personnel, if favorable, Appropriations

H 403: ASSESS PROPANE DEALERS/DISTRIBUTORS.

House: Passed 1st Reading

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

H 407: TRUSTEE-ATTY FEE/FORECLOSURES/CLERK APPROVAL.

House: Filed

H 410: CANCEL TITLE TO MANUFACTURED HOME.

House: Filed

H 415: LIMIT SUCCESSOR ASBESTOS-RELATED LIABILITY.

House: Filed

H 416: INCREASE SMALL CLAIMS AMOUNT.

House: Filed

H 417: MODIFY INTERNAL AUDITING STATUTES.

House: Filed

S 8: INCREASE FINE FOR VEHICLE REMOVAL.

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

S 9: UTILITIES/DESIGN/SURVEY LOCATION SERVICES.

House: Passed 1st Reading

House: Ref To Com On Commerce and Job Development

S 11: ESTABLISH ORGAN DONATION MONTH.

House: Placed On Cal For 03/26/2013

S 20: GOOD SAMARITAN LAW/NALOXONE ACCESS.

House: Placed On Cal For 03/26/2013

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

House: Placed On Cal For 03/26/2013

S 36: APA TECHNICAL/CLARIFYING CHGES.

Senate: Failed Concur In H Com Sub

S 44: WORKERS COMP COVERAGE/PUBLIC RECORDS.

House: Placed On Cal For 03/26/2013

S 45: INCAPACITY TO PROCEED AMENDMENTS.

Senate: Rec To Concur H Com Sub

Senate: Placed On Cal For 03/25/2013

S 50: DISCHARGED VETERANS/IDENTITY THEFT PROTECTION.

Ratified

Pres. To Gov. 03/21/2013

S 71: AMEND IRRIGATION CONTRACTORS LICENSING LAWS.

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

S 83: ENCOURAGE VOLUNTEER CARE IN FREE CLINICS.

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

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

Ratified

Pres. To Gov. 03/21/2013

S 97: PROPERTY TAX/DEANNEXATION.

House: Postponed To 03/26/2013

S 140: FINANCIAL EXPLOITATION OF OLDER ADULTS.

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

Senate: Re-ref Com On Judiciary I

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

House: Rec From Senate

S 168: CLARIFY EDUCATION REPORTING REQUIREMENTS.

House: Rec From Senate

S 175: BANKING LAWS CLARIFICATIONS/CORRECTIONS.

House: Rec From Senate

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

Senate: Amend Adopted A1

Senate: Passed 3rd Reading

Engrossed

S 205: ELIMINATE UNNECESSARY TESTING/ANIMAL WASTE.

House: Rec From Senate

S 207: MAINTAINING WATER & SEWER FISCAL HEALTH.

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

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

Senate: Withdrawn From Cal

Senate: Placed On Cal For 03/26/2013

S 334: DOROTHEA DIX LEASE.

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

S 375: DEALERS MUST PROVIDE USED CAR HISTORIES.

Senate: Passed 1st Reading

Senate: Ref To Com On Commerce

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

Senate: Passed 1st Reading

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

Senate: Passed 1st Reading

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

S 377: SUSPEND TRUCK INSPECTION/SEVERE WEATHER.

Senate: Passed 1st Reading

Senate: RefTo Com On Transportation

S 378: ASSESS PROPANE DEALERS/DISTRIBUTORS.

Senate: Passed 1st Reading

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

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

Senate: Passed 1st Reading

Senate: RefTo Com On Transportation

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

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 382: AMEND VETERINARY PRACTICE ACT/FEEES.

Senate: Passed 1st Reading

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

S 383: CAREER PREP ADULT HIGH SCHOOLS.

Senate: Passed 1st Reading

Senate: RefTo Com On Education/Higher Education

S 384: PRESENT-USE VALUE MODIFICATIONS.

Senate: Passed 1st Reading

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

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

Senate: Passed 1st Reading

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

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

Senate: Passed 1st Reading

Senate: RefTo Com On Agriculture/Environment/Natural Resources

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

Senate: Passed 1st Reading

Senate: RefTo Com On Agriculture/Environment/Natural Resources

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

Senate: Passed 1st Reading

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

Senate: Passed 1st Reading

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

S 389: LAND USE SURROUNDING MILITARY INSTALLATIONS.

Senate: Passed 1st Reading

Senate: RefTo Com On Commerce

S 390: NC CARE IN RADIOLOGIC IMAGING.

Senate: Passed 1st Reading

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

S 391: 401 CERTIFICATION CLARIFICATION.

Senate: Passed 1st Reading

Senate: RefTo Com On Agriculture/Environment/Natural Resources

S 392: EXEMPT VETERAN INCOME FROM TAXATION.

Senate: Filed

S 393: CONSTRUCTIVE FRAUD/LIMITATIONS PERIOD.

Senate: Filed

S 394: LOWER TAX RATES FOR A STRONGER NC ECONOMY.

Senate: Filed

S 395: TRICARE SUPPLEMENT FOR FLEX ACCOUNTS.

Senate: Filed

S 396: MODIFY SALES TAX FOR PRODUCTS OF MINES.

Senate: Filed

S 397: NATURAL GAS/RATE ADJUSTMENT MECHANISM.

Senate: Filed

S 398: GOVERNOR'S BUDGET.

Senate: Filed

S 399: CRIMINAL DEFENDANT MAY WAIVE JURY TRIAL.

Senate: Filed

S 400: REVISE HOMEOWNER/HOMEBUYER PROTECTION ACT.

Senate: Filed

LOCAL BILLS**H 261: KANNAPOLIS/DEANNEXATION.**

House: Reptd Fav

House: Re-ref Com On Finance

H 270: RONDA RECALL.

Senate: Rec From House

Senate: Passed 1st Reading

Senate: Ref To Com On State and Local Government

H 292: MORATORIUM/LAWSUITS FOR SCH. FUNDS (NEW).

House: Assigned To Commerce and Job Development Subcommittee on Biotechnology and Health Care

House: Assigned To Commerce and Job Development Subcommittee on Biotechnology and Health Care

H 302: REPEAL KANNAPOLIS ANNEXATION.

House: Reptd Fav

House: Re-ref Com On Finance

H 353: GRANVILLE CTY/RENEWAL ENERGY FACILITY LEASE.

House: Passed 1st Reading

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

H 354: 2 COUNTY COMMISSIONERS MAY SERVE/AB TECH. BD.

House: Passed 1st Reading

House: Ref To Com On Government

H 355: LEE CO. FLEXIBILITY RE: SCHOOL CALENDAR.

House: Passed 1st Reading

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

H 365: SPECIAL ELECTION CHATHAM CO. SCHOOL BD.

House: Passed 1st Reading

House: Ref to the Com on Education, if favorable, Government

H 375: INCREASE ALLOWED SIZE OF PASSENGER BUSES.

House: Passed 1st Reading

House: Ref To Com On Transportation

H 404: CAMDEN LOCAL STORMWATER FEES.

House: Passed 1st Reading

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

H 408: BEAUFORT/RIGHT-OF-WAY SAFETY.

House: Filed

H 409: SHELBY DEANNEXATION.

House: Filed

H 411: SCHOOL CALENDAR FLEXIBILITY/CERTAIN COUNTIES.

House: Filed

H 412: EDEN/DUKE ENERGY/ANNEXATION AGREEMENT.

House: Filed

H 413: SCHOOL CALENDAR FLEXIBILITY/GRANVILLE COUNTY.

House: Filed

H 414: SCHOOL CALENDAR FLEXIBILITY: GASTON CO.

House: Filed

H 418: BUNCOMBE CULTURE & REC. AUTHORITY (NEW).

House: Filed

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

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

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

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

S 177: HOOKERTON/MAYSVILLE SATELLITE ANNEXATIONS.

Senate: Passed 2nd Reading

S 229: OCEAN ISLE BEACH/SEA TURTLE SANCTUARY.

House: Rec From Senate

S 380: CHARLOTTE DOUGLAS INT'L AIRPORT COMMISSION

Senate: Passed 1st Reading

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

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