



## The Daily Bulletin: 2013-05-01

### PUBLIC/HOUSE BILLS

H 172 (2013-2014) [CLARIFY LEC PROCEDURES/TC](#). Filed Feb 27 2013, *A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LEGISLATIVE ETHICS COMMITTEE'S INVESTIGATIVE PROCEDURES AND TO MAKE OTHER TECHNICAL CHANGES AS RECOMMENDED BY THE LEGISLATIVE ETHICS COMMITTEE.*

House committee substitute to the 1st edition makes the following changes. Clarifies in GS 120-103.1(c) that the Legislative Ethics Committee (Committee) must do one of the specified acts including making recommendations to the chamber in which the legislator who is the subject of the complaint is a member without further investigation if (1) the referral is from the State Ethics Commission, or (2) the referral alleges conduct that may be unethical but the Committee determines it does not have jurisdiction.

**Intro. by Stam, Glazier, Horn, Lucas.**

[GS 120](#)

[View summary](#)

[General Assembly, Ethics and Lobbying](#)

H 362 (2013-2014) [DEPT. OF PUBLIC SAFETY CHANGES.-AB](#) Filed Mar 19 2013, *A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL, CLARIFYING, AND SUBSTANTIVE CHANGES RELATING TO THE DEPARTMENT OF PUBLIC SAFETY AND TO ELIMINATE THE BENCHMARKS CEILING RELATING TO PURCHASES AND CONTRACTS.*

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

Changes the long title.

Deletes Section 1 of the previous edition which repealed GS 20-196.3.

Amends GS 143-134, making technical and clarifying changes.

Amends GS 143B-600 (*Organization*), deleting subsection (b), which was concerned with the powers and duties of the deputy secretaries, directors, and the respective divisions of the Department.

Amends GS 143B-602(8), making a technical change.

Amends GS 143B-806 (*Duties and powers of the Division of Juvenile Justice of the Department of Public Safety*), providing that the Commissioner of Juvenile Justice is the head of the Division (previously, the 1st edition only established that the Director of Juvenile Justice would have certain powers and duties).

Amends GS 148-132 (*Distribution of products and services*), establishing that while the Section of Correction Enterprises of the Division of Adult Correction is empowered to market and sell products and services produced by the Enterprise to an entity or organization that has tax-exempt status, those products purchased by such an entity pursuant to this subdivision cannot be resold (previously, no limitation of the resell of the specified products or services was included).

Deletes changes made to GS 143-53(a)(1), as provided for in the previous edition of the act.

Amends GS 143-53(a)(2), dealing with rules for purchases and contracts. Allows the Secretary to adopt rules that prescribe the routine, including consistent contract language, for securing bids on items that do not exceed the bid value benchmark, established under the provisions of GS 143-53.1, 115D-58.14, or GS 116-31.10 (previous edition did not include a reference to GS 115D-58.14). Requires that the bid value benchmark for securing offers for each state department, institution, and agency established under GS 143-53.1 be determined by the Director of the Division of Purchase and Contract following consultation

with the State Budget Officer and the State Auditor. Makes various other clarifying or technical changes. Replaces the word *delegation* with *benchmark*.

Amends GS 143-53.1 (*Setting of benchmarks; increase by Secretary*), deleting the added language from the 1st edition, which provided that on or after July 1, 2014, the setting of bid value benchmarks and the procedures for competitive bids are to be based on the agency's capacity to evaluate contracts below a certain benchmark value as determined by the State Purchasing Officer and approved by the Secretary of Administration. The committee substitute now provides that the setting of bid value benchmarks and the procedures for competitive bids will promote compliance with the principles of procurement efficiency, transparency, and fair competition to obtain the State's business. Makes a technical change.

Amends GS 166A-19.11, (*Powers of the Secretary of Public Safety*), making a technical change.

Amends the new language in GS 20-185(a1), provided for in the previous addition, establishing that Highway Patrol enforcement personnel, hired on or after July 1, 2013, will retire not later than the end of the month in which their 62nd birthday falls (previous edition did not include a hire on or after date).

Amends GS 20-196.3 (*Who may hold supervisory positions over sworn members of the Patrol*), making technical and reorganizational changes. Also establishes that the Commissioner of the Law Enforcement Division may hold supervisory positions over sworn members of the Patrol.

**Intro. by Faircloth.**

[GS 20, GS 143, GS 143B, GS 148](#)

[View summary](#)

[Department of Administration, Department of Public Safety](#)

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.*

House committee substitute to the 1st edition makes the following changes. Amends GS 14-269 to add that the prohibition on carrying concealed weapons does not apply to administrative law judges and clerks of superior court who have a concealed handgun permit provided that the person cannot carry a concealed weapon at any time while consuming alcohol or an unlawful controlled substance or while alcohol or an unlawful controlled substance remains in the person's body. Amends GS 14-415.27 to add administrative law judges and clerks of superior court with a concealed handgun permit to those who are not subject to the area prohibitions in GS 14-415.11(c). Makes a conforming change. Amends the act's short and long titles.

**Intro. by McNeill.**

[GS 14](#)

[View summary](#)

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

H 473 (2013-2014) [NC CAPTIVE INSURANCE ACT](#). Filed Mar 28 2013, *A BILL TO BE ENTITLED AN ACT TO ENACT THE NORTH CAROLINA CAPTIVE INSURANCE ACT.*

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

Amends GS 58-10-345(c) and (d), deleting the term "an acknowledgement letter" (the document issued upon the filing of organizational documents) and replacing it with "a certificate of filing."

Provides for a new GS 58-10-345(f)(3), establishing that organizational documents filed with the Secretary of State will continue to be non-confidential public records in the Secretary's office and will not be considered as confidential pursuant to the provisions of GS 58-10-345(f).

Amends GS 58-10-380(k)(2), to require the company to file, at the time of filing of its election, articles of conversion (was, amended and restated articles of incorporation), including articles of incorporation.

**Intro. by Dockham, Howard, Johnson, Tine.**

[GS 58, GS 97](#)

[View summary](#)

**Insurance**

H 484 (2013-2014) [PERMITTING OF WIND ENERGY FACILITIES](#). Filed Mar 28 2013, *A BILL TO BE ENTITLED AN ACT TO ESTABLISH A PERMITTING PROGRAM FOR THE SITING AND OPERATION OF WIND ENERGY FACILITIES.*

House amendments to the 4th edition make the following changes.

Amendment #1 amends GS 143-215.115 to add Air Route Surveillance Radar at Fort Fisher to the definition of *major military installation*.

Amendment #2 amends GS 143-215.117 to provide that to the extent that any documents contain trade secrets or confidential business information, those portions of the documents are not subject to disclosure under the NC Public Records Act. Amends GS 143-215.119 to provide that to the extent that any documents included in the permit application contain trade secrets or confidential business information, those portions of the documents are not subject to disclosure under the NC Public Records Act.

**Intro. by J. Bell, Dixon, McElraft, Whitmire.**

[GS 62, GS 143](#)

[View summary](#)

**Energy**

H 585 (2013-2014) [PREA COMPLIANCE](#). Filed Apr 4 2013, *A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT ALL CORRECTIONAL FACILITIES AND JUVENILE FACILITIES IN THIS STATE SHALL COMPLY WITH THE PROVISIONS OF THE FEDERAL PRISON RAPE ELIMINATION ACT (PREA).*

House Committee substitute to the 1st edition makes the following changes. Changes the effective date for this act to August 1, 2013 (was, effective when the act becomes law).

**Intro. by Lewis.**

[GS 143B, GS 148, GS 153A](#)

[View summary](#)

**Corrections (Sentencing/Probation), Public Safety and  
Emergency Management**

H 610 (2013-2014) [MODIFY REQUIREMENTS FOR IN-STAND BEER SALES](#). Filed Apr 8 2013, *AN ACT TO REDUCE THE SEATING CAPACITY REQUIREMENT AND ELIMINATE THE POPULATION REQUIREMENT FOR IN-STAND SALES OF MALT BEVERAGES AND TO DIRECT THE ABC COMMISSION TO ADOPT RULES FOR THE SUSPENSION OF THE SALE OF ALCOHOLIC BEVERAGES DURING PROFESSIONAL SPORTING EVENTS.*

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

Changes the long title.

Directs the NC Alcoholic Beverage Control Commission to adopt rules for the suspension of alcohol sales in the latter portion of professional sporting events in order to protect public safety at these events.

**Intro. by Hardister, Samuelson, L. Hall, Moffitt.**

[GS 18B](#)

[View summary](#)**Alcoholic Beverage Control**

H 629 (2013-2014) **AMEND DEFINITION OF SPECIAL PURPOSE PROJECT**. Filed Apr 9 2013, *A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF A SPECIAL PURPOSE PROJECT TO INCLUDE AGRICULTURAL AND FORESTRY WASTE DISPOSAL FACILITIES.*

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

Changes the long title.

Makes technical corrections.

**Intro. by Martin, R. Brawley, Lewis.**

GS 159C

[View summary](#)**Agriculture, Land Use, Planning and Zoning**

H 648 (2013-2014) **VOTE CENTERS FOR SECOND PRIMARIES**. Filed Apr 9 2013, *AN ACT TO PERMIT COUNTIES TO USE THE VOTE CENTER CONCEPT FOR SECOND PRIMARIES, WHERE ONLY THE EARLY VOTING SITES FOR THE FIRST PRIMARY ARE OPEN ON THE DAY OF THE SECOND PRIMARY RATHER THAN THE NORMAL ELECTION DAY POLLING PLACES.*

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

Changes the long title.

Amends GS 164-111(e1), making a clarifying change and deleting language that provided that if a plan for opening a limited number of precincts is approved by the State Board of Elections, and that approval comes before the date the ballots are printed for the primary, the county board of elections can open fewer than all of the precincts for voting during a second primary. Sets out four new requirements (deleting the three in the previous edition) that a plan must comply with, including requiring the plan to be submitted by the county board of elections to the State Board prior to December 1 of the calendar year before the election, and that the State Board must approve the plan prior to January 1 of the election year.

**Intro. by Jordan, Michaux.**

GS 163

[View summary](#)**Local Government, Elections**

H 649 (2013-2014) **SMALL GROUP HEALTH INS. TECHNICAL CHANGES**. Filed Apr 9 2013, *A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CHANGES TO THE SMALL EMPLOYER GROUP HEALTH COVERAGE REFORM ACT TO MITIGATE THE EFFECTS OF THE FEDERAL AFFORDABLE CARE ACT ON NORTH CAROLINA'S SMALL BUSINESSES AND TO INCREASE STOP LOSS INSURANCE OPTIONS FOR SMALL EMPLOYERS.*

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

Deletes all the provisions of the 1st edition and replaces it with the following.

**Section 1**

Establishes that no small employer carrier will be required to issue the basic or standard health benefit plan as described in GS 58-50-125(a). Provides that any basic or standard health benefit plans that are described in GS 58-50-125(a) that are not "grandfathered health plans," as that term is used in the Affordable Care Act (ACA), will be terminated on the next anniversary date on or after January 1, 2014. After that the small employer carrier must offer the employer replacement coverage from

available small group health benefit plans, in accordance with applicable state and federal laws. Requires a 90-day notice before termination. Sets out other requirements for plans that are issued to self-employed individuals.

Effective when the act becomes law.

## Section 2

Repeals the following statutes:

GS 58-50-126, *Alternative coverage permitted.*

GS 58-50-127, *Small employer carrier plan elections.*

GS 58-50-135, *Elections by carriers.*

GS 58-50-155, *Standard and basic health care plan coverages.*

GS 58-50-156, *Coverage of certain prescribed drugs for cancer treatment.*

Amends GS 58-50-110, *Definitions*, adding and defining *grandfathered health plan* to the definitions for the section. Amends GS 58-50-110(22), the definition for *small employer*, providing that, effective January 1, 2014, the definition applies only to grandfathered group health plans subject to this act. Provides that the term *small employer* includes self-employed individuals for the purposes of this subsection (was, for the purposes of this act). Enacts new GS 58-50-110(22a), defining *small employer* as it only applies to non-grandfathered group health plans, providing that it refers to "an employer that employed an average of at least one but not more than 50 employees on business days during the preceding calendar year and that employs at least one employee on the first day of the plan year."

Amends GS 58-50-115, *Health benefit plans subject to Act*, making conforming changes, deleting references to "self-employed individuals" from the section.

Amends GS 58-50-125(d), deleting provisions of the subsection that relate to basic and standard small group plans, in conformance with the ACA.

Repeals sections (a) and (a1) of GS 58-50-125, *Health care plans; formation; approval; offerings*, effective January 1, 2015.

Amends subsection (b) of GS 58-50-130, *Required health care plan provisions*, making conforming changes, specifically making this section applicable to small employer health benefit plans that are grandfathered health benefit plans.

Creates new subsection GS 58-50-130(b1), which sets out provisions concerning small employer health benefit plans that are not grandfathered health benefit plans. Establishes that the premium rates are subject to the specified provisions.

Creates new subsection GS 58-50-130(i), providing that a small employer carrier cannot modify the premium rate charged to a small group non-grandfathered health benefit plan or a small employer group member, including changes in rates related to the increasing age of a group, for 12 months starting from the initial issue or renewal date.

Except as otherwise provided, Section 2 becomes effective January 1, 2014, applying to all insurance contracts and policies issued, renewed, or amended on or after that date.

## Section 3

Amends GS 58-50-110, deleting (22a), the definition for *small employer* as it applies to non-grandfathered group health plans, and creating GS 58-50-110(22b), to define *small employer*; in connection with a non-grandfathered group health plan with respect to a calendar year and a plan year, as an employer that employed an average of at least one but not more than 100 employees on business days during the preceding calendar year and that employed at least one employee on the first day of the plan year.

Effective January 1, 2016.

## Section 4

Directs the Department of Insurance to adopt rules to implement this act.

**Intro. by Collins, Dockham.**

GS 58

[View summary](#)**Health Insurance**

H 656 (2013-2014) **FORFEITURE FOR SPEEDING TO ELUDE REVISIONS**. Filed Apr 9 2013, *A BILL TO BE ENTITLED AN ACT TO REVISE THE LAWS GOVERNING THE SEIZURE, FORFEITURE, AND SALE OF MOTOR VEHICLES USED BY DEFENDANTS IN FELONY CASES INVOLVING SPEEDING TO ELUDE ARREST.*

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

Amends GS 20-28.2(e), providing that no motor vehicle subject to forfeiture under this section will be released to a nondefendant motor vehicle owner if the records of the Division indicate the motor vehicle owner had previously signed an impaired driving acknowledgment or a speeding to elude arrest acknowledgment, as required by this section, and the same person was operating the motor vehicle at the time of the current seizure (was, while the person's license was revoked), unless the innocent owner meets specified evidentiary standards.

Amends GS 20-28.3(e), making a correction to a statute reference, replacing a reference to GS 20-28.3(c) with GS 20-28.2(c).

Amends GS 20-28.3(e2), making a clarifying change, substituting "subdivision" for "subsection" in three locations. Deletes GS 20-28.3(e2)(2)(c), which allowed the release of a vehicle as a result of executing a speeding to elude arrest acknowledgment, as described in GS 20-28.2(a1)(1a).

**Intro. by McNeill, Faircloth.**

GS 20

[View summary](#)**Transportation, Criminal Law and Procedure, Motor Vehicle**

H 712 (2013-2014) **CLARIFYING CHANGES/SPECIAL ED SCHOLARSHIPS** Filed Apr 10 2013, *A BILL TO BE ENTITLED AN ACT TO REVISE AND CLARIFY THE SPECIAL EDUCATION SCHOLARSHIPS FOR CHILDREN WITH DISABILITIES AND TO EXEMPT CERTAIN SCHOOLS FROM CHILD CARE LICENSURE REQUIREMENTS.*

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

Changes the short and long titles.

Deletes all of the provisions from the 1st edition.

Amends subsection (d), dealing with expert witness compensation, of GS 7A-314 (*Uniform fees for witnesses; experts; limit on number*), providing that any compensation authorized or approved for expert witnesses will be subject to the specific limitations set forth in GS 7A-305(d)(11).

Effective October 1, 2013, and applies to motions or applications for costs filed on or after that date.

**Intro. by Glazier, Stam, Jackson.**

GS 7A

[View summary](#)**Courts/Judiciary**

H 716 (2013-2014) **CLARIFY LAW/PROHIBIT SEX-SELECTIVE ABORTION**. Filed Apr 10 2013, *A BILL TO BE ENTITLED AN ACT TO PROHIBIT A PERSON FROM PERFORMING OR ATTEMPTING TO PERFORM AN ABORTION WHEN THE SEX OF THE UNBORN CHILD IS A SIGNIFICANT FACTOR IN SEEKING THE ABORTION.*

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

Makes a technical amendment to subsection (a) of new GS 90-21.122, deleting the phrase "as provided in this section." Also amends subsection (b) to remove "sibling" from the list of persons who may seek injunctive relief under the provisions of this section.

Provides that this act applies to violations occurring on or after the effective date of October 1, 2013 (was, applies to violations occurring or civil actions commenced on or after the effective date).

**Intro. by Samuelson, McElraft, Schaffer, Turner.**

[GS 90](#)

[View summary](#)

[Health](#)

H 783 (2013-2014) [PYROTECHNICS TECHNICAL AND CONFORMING CHANGES](#). Filed Apr 10 2013, *A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AND CONFORMING CHANGES TO THE LAWS GOVERNING PYROTECHNICS DISPLAYS*.

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

Amends GS 14-410(a1)(3), providing that a display operator, for a pyrotechnics display, is also not required to obtain written authority from the board of commissioners or city for a concert or public exhibition if written authority has been obtained from the University of North Carolina (UNC) School of Arts and pyrotechnics are exhibited on lands or in buildings owned by the state and used by the University of North Carolina School of the Arts (previously, only provided for written authorization from the University of North Carolina or UNC-Chapel Hill).

Amends subsection (a)(2) of GS 14-413 (*Permits for use at public exhibitions*), providing that a permit for use at public exhibitions is not required for a public exhibition if it is authorized by the UNC School of the Arts and is conducted on lands or in buildings owned by the state and used by the University of North Carolina School of the Arts (previously, only referred to the exhibition being conducted on lands or in buildings owned by UNC School of the Arts in Forsyth County).

Amends GS 58-82A-3 (*Pyrotechnics display operator license*), making a technical change.

Amends GS 58-82A-25 (*Qualifications for event employees*), providing that event employees are not allowed to discharge or be in the presence of the pyrotechnic material unless under direct supervision of a licensed pyrotechnic operator or an on-site representative as provided in GS 14-410(a1)(2) (previously, only provided an exception for being under direct supervision of a licensed pyrotechnic operator).

**Intro. by Starnes.**

[GS 14, GS 58](#)

[View summary](#)

[Criminal Law and Procedure](#)

H 787 (2013-2014) [PROTECT RURAL LAND USE RIGHTS](#). Filed Apr 10 2013, *A BILL TO BE ENTITLED AN ACT TO PROTECT RURAL ENVIRONMENTAL AND ECONOMIC LAND USE RIGHTS BY CLARIFYING THAT OWNERS OF BONA FIDE FARMS MAY FILE A CIVIL ACTION FOR A REGULATORY TAKING IF THE OWNER CAN NO LONGER USE THE LAND FOR A BONA FIDE FARM USE*.

House committee substitute to the 1st edition makes the following changes. Amends proposed GS 40A-52 to provide that if the property owner prevails in an action instituted under (a) of the statute and is awarded compensation for the lost use of the property, the court must award reasonable attorneys' fees and costs to the property owner.

**Intro. by Cleveland.**

[GS 40A](#)

[View summary](#)

[Civil Law, Property and Housing](#)

H 809 (2013-2014) [GAME NIGHTS/NONPROFIT FUNDRAISERS](#). Filed Apr 10 2013, *A BILL TO BE ENTITLED AN ACT TO AUTHORIZE NONPROFIT ORGANIZATIONS TO OPERATE "GAME NIGHTS"; TO PROVIDE FOR THE REGULATION OF NONPROFIT ORGANIZATIONS HOLDING "GAME NIGHTS"; AND TO ALLOW THE CONSUMPTION OF ALCOHOLIC BEVERAGES AT "GAME NIGHTS."*

House committee substitute makes the following changes to the 1st edition. Amends GS 14-292 to make a conforming inclusion of newly proposed Part 4. Amends proposed GS 14-309.27 to require a permit application to also include verification of the exempt organization's status as a licensed or exempt charitable or sponsor organization. Enacts new GS 14-309.33 limiting the applicability of Part 4 to areas of the state located east of I-26. Amends new GS 18B-1010 to prohibit a qualified facility from hosting more than two game nights in any month. Makes clarifying changes.

**Intro. by Boles, Moffitt, Murry.**

[GS 14, GS 18B](#)

[View summary](#)

[Criminal Law and Procedure, Nonprofits](#)

H 817 (2013-2014) [STRATEGIC TRANSPORTATION INVESTMENTS \(NEW\)](#). Filed Apr 10 2013, *A BILL TO BE ENTITLED AN ACT TO STRENGTHEN THE ECONOMY THROUGH STRATEGIC TRANSPORTATION INVESTMENTS.*

House committee substitute to the 1st edition makes the following changes. Deletes the provisions of the 1st edition and replaces it with the following.

**Strategic Prioritization Funding Plan for Transportation Investments.** Creates new Article 14B, *Strategic Prioritization Funding Plan for Transportation Investments*, in GS Chapter 136. Creates the new Transportation Investment Strategy Formula (formula), applicable to Highway Trust Fund funds and federal aid funds. Lists funds excluded from the formula. Provides that bridge replacement, interstate maintenance, and highway safety improvement are included in the applicable formula category but are subject to the prioritization criteria. Provides that 40% of the funds are to be used for *statewide strategic mobility projects* (defined in the act), 40% are to be used for *regional impact projects* (defined in the act) and allocated by population of distribution regions, and 20% is to be allocated in equal share to each of the Department of Transportation (DOT) divisions and used for *division need projects* (defined in the act). Establishes criteria for using funds under each of the project types. Nonhighway projects are to be evaluated through a separate prioritization process that complies with specified requirements. Sets out requirements that must be met before varying from the formula. Allows DOT to revise highway project selection ratings based on local government funding initiatives and capital construction funding directly attributable to highway toll revenue. Provides that projects authorized for construction after November 1, 2013, and contained in the 10-year DOT work program are eligible for a bonus allocation. Allows the Metropolitan Planning Organization, Rural Transportation Planning Organization, or the local government to choose to apply its bonus allocation in one or more of the following: statewide strategic mobility projects, regional impact projects, or division needs projects. Effective July 1, 2013.

Effective July 1, 2019, further amends GS 136-189.11(e)(2) to amend the provisions for calculating the variance.

Requires DOT to issue a draft revision to the State Transportation Improvement Program no later than January 1, 2015, and requires the Board of Transportation to approve the revised program no later than July 1, 2015.

**Secondary Road Changes.** Amends GS 20-85 to delete the requirement that \$15 of each title fee be added to the amount allocated for secondary roads.

Amends GS 136-44.2 to include improvement programs to those for which the Director of the Budget is to include in the appropriation act an enumeration of the purposes or objects of the proposed expenditure. Makes conforming changes. Effective July 1, 2013, and expires June 30, 2014.

Effective July 1, 2014, amends GS 136-44.2 to no longer require construction projects to be included in the appropriations act, leaving only maintenance and improvement.

Amends GS 136-44.2A to require an annual allocation from the Highway Fund to the DOT for secondary road construction programs (was, for secondary road improvement programs in a sum equal to the allocation made from the Highway Fund under GS 136-414.1(a)). Makes conforming changes, deleting specified sum to be allocated among counties. Effective July 1, 2013, and expires June 30, 2014. Repeals GS 136-44.2A entirely effective July 1, 2014.



Repeals GS 136-44.2C (special appropriations for state construction).

Enacts new GS 136-44.2D requiring DOT to expend funds allocated to the paving of unpaved secondary roads for the paving of unpaved secondary roads based on a statewide prioritization. Provides that the section does not require DOT to pave any roads that do not meet secondary road system addition standards. Prohibits using the Highway Trust Fund from funding the paving of unpaved secondary roads.

Amends GS 136-44.5 to require that the amounts appropriated by law for secondary road construction, excluding unpaved secondary road funds, are to be allocated among counties abased on the total number of secondary miles in a county in proportion to the total state-maintained secondary road mileage. Makes conforming changes. Effective July 1, 2013, and expires June 30, 2014. Repeals GS 136-44.5 in its entirety, effective July 1, 2014.

Amends GS 136-44.6 to require DOT to develop a uniformly applicable formula for the allocation of secondary roads improvement funds. Provides that the statute does not apply to projects to pave unpaved roads.

Appropriates \$15 million for 2013-14 from the Highway Fund for the secondary road construction program and \$12 million in recurring funds for 2013-14 from the Highway Fund for the paving of unpaved roads.

Amends GS 136-44.7 to delete the provision making DOT responsible for developing criteria for improvements and maintenance of secondary roads. Authorizes the Divisions Engineer to reduce the width of a right-of-way to less than 60 feet to pave an unpaved secondary road with allocated funds, as long as the safety of the public is not compromised and the minimum accepted design practice is satisfied.

Amends GS 136-44.8 to require DOT to provide the board of county commissioners in each county with the proposed secondary road construction program and a list of roads proposed for the annual paving program. Deletes other provisions concerning providing notice of secondary road-paving projects and related meetings. Requires that the DOT follow the secondary road construction program and unpaved roads paving program adopted by the Board of Transportation. Makes conforming changes. Effective July 1, 2013, and expires June 30, 2014.

Amends GS 136-44.8, effective July 1, 2014, removing new language concerning the secondary road construction program.

Repeals GS 136-182 (supplement for secondary road construction).

**State Aid to Municipalities/Powell Bill Changes.** Amends GS 136-41.1 to annually appropriate from the State Highway Fund an amount equal to 10.4% of the net amount after refunds that was produced during the fiscal year by the fuel tax imposed under Article 36C and on the equivalent amount of alternative fuel taxed under Article 36D of GS Chapter 105. Deletes the provision concerning additional revenue allocation. Requires the funds allocated under the statute to be paid to the municipalities on or before October 1 and January 1 of each year.

Repeals GS 136-181 (supplement for city streets).

**Conforming Changes.** Amends GS 105-187.9 to delete the provision that required the transfer of specified amounts from the taxes deposited into the Trust Fund to the General Fund and concerning the transfer of funds from the Trust Fund to the Mobility Fund.

Amends GS 136-18 to provide that the infrastructure banking program must not modify the formula for the distribution funds established by GS 136-189.10 (was, not modify the regional distribution formula for the distribution of funds under GS 136-17.2A).

Repeals GS 136-17.2A (Distribution formula for funds expended on Intrastate System and Transportation Improvement Program).

Amends GS 136-44.50(a) to provide that a transportation corridor official map may be adopted or amended by the Wilmington Urban Area Metropolitan Planning Organization for projects R-3300 and U-4751 (was, for any project that is within its urbanized boundary and identified in GS 136-179).

Amends GS 136-66.3 to delete the provision prohibiting a Transportation Improvement Plan (TIP) disadvantage for participating in a state transportation system improvement project, and the provision limiting agreements for additional total funding for highway construction in exchange for participation in any project contained in the TIP. Provides that any state or federal funds allocated to a project that are made available by county or municipal participation in a project contained in the

TIP are subject to GS 136-189.11 (was, must remain in the same funding region that the funding was allocated to under the distribution formula).

Amends GS 136-89.192 to replace references to the distribution formula with the formula under GS 136-189.11.

Amends GS 136-175 to remove the definition for *intrastate system*.

Amends GS 136-176 to delete the provisions requiring that specified funds be used for specified purposes. Deletes the reporting requirements. Provides that a sum, in the amount appropriated by law, may be used each fiscal year by the DOT for expenses to administer the Trust Fund (was, a sum not to exceed 4.8% of the amount of revenue deposited in the Trust Fund). Specifies that funds remaining in the Trust Fund are to be allocated and used as specified in GS 136-189.11 and deletes the specified allocations. Decreases the annual appropriation for the Turnpike Authority from the Highway Fund from \$112 million to \$49 million and deletes specified funding for the Mid-Currituck Bridge and for the Garden Parkway. Deletes the provision that if funds are received under 23 USC Chapter 1 for a project for which funds in the Trust Fund may be used, the amount of federal funds received plus the amount of any Highway Funds that were used to match the federal funds may be transferred from the Trust Fund to the Highway Fund for projects in the TIP.

Repeals the following: GS 136-177 (*Limitation on funds obligated from Trust Fund*), GS 136-177.1 (*Requirement to use federal funds for Intrastate System projects and urban loops*), GS 136-178 (*Purpose and description of Intrastate System*), GS 136-179 (*Projects of Intrastate System funded from Trust Fund*), GS 136-180 (*Urban loops*), GS 136-184 (*Reports by Department of Transportation*), GS 136-185 (*Maintenance reserve created in certain circumstances*), GS 136-187 (*Creation of the North Carolina Mobility Fund*), GS 136-188 (*Use of North Carolina Mobility Fund*), and GS 136-189 (*Reports by Department of Transportation*).

**Turnpike Authority Changes.** Amends GS 136-89.183 to give the Turnpike Authority (Authority) the power to study, plan, develop, and undertake preliminary design work on up to nine (was, eight) Turnpike Projects. Provides that at the conclusion of these activities, the Authority is authorized to design, establish, purchase, construct, operate, and maintain the following: (1) Triangle Expressway, including segments known as NC 540, Triangle Parkway, Western Wake Freeway, and Southeast Extension and specifies that these segments constitute four projects; deletes prohibition on locating any portion of the Southeast Extension north of an existing protected corridor established by the DOT circa 1995 and (2) Monroe Connector/Bypass. Deletes authority for the Garden Parkway, Cape Fear Skyway, and a bridge of more than two miles in length going from the mainland to a peninsula bordering Virginia. Any other project proposed by the Authority in addition to the listed projects requires prior consultation with the Joint Legislative Commission on Governmental Operations no less than 180 days before initiating the process required by Article 7 of GS Chapter 159 (was, must be approved by the General Assembly before construction). Provides that with the exception of the Monroe Connector/Bypass and Triangle Expressway segments, the projects selected for construction by the Authority, before letting of a contract, must meet the following: (1) two of the projects must be ranked in the top 35 based on total score on the DOT produced list entitled Mobility Fund Project Scores dated June 6, 2012, and may be subject to GS 136-18(39a) (concerning the authority to enter into partnership agreements with private entities and authorizing political subdivisions to finance, by tolls, contracts, and other financing methods authorized by law, the cost of acquiring, constructing, equipping, maintaining, and operating transportation infrastructure in this State, and to plan, design, develop, acquire, construct, equip, maintain, and operate transportation infrastructure in this State); and (2) for the projects not ranked as provided, one may be subject to GS 136-18(39a).

Amends GS 136-18 to allow the DOT or the Authority, as applicable, to enter into up to three agreements with a private entity as provided under (39). Deletes references to a pilot project. Provides that Article 6H (*Public Toll Roads and Bridges*) of GS Chapter 136 applies to the DOT and to projects undertaken by the DOT under (39). Also allows DOT to assign its authority under that article to fix, revise, charge, retain, enforce, and collect tolls and fees to the private entity. Requires that any contract under GS 136-18(39a) or Article 6H for the development, construction, maintenance, or operation of a project provide for revenue sharing between the private party and the DOT. Excess toll revenues from a turnpike project are to be used for the funding or financing of transportation projects within the corridor where the turnpike project is located. Defines *excess toll revenues* and *corridor*. Agreements must comply with seven specified provisions including (1) being limited to no more than 50 years, (2) reporting specified information to the Joint Legislative Transportation Oversight Committee 60 days before signing of a concession agreement, and (3) developing and reporting on standards for entering into comprehensive agreements with private entities.

Amends GS 136-89.183 to make conforming changes.

Amends GS 136-89.188 to expand the activities that may be paid for with Turnpike Project revenue.

Enacts new GS 136-89.199 to allow the Authority to designate one or more lanes of a highway as high occupancy toll or other type of managed lanes, provided that the designation does not reduce the number of existing general purpose lanes.

Amends GS 136-89.212 to provide that if a person establishes that a vehicle was in the care, custody, and control of another person, the other person is liable for the payment of the toll and the Authority may send a bill. Provides that the other person may contest the toll.

Amends GS 136-89.213 to make conforming changes. Allows the Authority to assign its authority to fix, revise, charge, retain, enforce, and collect tolls and feeds to a private entity that has entered into a partnership agreement with the Authority. Provides that if a turnpike project uses an open road tolling system, the Authority must operate a facility that is in the immediate vicinity of the project or provide an alternative means to accept cash payment of the toll. Makes conforming changes.

Amends GS 136-89.214 to make conforming changes concerning the ability of the Authority to send a bill to a person identified as the one having care, custody, and control of the vehicle.

Amends GS 136-89.215 to require the Authority to set the processing fee at an amount that does not exceed the costs of collecting the unpaid toll (was, costs of identifying the owner subject to the unpaid toll and billing the owner).

**Transition Study and Reporting Requirements.** Requires the DOT to report to the Joint Legislative Transportation Oversight Committee (Committee) and the Fiscal Research Division no later than August 15, 2013, on the recommended formulas that will be used in the prioritization process to rank highway and nonhighway projects. Requires the DOT Prioritization Office to develop the process and formulas. Prohibits the DOT from finalizing the formula without consulting with the Committee. Requires consultation on the DOT recommendation 30 days after the report is received. Requires a final report to be submitted by January 1, 2014. Requires DOT to submit transition reports to members of the Joint Legislative Transportation Oversight Committee, House Appropriations Subcommittee on Transportation and Senate Committee on Appropriations on DOT, and the Fiscal Research Division on March 1, 2014, and November 1, 2014. Specifies information to be included in the report.

**Effective Date.** Unless otherwise indicated, effective July 1, 2013. The act is effective only if the General Assembly appropriates funds in the Current Operations Appropriation Act of 2013 to implement the act.

**Intro. by W. Brawley, Torbett, Iler, Shepard.**

**GS 105, APPROP, STUDY, GS 20, GS 136**

[View summary](#)

**Transportation, Department of Transportation**

H 821 (2013-2014) **TRIAD FARMERS MKT/RENAME FOR SEN. BOB SHAW.** Filed Apr 10 2013, *A BILL TO BE ENTITLED AN ACT TO NAME THE PIEDMONT TRIAD FARMERS MARKET IN MEMORY OF SENATOR ROBERT G. SHAW.*

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

Amends a "whereas" clause.

**Intro. by Blust.**

**Guilford, UNCODIFIED**

[View summary](#)

**Agriculture**

H 828 (2013-2014) [UPDATE PHYSICAL THERAPY PRACTICE ACT](#). Filed Apr 10 2013, *A BILL TO BE ENTITLED AN ACT UPDATING THE PHYSICAL THERAPY PRACTICE ACT.*

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

Amends GS 90-270.26 (*Powers of the Board*), providing that records obtained pursuant to investigations of possible violations of GS Chapter 90, Article 18B, are privileged and not subject to discovery, subpoena, or other means of legal compulsion for release to any person other than the board or its employees or consultants. Provides that decisions rendered by the board, in addition to hearing notices, statement of charges, and any material received and admitted into evidence at a board hearing, will be public records, provided that identifying information concerning services rendered to a patient who has not consented to its public disclosure can be deleted or redacted. Also establishes that the board can issue subpoenas, on signature of the board chair or executive director, to compel attendance of any witness or for the production of any documents related to the board investigations or proceedings. Also provides that upon written request, such subpoenas will be revoked if, upon a hearing, the Board finds (1) that the evidence sought does not relate to a matter in issue, (2) the subpoena does not describe with sufficient particularity the evidence sought, or (3) for any other reason in law that makes the subpoena invalid.

Amends GS 90-270.29.1 (*Criminal history record checks of applicants for licensure*), deleting a provision in subsection (a) requiring the board to ensure that the state and national criminal history of an applicant is checked. Defines a *criminal history record check* for the purposes of this section as a request for a report from the board to the NC Department of Justice for a history of conviction of a crime that bears on an applicant's fitness for licensure to practice physical therapy (previously, was defined as a report resulting from a request by the Board).

Makes technical changes throughout.

**Intro. by Fulghum, Hollo, Faircloth, Murry.**

GS 90, GS 114

[View summary](#)

[Health Care Facilities and Providers](#)

H 829 (2013-2014) [SALE OF GROWLERS BY CERTAIN ABC PERMITTEES](#). Filed Apr 10 2013, *A BILL TO BE ENTITLED AN ACT TO ALLOW CERTAIN ABC PERMITTEES TO SELL MALT BEVERAGES IN CERTAIN CONTAINERS FOR CONSUMPTION OFF THE PERMITTED PREMISES.*

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

Provides that holders of on-premises malt beverage permits, off-premises malt beverage permits, or wine shop permits can sell malt beverages in cleaned, sanitized, resealable containers, as defined in 4 NCAC 2T.0308(a), that (1) are filled or refilled and sealed for consumption off the premises; (2) comply with 4 NCAC 2T.0303, 4 NCAC 2T.0305, and 4 NCAC 2T.0308(d)-(e); and (3) identify the permittee and the date the container was filled or refilled.

Directs the ABC Commission to adopt rules dealing with the sanitation of growlers by January 1, 2014.

**Intro. by McGrady, Bryan, Moffitt, L. Hall.**

GS 18B

[View summary](#)

[Alcoholic Beverage Control](#)

H 830 (2013-2014) [ADOPT STATE SYMBOLS](#). Filed Apr 10 2013, *A BILL TO BE ENTITLED AN ACT TO ADOPT AN OFFICIAL STATE FOSSIL, FROG, SALAMANDER, MARSUPIAL, FOLK ART, AND ART MEDIUM.*

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

Enacts GS 145-46 adopting clay as the official art medium of North Carolina. Makes conforming changes and other changes to the whereas clauses and amends the long title.

**Intro. by Avila, Martin, McElraft, West.**

GS 145

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

H 839 (2013-2014) **PUBLIC SCHOOL REPORTING REFORM**. Filed Apr 10 2013, *A BILL TO BE ENTITLED AN ACT TO REDUCE REPORTING REQUIREMENTS FOR PUBLIC SCHOOLS*.

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

Directs the Department of Public Instruction (DPI) to simplify and minimize data entry requirements of local school administrative units (LEAs) to minimize the administrative data entry workload, particularly as it relates to implementing the PowerSchool application and any other component of the Instructional Improvement System (IIS). Directs DPI to reduce unnecessary reporting requirements for LEAs by not requiring submission of a separate report for at least the following reports: (1) Principal's Monthly Report, (2) Teacher Vacancy Report, (3) Professional Personnel Activity Report, (4) Pupils in Membership by Race and Sex, (5) Report of School Sales of Textbooks and Used Books, and (6) School Activity Report (was, two reports in addition to the six listed here to be deleted in order to reduce unnecessary reporting requirements for LEAs).

Amends GS 115C-12(18) to direct that the State Board of Education (SBE) reporting requirements developed as part of the Uniform Education Reporting System under this subdivision be incorporated into the PowerSchool application or any other component of the IIS to minimize duplication of reporting by LEAs.

Requires the SBE to include in its report to the Joint Legislative Education Oversight Committee information on the reduction or changes in the data entry workload for LEAs as a result of the implementation of the PowerSchool application or any other component of the IIS.

Makes Sections 1 (dealing with reduction of reports) and 2 (regarding developing and implementing a uniform education reporting system) effective upon the implementation of the PowerSchool application or any other component of the IIS by DPI.

**Intro. by Martin, Horn, Johnson, Whitmire.**

GS 115C

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

H 877 (2013-2014) **NAVIGATOR TRAINING AND CERTIFICATION (NEW)**. Filed Apr 11 2013, *AN ACT TO PROVIDE FOR THE CERTIFICATION OF HEALTH INSURANCE NAVIGATORS UNDER THE FEDERAL AFFORDABLE CARE ACT*.

House committee substitute to the 1st edition makes the following changes. Deletes proposed licensing of navigators in proposed Part 8 and instead provides for the certification and training of navigators in new Article 33B in GS Chapter 58. Amends the definitions of *exchange* and *navigator* and deletes the terms *insurance producer* and *patient navigator*. Prohibits an individual or entity from acting, offering to act, or advertising and serving as a navigator unless certified as a navigator. Sets out requirements to be met for certification. Certification is valid for two years; sets out requirements for renewal. Specifies information that must be reported quarterly by each certified navigator to the entity with which the navigator is affiliated; the entity must then report the information to the Commissioner of Insurance. Includes the same prohibited acts from the 1st edition. Makes conforming changes. Effective January 1, 2014.

Appropriates \$580,187 for 2013-14 and \$351,974 for 2014-15 from the General Fund to the Department of Insurance (Department) to implement the act. Authorizes the creation of two full-time equivalent positions. Requires the Department to use its best efforts to seek federal funding to implement the act. Requires a report to the Joint Legislative Commission on Governmental Operations on the efforts to obtain federal funding on or before March 1, 2014. Effective July 1, 2013.

Makes conforming changes to the act's titles.

**Intro. by Collins.**

APPROP, GS 58

[View summary](#)**Budget/Appropriations, Department of Insurance, Health Insurance**

H 935 (2013-2014) **NC PRE-K LAW CHANGES**. Filed Apr 11 2013, *A BILL TO BE ENTITLED AN ACT RENAMING THE CHILD CARE COMMISSION THE EARLY CHILDHOOD CARE AND EDUCATION COMMISSION, EXPANDING THE SCOPE OF THE COMMISSION TO ENCOMPASS ISSUES RELATING TO EARLY CHILDHOOD EDUCATION PROGRAMS, AND MAKING OTHER CONFORMING STATUTORY CHANGES; REQUIRING THAT LOCAL PARTNERSHIPS SHALL BE THE SOLE CONTRACT ADMINISTRATORS FOR THE PREKINDERGARTEN (NC PRE-K) PROGRAM; AND CLARIFYING THE DEFINITION OF "AT-RISK" AS RELATED TO ELIGIBILITY FOR PARTICIPATION IN NC PREKINDERGARTEN PROGRAM.*

House committee substitute to the 1st edition makes the following changes. Amends GS 143B-468.4 to require at least one of the appointed child care providers on the Early Childhood Care and Education Commission to participate in the NC Pre-K program.

Requires that the administration of the NC Pre-K programs be subject to the biennial financial and compliance audits authorized in GS 143B-468.14(b).

Requires a child to be four years old on or before August 31 of the program year to be enrolled in the prekindergarten program. Makes a clarifying change.

**Intro. by Burr, Avila.**

GS 110, GS 120, GS 143B

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

H 1006 (2013-2014) **UTILITIES COMMISSION CONFIRMATION**. Filed May 1 2013, *A JOINT RESOLUTION PROVIDING FOR THE CONFIRMATION OF THE APPOINTMENTS OF JERRY DOCKHAM AND JAMES PATTERSON TO THE UTILITIES COMMISSION.*

As title indicates.

**Intro. by Rules, Calendar, and Operations of the House.**

JOINT RES

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

H 1007 (2013-2014) **CONFIRM AYERS AS EXEC DIRECTOR NCUC**. Filed May 1 2013, *A JOINT RESOLUTION PROVIDING FOR THE CONFIRMATION OF CHRISTOPHER J. AYERS AS EXECUTIVE DIRECTOR OF THE PUBLIC STAFF OF THE NORTH CAROLINA UTILITIES COMMISSION.*

As title indicates.

**Intro. by Rules, Calendar, and Operations of the House.**

JOINT RES

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

H 1008 (2013-2014) **HONOR DELTA SIGMA THETA'S FOUNDERS**. Filed May 1 2013, *A HOUSE RESOLUTION HONORING THE FOUNDERS OF DELTA SIGMA THETA SORORITY WHILE OBSERVING THE ORGANIZATION'S ONE HUNDREDTH ANNIVERSARY.*

As title indicates.

**Intro. by Rules, Calendar, and Operations of the House.**[HOUSE RES](#)[View summary](#)[Higher Education](#)**PUBLIC/SENATE BILLS**

S 58 (2013-2014) [CLARIFY STATUTE OF REPOSE \(NEW\)](#). Filed Feb 5 2013, *A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS TO SESSION LAW 2014-17.*

Senate committee substitute to the 2nd edition makes the following changes. Amends GS 75A-5 to simplify the fees structure for certificates of number to include only the following: (1) fee for a one-year period is \$25 for a vessel less than 26 feet in length and \$50 for a vessel 26 feet or more in length and (2) fee for a three-year period is \$75 for a vessel that is less than 26 feet in length and \$150 for a vessel that is 26 feet or more in length. Also deletes the provision providing that no fee is required for a period of one year for renewal of certificates of number that have been previously issued to commercial fishing vessels upon compliance with the requirements of GS 75A-5.1. Repeals GS 75A-5.1 (*Commercial fishing vessels; renewal of identification number*).

Changes the name of the Shallow Draft Inlet Dredging Fund in new Part 8B to the Shallow Draft Navigation Channel Dredging Fund (Fund) and makes conforming changes throughout the act. Provides that revenue in the Fund may only be used to provide the state's share of the costs associated with any dredging project designed to keep a shallow draft navigation channel (was, shallow draft inlet) located in state waters navigable and safe. Amends the definition of *shallow draft navigation channel* (was, *shallow draft inlet*) to also mean other interior coastal waterways.

Amends GS 105-449.426 to require the Secretary of Revenue to credit, on an annual basis, to the Fund 1/6 of 1% of the amount that is allocated to the Highway Fund under GS 105-449.125 and is from the excise tax on motor fuel. Revenue credit to the Fund may be used only for the dredging activities described in GS 143-215.73F. Makes conforming changes to GS 143-215.73F.

Changes the act's effective date from July 1, 2013, to October 1, 2013.

**Intro. by Brown.**[GS 105, GS 75A, GS 143](#)[View summary](#)[Transportation, Environment, Tax](#)

S 320 (2013-2014) [IMPROVE ED. FOR CHILDREN WHO ARE DEAF](#). Filed Mar 13 2013, *A BILL TO BE ENTITLED AN ACT TO IMPROVE EDUCATIONAL OUTCOMES FOR NORTH CAROLINA CHILDREN WHO ARE DEAF OR HARD OF HEARING.*

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

Makes a technical correction to clarify that the title of the worksheet to be used by the Individualized Education Program (IEP) team to document the IEP team's consideration of the language and communication needs of the individual student is "Communication Plan Worksheet for Student Who is Deaf or Hard of Hearing." Requires the IEP team to document the language and communication needs of the student as the IEP is developed, reviewed, or revised (was, as the IEP is developed). Also requires the IEP team to document the data to be used in making placement decisions for a student.

**Intro. by Daniel, Newton.**[UNCODIFIED](#)[View summary](#)[Education, Department of Health and Human Services, State Board of Education](#)

S 337 (2013-2014) [NC CHARTER SCHOOL ADVISORY BOARD \(NEW\)](#). Filed Mar 14 2013, *A BILL TO BE ENTITLED AN ACT TO CREATE THE NORTH CAROLINA CHARTER SCHOOLS ADVISORY BOARD AND MAKE OTHER CHANGES TO CHARTER SCHOOL LAWS.*

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

Reinstates the requirement that all teachers employed by a charter school who teach core subject areas of math, science, social studies, and language arts in grades six through 12 be college graduates. Provides that a charter school's board of directors may discharge teachers and employees who are not licensed (was, noncertificated). Directs the NC Public Charter Schools Board (Charter Board) to adopt rules establishing the circumstances under which a charter school must check the criminal history of a job applicant before making the applicant an unconditional job offer (was, required each charter school board of directors to adopt a policy on whether and under what circumstances to conduct a criminal history check on an applicant for employment). Directs each charter school board of directors to apply the rules uniformly to job applicants.

Clarifies that the appropriation or use of a fund balance or of interest income by a local school administrative unit (LEA) is not to be construed as a local current expense appropriation that is included as a part of the local current expense fund.

Abolishes the North Carolina Charter School Advisory Council, established by the State Board of Education on August 4, 2011.

Deletes changes to GS 105-278.4(a), which conferred tax exempt status on buildings used wholly and exclusively for educational purposes by the owner, a nonprofit educational institution occupying the building, and a charter school even if the charter did not own the building. Instead, amends GS 105-275 to include real property occupied by a charter school and used wholly and exclusively for educational purposes, as defined in GS 105-278.4(f), in the classes of property designated as special classes under Article V. [◆\\_2\(2\)](#) of the NC Constitution and excluded from tax regardless of who owns the property. Effective for taxable years beginning on or after July 1, 2013.

**Intro. by Tillman, Soucek.**

[GS 105, GS 115C](#)

[View summary](#)

[Elementary and Secondary Education, Tax](#)

S 365 (2013-2014) [AFFORDABLE AND RELIABLE ENERGY ACT](#). Filed Mar 19 2013, *A BILL TO BE ENTITLED AN ACT TO REDUCE THE BURDEN OF HIGH ENERGY COSTS ON THE CITIZENS OF NORTH CAROLINA BY ELIMINATING RENEWABLE ENERGY PORTFOLIO STANDARDS; AND TO PROVIDE FOR COST RECOVERY BY PUBLIC UTILITIES FOR CERTAIN COSTS OF COMPLIANCE WITH RENEWABLE ENERGY PORTFOLIO STANDARDS.*

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

Deletes all the provisions from the previous edition.

Amends subsection (a)(10) of GS 62-2 (*Declaration of policy*), to delete reference to the development of renewable energy.

Amends GS 62-133.8 (*Renewable Energy and Energy Efficiency Portfolio Standard (REPS)*), establishing that the REPS requirement for electric public utilities, electric membership corporations, and municipalities will be set at 3% of 2011 NC retail sales from 2012 through 2023. Establishes that compliance with the REPS requirement, for years 2018 through 2023, will require no less than 0.20% of the total electric power in kilowatt hours sold to retail electric customers in the state to come through the use of solar energy resources and swine waste resources. Further establishes that meeting the REPS requirement through the use of poultry waste resources, for the years 2014 through 2023, will require the production of no less than 900,000 megawatt hours from poultry waste resources.

Provides for an established annual rider to allow an electric power supplier to recover incremental incurred costs, set for the years 2012-2023. Establishes that the costs will be recovered from individual customers as a separately assessed surcharge, identified on the customers' bills as a special surcharge for green energy.

Provides that incremental costs incurred by an electric power supplier prior to July 1, 2013, to comply with any requirement repealed by this act, may be recovered as provided in GS 62-133.8(h). Sets out, for the purposes of cost recovery under this act, what costs incurred prior to July 1, 2013, can include.



Effective July 1, 2013.

**Intro. by Brock.**

GS 62

[View summary](#)

**Energy, Public Enterprises and Utilities**

S 372 (2013-2014) **OMNIBUS COUNTY LEGISLATION**. Filed Mar 19 2013, *AN ACT TO REQUIRE NOTICE AND AN OPPORTUNITY FOR COMMENT FROM COUNTY BOARDS WHEN PERMITS FOR LAND APPLICATION OF WASTE WITHIN THAT COUNTY ARE ISSUED BY THE ENVIRONMENTAL MANAGEMENT COMMISSION; TO INCREASE THE THRESHOLD FOR DEPARTMENT OF TRANSPORTATION INFORMAL BID PROCEDURES AND CLARIFY THAT THE DEPARTMENT'S POLICY CONCERNING PARTICIPATION BY DISADVANTAGED MINORITY-OWNED AND WOMEN-OWNED BUSINESSES APPLY TO CONTRACTS LET USING THOSE PROCEDURES; AND TO STUDY STATE PAYMENTS IN LIEU OF TAXES OF PUBLIC LANDS.*

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

Changes the long title.

Amends GS 143-215.1 (*Control of sources of water pollution; permits required*), providing that prior to acting on a permit application for the land application of waste resulting from the operation of a wastewater treatment facility, the Environmental Management Commission must provide notice and an opportunity for comment from the governing board of the county in which the site of the land application of waste is proposed to be located (previously, the 1st edition referred to the land application of sludge and not waste).

Establishes that, in regards to the State Payment in Lieu of Taxes Study Commission (Commission), no action can be taken except by a majority vote at a meeting in which a quorum is present.

Makes organizational changes to the act.

Provides that the Commission can submit an interim report on the results of its study to the members of the Senate and the House of Representative at any time by filing a copy with the Office of the President Pro Tempore of the Senate, the Office of the Speaker of the House of Representative, and the Legislative Library. The final report of the study will be submitted to the members of the Senate and the House of Representatives prior to the convening of the 2015 General Assembly by filing a copy of the report as specified above. The Commission will terminate upon the convening of the 2015 General Assembly or upon the filing of its final report, whichever occurs first (was, upon the filing of its final report or January 1, 2015).

Deletes provisions found in Sections 4.1, 4.2, 4.3, and 4.4 of the previous edition regarding the establishment and duties of the e911 Study Commission.

**Intro. by J. Davis.**

GS 136, GS 143

[View summary](#)

**Transportation, Environment, Local Government, Tax**

S 476 (2013-2014) **NC CAPTIVE INSURANCE ACT**. Filed Mar 27 2013, *A BILL TO BE ENTITLED AN ACT TO ENACT THE NORTH CAROLINA CAPTIVE INSURANCE ACT.*

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

Deletes all the provisions of new GS 58-10-455, which set out the premium tax rates for captive insurance companies and established the Captive Insurance Regulatory Fund. Instead, provides that a captive insurance company is taxed in accordance with Article 8B of GS Chapter 105. Makes a conforming change, deleting subsection (c) of proposed GS 58-10-485, which required any monetary penalties collected under this section to be deposited into the Captive Insurance Regulatory Fund created in GS 58-10-455(f). Amends GS 105-228.3 to add *captive insurance company* as defined in GS 58-10-340 to the list of definitions that apply in Article 8B, *Taxes Upon Insurance Companies*, in GS Chapter 105.

Enacts new GS 105-228.4A in Article 8B of GS Chapter 105 to provide for the levy of taxes on captive insurance companies. Excludes a captive insurance company subject to the tax levied under this section from the franchise or income taxes imposed by Articles 3 and 4 of this Chapter and from the regulatory charge imposed by GS 58-6-25. Provides that the tax on captive insurance companies is collected and administered in the same manner as the gross premiums tax imposed under GS 105-228.5, except as otherwise provided in this section. Also provides that the definitions in new GS 58-10-340 apply in this section. Provides criteria for determining the tax base for a captive insurance company doing business in this state. Specifies the tax rate to be applied to gross premiums collected on reinsurance contracts issued by a captive insurance company under new GS 58-10-445. Also specifies the rate of tax on reinsurance and other insurance contracts issued by a captive insurance company. Establishes the parameters of total tax liability under this section and provides that two or more captive insurance companies commonly owned and controlled are taxed as a single captive insurance company under this section. Amends GS 105-228.5(g) to exempt captive insurance companies that are taxed under GS 105-228.4A from the provisions of GS 105-228.5 regarding taxes measured by gross premiums.

Amends GS 58-6-25 to exempt a captive insurance company from the insurance regulatory charge imposed by this section. Amends subsection (d) of this section to include expenses in regulating and promoting the state's captive insurance industry as reimbursable to the General Fund from money credited to the Insurance Regulatory Fund.

Renumbers the remaining sections of the act as needed.

**Intro. by Meredith, Apodaca.**

[GS 105, GS 58, GS 97](#)

[View summary](#)

**Insurance**

S 489 (2013-2014) [CONSUMER FINANCE ACT AMENDMENTS](#). Filed Mar 27 2013, *A BILL TO BE ENTITLED AN ACT TO MODIFY THE MAXIMUM INTEREST RATE ALLOWED AND TO MAKE VARIOUS AMENDMENTS TO THE NORTH CAROLINA CONSUMER FINANCE ACT TO ENSURE CONTINUED ACCESS TO CREDIT.*

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

Amends GS 53-180.1 (*Military service members limitation*), defining, for the purposes of this section, a military service member with a rank of E4 or below as a "covered member." Deletes all references or inclusions of "military service member" and replaces them with "covered member." Also makes technical and clarifying changes to this section.

**Intro. by Gunn, Newton, Clodfelter.**

[GS 53](#)

[View summary](#)

**Banking and Finance**

S 493 (2013-2014) [2014 REGULATORY REFORM ACT \(NEW\)](#). Filed Mar 27 2013, *AN ACT TO PROVIDE FOR VARIOUS ADMINISTRATIVE REFORMS OF THE HEALTH AND SAFETY LAWS BY UPDATING OUTDATED STATUTES AND REGULATIONS AND MODERNIZING OR SIMPLIFYING CUMBERSOME OR OUTDATED REGULATIONS, BY STUDYING HEALTH AND SAFETY MATTERS OF CONCERN TO NORTH CAROLINA CITIZENS, AND BY MAKING VARIOUS OTHER STATUTORY CHANGES.*

Senate committee substitute to the 1st edition makes the following changes. Amends GS 20-131(b1) to prohibit operating a motor vehicle that is equipped with any headlamps that change (was, tend to change) the original design or performance of the headlamps. Amends GS 20-183.3(a)(2) to require the mechanic, if aftermarket headlamps are installed, to inspect the headlamps to verify the headlamps are marked DOT, indicating compliance with specified federal safety standards (was, required the mechanic to use a light meter to determine if the headlamps comply with the federal standard). Changes the act's effective date to December 1, 2013, applicable to offenses committed on or after that date (was, effective when the act becomes law).

**Intro. by Walters.**

[GS 20](#)

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

S 547 (2013-2014) **ENERGY SAVINGS CONTRACTING AMENDMENTS**. Filed Mar 28 2013, *A BILL TO BE ENTITLED AN ACT TO AMEND THE STATUTES GOVERNING GUARANTEED ENERGY SAVINGS CONTRACTS FOR GOVERNMENTAL UNITS.*

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

Amends GS 143-64.17A (*Solicitation of guaranteed energy savings contracts*), deleting a provision that required governmental units to publish second notices of requests for proposals if fewer than two proposals were received or fewer than two qualified providers attended the mandatory pre-bid meeting. Also deletes language that allowed the governmental unit to open the proposals and select a qualified provider if only one proposal is received only if, as a result of a second notice of the request for proposals, one or more proposals by qualified providers are received.

**Intro. by Hunt.**

GS 142, GS 143

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

S 612 (2013-2014) **REGULATORY REFORM ACT OF 2013**. Filed Apr 2 2013, *AN ACT TO PROVIDE REGULATORY RELIEF TO THE CITIZENS OF NORTH CAROLINA BY CREATING A FAST TRACK PERMITTING PROCESS FOR CERTAIN ENVIRONMENTAL PERMITS; BY CLARIFYING THE PREEMPTION OF CITY ORDINANCES AND CLARIFYING THAT SIMILAR RULES APPLY TO COUNTY ORDINANCES; BY CLARIFYING THE LAWS RELATING TO GROUNDWATER COMPLIANCE BOUNDARIES; BY EXTENDING THE TERMS OF CERTAIN ENVIRONMENTAL PERMITS; BY CLARIFYING THAT THE DEFINITION OF 'BUILT-UPON AREA' INCLUDES ONLY IMPERVIOUS SURFACES; BY AMENDING THE ADMINISTRATIVE PROCEDURE ACT TO ELIMINATE THE REQUIREMENT THAT AN AGENCY PREPARE A FISCAL NOTE WHEN REPEALING A RULE; BY REQUIRING THE REPEAL OR REVISION OF EXISTING ENVIRONMENTAL RULES MORE RESTRICTIVE THAN FEDERAL RULES PERTAINING TO THE SAME SUBJECT MATTER; BY ALLOWING MUNICIPALITIES TO LEASE REAL PROPERTY FOR A TERM OF UP TO TWENTY FIVE YEARS TO PRIVATE COMPANIES CONSTRUCTING RENEWABLE ENERGY FACILITIES; BY ALLOWING GOING OUT OF BUSINESS SALE LICENSES TO BE ISSUED BY ANY MUNICIPAL OFFICIAL DESIGNATED BY THE GOVERNING BODY OF THE MUNICIPALITY; BY DIRECTING THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES AND THE DEPARTMENT OF TRANSPORTATION TO JOINTLY PETITION THE WILMINGTON DISTRICT OF THE UNITED STATES ARMY CORPS OF ENGINEERS TO ALLOW FOR GREATER FLEXIBILITY AND OPPORTUNITY TO PERFORM WETLANDS MITIGATION BEYOND THE IMMEDIATE WATERSHED WHERE DEVELOPMENT WILL OCCUR; BY CLARIFYING THAT THE DEFINITION OF 'BUILT-UPON AREA' INCLUDES ONLY IMPERVIOUS SURFACES; AND BY REQUIRING MEMBERS OF ADVISORY BODIES TO STATE AGENCIES AND BOARDS TO DISCLOSE POTENTIAL CONFLICTS OF INTEREST PRIOR TO MAKING ANY RECOMMENDATION.*

Senate amendment#1 makes the following changes to the 2nd edition.

Amends the long title to reflect a change in the bill content.

Inserts a new Section 3.4 to this act, amending Section 2 of SL 2006-246 to define *built-upon area* to mean a portion of a project covered by an impervious surface (was, an impervious or partially impervious surface). Specifies that "built-upon area" does not include gravel. Directs the Department of Environment and Natural Resources (DENR) to adopt rules to implement this section and declares that the definition of *built-upon area* in subsection (a) of this section applies in lieu of any other definition of the term appearing in rules adopted under SL 2006-246 until permanent rules to implement subsection (a) take effect.

Makes changes to Part II, which clarifies local government preemption, amending GS 160A-174(b) (regarding city ordinances) and GS 153A-121 (regarding county ordinances) to replace the coordinating conjunction "and" with "or" in the listing of factors that make a county or city ordinance inconsistent with state or federal law.

Senate amendment #2 makes the following changes to the 2nd edition.

Deletes all the provisions of Section 3.1 of this act, dealing with the disposal of demolition debris from the decommissioning of manufacturing buildings, including electric generating stations.

Deletes all of Part V, which enacted a new statute in Part 1 of Article 21 of GS Chapter 143, dealing with exemptions to the riparian buffer requirements for certain private properties in the Neuse River and Tar-Pamlico River basins.

Makes conforming changes to the bill title.

**Intro. by Brown, Jackson, Brock.**

[GS 47](#), [GS 66](#), [GS 113A](#), [GS 130A](#), [GS 138A](#), [GS 143](#), [GS 150B](#),  
[GS 153A](#), [GS 160A](#)

[View summary](#)

[Environment](#), [Local Government](#), [APA/Rule Making](#)

## LOCAL/HOUSE BILLS

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.*

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

Changes the short and long title.

Establishes that Buncombe County or Buncombe County and one or more municipalities located within that county can create a Culture and Recreation Authority (Authority) (previously, only Buncombe County and the City of Asheville were authorized, by agreement, to create the Authority). Sets out the procedures for establishing the Authority, membership of the Authority, and related provisions depending on who is party to the Authority.

Amends the "Purpose of the Authority" provision, making conforming changes.

Amends the "General Powers of the Authority" provision, making conforming changes and establishing that the Authority has the power to appoint a full-time director to serve at its pleasure and sets out the duties and responsibilities of the director.

Establishes that while the Authority has the power to prepare and submit an annual budget to the participating units, it is only subject to adoption by the county.

Amends the "Funds" provision, making conforming changes and establishing that, pursuant to GS 153A-149, Buncombe County can separately levy and collect an ad valorem tax in the county, not to exceed 7¢ on each \$100 valuation of property. The funds raised by the tax will be maintained as a separate and special fund, used only for cultural or recreational purposes under the jurisdiction of the Authority. Also authorizes the County to issue general obligation bonds, as authorized by the Local Government Bond Act of the NC General Statutes.

Amends the "Fiscal Accountability" provision, making conforming changes.

Amends the "Termination" provision, making clarifying and conforming changes.

**Intro. by Ramsey, Moffitt.**

[Buncombe](#)

[View summary](#)

H 523 (2013-2014) [PITT CO. BD. OF EDUCATION](#). Filed Apr 2 2013, *A BILL TO BE ENTITLED AN ACT TO REDUCE THE SIZE OF THE PITT COUNTY BOARD OF EDUCATION FROM TWELVE MEMBERS TO NINE, TO PROVIDE FOR FOUR-YEAR TERMS*

*RATHER THAN SIX-YEAR TERMS, AND TO SHORTEN THE TIME BETWEEN THE ELECTION OF MEMBERS OF THE PITT COUNTY BOARD OF EDUCATION AND WHEN THOSE MEMBERS TAKE OFFICE.*

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

Amends SL 1987-193 to provide that the election of members to the Pitt County Board of Education (Board) is to take place at the time of the general election (was, at the primary election) and to shorten the time between the election of a member and the time the member takes office on the Board. Amends the questions on the ballots regarding reducing the size of the Board and shortening the term length of Board members to add to each ballot the matter of shortening the time between the election of a Board member and the time the member takes office. Provides that this act applies to elections occurring in 2014 and subsequent years.

**Intro. by B. Brown, Martin.**

Pitt

[View summary](#)

**Education**

## LOCAL/SENATE BILLS

S 75 (SL 2013-37) (2013-2014) [ONslow PUBLIC-PRIVATE PARTNERSHIP](#). Filed Feb 7 2013, *A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE COUNTY OF ONslow TO ENTER INTO A PUBLIC-PRIVATE PARTNERSHIP.*

A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE COUNTY OF ONslow TO ENTER INTO A PUBLIC-PRIVATE PARTNERSHIP. Enacted May 1, 2013. Effective May 1, 2013.

**Intro. by Brown.**

Onslow

[View summary](#)

S 152 (SL 2013-38) (2013-2014) [CORRECT TECH. ERROR IN BURGAW OCCUPANCY TAX](#). Filed Feb 28 2013, *A BILL TO BE ENTITLED AN ACT TO CORRECT A TECHNICAL ERROR IN THE AUTHORIZATION FOR THE TOWN OF BURGAW TO IMPOSE AN OCCUPANCY TAX.*

A BILL TO BE ENTITLED AN ACT TO CORRECT A TECHNICAL ERROR IN THE AUTHORIZATION FOR THE TOWN OF BURGAW TO IMPOSE AN OCCUPANCY TAX. Enacted May 1, 2013. Effective May 1, 2013.

**Intro. by Rabon.**

Pender

[View summary](#)

**Tax**

## ACTIONS ON BILLS

## PUBLIC BILLS

**H 13: [STATE AGENCY PROPERTY USE/BIENNIAL REPORT.](#)**

*Senate: Withdrawn From Cal*

*Senate: Placed On Cal For 05/07/2013*

**H 55: REFORM WORKFORCE DEVELOPMENT.**

*House: Reptd Fav*

*House: Cal Pursuant Rule 36(b)*

*House: Placed On Cal For 05/02/2013*

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

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

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

*House: Rec From Senate*

*House: Rec To Concur S Com Sub*

**H 153: ESTABLISH GENERAL GOV'T OVERSIGHT COMMITTEE.**

*Senate: Rec From House*

*Senate: Passed 1st Reading*

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

**H 172: CLARIFY LEC PROCEDURES/TC.**

*House: Reptd Fav Com Substitute*

*House: Cal Pursuant Rule 36(b)*

*House: Placed On Cal For 05/02/2013*

**H 173: REVISE CONTROLLED SUBSTANCES REPORTING.**

*Senate: Rec From House*

*Senate: Passed 1st Reading*

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

**H 200: REQUIRE CERTAIN GENERAL REAPPRAISALS.**

*House: Passed 2nd Reading*

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

*Senate: Withdrawn From Cal*

*Senate: Placed On Cal For 05/07/2013*

**H 247: FREEDOM TO NEGOTIATE HEALTH CARE RATES.**

*Pres. To Gov. 5/1/2013*

**H 327: FIRE AND RESCUE PENSION REVISIONS OF 2013.-AB**

*House: Passed 2nd Reading*

*House: Passed 3rd Reading*

**H 331: HOAS/UNIFORM LIEN PROCEDURE.**

*House: Passed 2nd Reading*

*House: Passed 3rd Reading*

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

*House: Reptd Fav*

*House: Re-ref Com On Appropriations*

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

*House: Withdrawn From Com*

*House: Ref to the Com on Public Utilities and Energy, if favorable, Appropriations*

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

*House: Reptd Fav Com Substitute*

*House: Re-ref Com On Appropriations*

**H 379: AMEND VETERINARY PRACTICE ACT/FEEES.**

*Senate: Rec From House*

*Senate: Passed 1st Reading*

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

*Senate: Rec From House*

*Senate: Passed 1st Reading*

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

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

*House: Withdrawn From Com*

*House: Re-ref Com On State Personnel*

**H 399: AMEND LAWS PERTAINING TO DHHS.-AB**

*Senate: Rec From House*

*Senate: Passed 1st Reading*

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

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

*House: Reptd Fav Com Substitute*

*House: Cal Pursuant Rule 36(b)*

*House: Placed On Cal For 05/06/2013*

**H 459: CHRONIC CARE COORDINATION ACT.**

*House: Withdrawn From Com*

*House: Cal Pursuant Rule 36(b)*

*House: Placed On Cal For 05/02/2013*

**H 460: EXPEDITE VOTER LIST MAINTENANCE.**

*House: Reptd Fav*

*House: Cal Pursuant Rule 36(b)*

*House: Placed On Cal For 05/02/2013*

**H 462: INCREASE FAMILY COURT FEE.**

*House: Reptd Fav*

*House: Cal Pursuant Rule 36(b)*

*House: Placed On Cal For 05/02/2013*

**H 465: NO POSSESSION OF FIREARMS/UNDOCUMENTED ALIENS.**

*House: Reptd Fav*

*House: Re-ref Com On Appropriations*

**H 473: NC CAPTIVE INSURANCE ACT.**

*House: Reptd Fav Com Sub 2*

*House: Re-ref Com On Finance*

**H 484: PERMITTING OF WIND ENERGY FACILITIES.**

*House: Amend Adopted A1*

*House: Amend Adopted A2*

*House: Passed 2nd Reading*

*House: Passed 3rd Reading*

*House: Ordered Engrossed*

**H 488: REGIONALIZATION OF PUBLIC UTILITIES.**

*House: Added to Calendar*

*House: Concurred In S/Com Sub*

*House: Ordered Enrolled*

**H 492: SAFEGUARD QUALIFIED INDIVIDUALS-MEDICAID PCS (NEW).**

*House: Withdrawn From Com*

*House: Cal Pursuant Rule 36(b)*

*House: Placed On Cal For 05/02/2013*

**H 515: AMEND CREDIT UNION LAWS.**

*House: Reptd Fav*

*House: Cal Pursuant Rule 36(b)*

*House: Placed On Cal For 05/02/2013*

**H 581: TROPHY WILDLIFE SALE PERMIT.**

*House: Passed 2nd Reading*

*House: Passed 3rd Reading*

**H 583: HONOR SPORTS HALL OF FAME.**

*House: Reptd Fav For Adoption*

*House: Cal Pursuant Rule 36(b)*

*House: Added to Calendar*

*House: Adopted*

**H 585: PREA COMPLIANCE.**

*House: Reptd Fav Com Substitute*

*House: Cal Pursuant Rule 36(b)*

*House: Placed On Cal For 05/02/2013*

**H 610: MODIFY REQUIREMENTS FOR IN-STAND BEER SALES.**

*House: Reptd Fav Com Substitute*

*House: Cal Pursuant Rule 36(b)*

*House: Placed On Cal For 05/06/2013*

**H 629: AMEND DEFINITION OF SPECIAL PURPOSE PROJECT.**

*House: Reptd Fav Com Substitute*

*House: Re-ref Com On Finance*

**H 635: INVOLUNTARY COMMITMENT CUSTODY ORDERS.**

*Senate: Rec From House*

*Senate: Passed 1st Reading*

*Senate: Ref To Com On Judiciary II*

**H 648: VOTE CENTERS FOR SECOND PRIMARIES.**

*House: Reptd Fav Com Substitute*

*House: Cal Pursuant Rule 36(b)*

*House: Placed On Cal For 05/02/2013*

**H 649: SMALL GROUP HEALTH INS. TECHNICAL CHANGES.**

*House: Reptd Fav Com Substitute*

*House: Cal Pursuant Rule 36(b)*

*House: Placed On Cal For 05/02/2013*

**H 650: GUARANTY ASSOCIATION ACT AMENDMENTS.**

*House: Passed 2nd Reading*



*House: Passed 3rd Reading*

**H 656: FORFEITURE FOR SPEEDING TO ELUDE REVISIONS.**

*House: Reptd Fav Com Substitute*

*House: Re-ref Com On Finance*

**H 662: LIMITED LICENSE/INSTALL BACKFLOW ASSEMBLIES.**

*Senate: Rec From House*

*Senate: Passed 1st Reading*

*Senate: Ref To Com On Commerce*

**H 706: PRESERVE LANDFILL SPACE.**

*Senate: Withdrawn From Cal*

*Senate: Placed On Cal For 05/07/2013*

**H 708: STUDY PUBLIC ENTERPRISE SYSTEMS/USE OF FUNDS (NEW).**

*House: Passed 2nd Reading*

*House: Passed 3rd Reading*

**H 712: CLARIFYING CHANGES/SPECIAL ED SCHOLARSHIPS**

*House: Reptd Fav Com Substitute*

*House: Cal Pursuant Rule 36(b)*

*House: Placed On Cal For 05/02/2013*

*House: Reptd Fav Com Substitute*

*House: Cal Pursuant Rule 36(b)*

*House: Placed On Cal For 05/02/2013*

**H 716: CLARIFY LAW/PROHIBIT SEX-SELECTIVE ABORTION.**

*House: Reptd Fav Com Substitute*

*House: Cal Pursuant Rule 36(b)*

*House: Placed On Cal For 05/06/2013*

**H 754: LEASE PURCHASE OF REAL PROPERTY/COMM. COLL.**

*House: Passed 2nd Reading*

*House: Passed 3rd Reading*

**H 762: AMEND CERTAIN BAIL BOND PROCEDURES.**

*House: Reptd Fav*

*House: Cal Pursuant Rule 36(b)*

*House: Placed On Cal For 05/02/2013*

**H 763: ALLOW ALIMONY/POST SEP SUPP DURING MARRIAGE.**

*Senate: Rec From House*

*Senate: Passed 1st Reading*

*Senate: Ref To Com On Judiciary I*

**H 769: ZONING/LIMIT MANUFACTURED HOME RESTRICTIONS.**

*Senate: Rec From House*

*Senate: Passed 1st Reading*

*Senate: Ref to State and Local Government. If fav, re-ref to Commerce*

**H 782: FORTIFIED MALT BEVERAGES ACT.**

*House: Withdrawn From Com*

*House: Re-ref Com On Commerce and Job Development Subcommittee on Alcoholic Beverage Control*

**H 783: PYROTECHNICS TECHNICAL AND CONFORMING CHANGES.**

*House: Reptd Fav Com Sub 2*

*House: Cal Pursuant Rule 36(b)*

*House: Placed On Cal For 05/02/2013*

**H 787: PROTECT RURAL LAND USE RIGHTS.**

*House: Reptd Fav Com Substitute*

*House: Re-ref Com On Judiciary Subcommittee A*

**H 788: WATER/SEWER AUTHORITY/RATE FLEXIBILITY.**

*Senate: Rec From House*

*Senate: Passed 1st Reading*

*Senate: Ref To Com On Finance*

**H 789: USTS ELIGIBLE FOR BROWNFIELDS.**

*Senate: Rec From House*

*Senate: Passed 1st Reading*

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

**H 809: GAME NIGHTS/NONPROFIT FUNDRAISERS.**

*House: Reptd Fav Com Substitute*

*House: Re-ref Com On Judiciary Subcommittee B*

**H 817: STRATEGIC TRANSPORTATION INVESTMENTS (NEW).**

*House: Reptd Fav Com Substitute*

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

**H 821: TRIAD FARMERS MKT/RENAME FOR SEN. BOB SHAW.**

*House: Reptd Fav Com Substitute*

*House: Cal Pursuant Rule 36(b)*

*House: Placed On Cal For 05/02/2013*

**H 828: UPDATE PHYSICAL THERAPY PRACTICE ACT.**

*House: Reptd Fav Com Substitute*

*House: Re-ref Com On Finance*

**H 829: SALE OF GROWLERS BY CERTAIN ABC PERMITTEES.**

*House: Reptd Fav Com Substitute*

*House: Cal Pursuant Rule 36(b)*

*House: Placed On Cal For 05/06/2013*

**H 830: ADOPT STATE SYMBOLS.**

*House: Reptd Fav Com Substitute*

*House: Cal Pursuant Rule 36(b)*

**H 839: PUBLIC SCHOOL REPORTING REFORM.**

*House: Reptd Fav Com Substitute*

*House: Cal Pursuant Rule 36(b)*

*House: Placed On Cal For 05/02/2013*

**H 866: PPROM AWARENESS.**

*House: Postponed To 05/06/2013*

**H 867: MEDICAID COUNTY OF RESIDENCE.**

*House: Passed 2nd Reading*

*House: Passed 3rd Reading*

**H 872: PROTECT NC RIGHT-TO-WORK.**

*House: Reptd Fav*

*House: Cal Pursuant Rule 36(b)*

*House: Placed On Cal For 05/02/2013*

**H 877: NAVIGATOR TRAINING AND CERTIFICATION (NEW).**

*House: Reptd Fav Com Substitute*

*House: Re-ref Com On Appropriations*

**H 879: GRAND JURORS/SERVICE.**

*Senate: Rec From House*

*Senate: Passed 1st Reading*

*Senate: Ref To Com On Judiciary II*

**H 894: SOURCE WATER PROTECTION PLANNING (NEW)**

*Senate: Rec From House*

*Senate: Passed 1st Reading*

*Senate: Ref To Com On Commerce*

*Senate: Rec From House*

*Senate: Passed 1st Reading*

*Senate: Ref To Com On Commerce*

**H 896: SUPERINTENDENT DESIGNEE/EMPLOYMENT HEARINGS.**

*House: Passed 2nd Reading*

*House: Passed 3rd Reading*

**H 898: HONOR WALTER CHURCH.**

*House: Passed 2nd Reading*

*House: Passed 3rd Reading*

**H 903: UNC & COMM. COLLEGE CREDIT TRANSFERS.**

*House: Passed 2nd Reading*

*House: Passed 3rd Reading*

**H 920: FARMLAND PRESERVATION/DOT PROJECTS.**

*House: Reptd Fav*

*House: Re-ref Com On Transportation*

**H 935: NC PRE-K LAW CHANGES.**

*House: Reptd Fav Com Substitute*

*House: Cal Pursuant Rule 36(b)*

*House: Placed On Cal For 05/02/2013*

**H 937: AMEND VARIOUS FIREARMS LAWS.**

*House: Postponed To 05/06/2013*

**H 1006: UTILITIES COMMISSION CONFIRMATION.**

*House: Reptd Fav. For Introduction*

*House: Filed*

**H 1007: CONFIRM AYERS AS EXEC DIRECTOR NCUC.**

*House: Reptd Fav. For Introduction*

*House: Filed*

**H 1008: HONOR DELTA SIGMA THETA'S FOUNDERS.**

*House: Reptd Fav. For Introduction*

*House: Filed*

**S 25: HUNTING & FISHING/ACTIVE DUTY MILITARY.**

*Senate: Withdrawn From Cal*

*Senate: Re-ref Com On Rules and Operations of the Senate*

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

*Senate: Reptd Fav Com Substitute*

*Senate: Com Substitute Adopted*

*Senate: Reptd Fav Com Substitute*

*Senate: Com Substitute Adopted*

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

*Senate: Rec To Concur H Com Sub*

*Senate: Placed On Cal For 05/02/2013*

**S 98: REQUIRE PULSE OXIMETRY NEWBORN SCREENING.**

*House: Passed 2nd Reading*

*House: Passed 3rd Reading*

*House: Ordered Enrolled*

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

*Senate: Withdrawn From Cal*

*Senate: Placed On Cal For 05/07/2013*

*Senate: Withdrawn From Cal*

*Senate: Placed On Cal For 05/07/2013*

**S 117: LILY'S LAW.**

*Ratified*

**S 124: SHOOT GUN INSIDE/TO INCITE FEAR.**

*House: Withdrawn From Com*

*House: Re-ref Com On Judiciary Subcommittee B*

**S 129: LIMIT STATE FACILITIES FINANCE ACT DEBT.**

*Senate: Passed 2nd Reading*

*Senate: Passed 3rd Reading*

**S 193: MODIFY P3 ETHICS REPORTING REQUIREMENTS**

*Senate: Withdrawn From Cal*

*Senate: Placed On Cal For 05/07/2013*

*Senate: Withdrawn From Cal*

*Senate: Placed On Cal For 05/07/2013*

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

*House: Reptd Fav*

*House: Re-ref Com On Environment*

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

*Pres. To Gov. 05/01/2013*

**S 279: ESTATES/TRUSTS/GUARDIANSHIP AMENDMENTS.**

*Senate: Passed 2nd Reading*

*Senate: Passed 3rd Reading*

**S 320: IMPROVE ED. FOR CHILDREN WHO ARE DEAF.**

*Senate: Reptd Fav Com Substitute*

*Senate: Com Substitute Adopted*

**S 337: NC CHARTER SCHOOL ADVISORY BOARD (NEW).**

*Senate: Reptd Fav Com Substitute*

*Senate: Com Substitute Adopted*

**S 341: AMEND INTERBASIN TRANSFER LAW.**

*Senate: Passed 2nd Reading*

*Senate: Passed 3rd Reading*

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

*Senate: Reptd Fav Com Substitute*

*Senate: Com Substitute Adopted*

*Senate: Re-ref Com On Commerce*

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

*Senate: Passed 2nd Reading*

*Senate: Passed 3rd Reading*

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

*Pres. To Gov. 05/01/2013*

**S 372: OMNIBUS COUNTY LEGISLATION.**

*Senate: Reptd Fav Com Substitute*

*Senate: Com Substitute Adopted*

**S 452: JURISDICTIONAL AMTS/ARBITRATION/SM CLAIMS CT.**

*House: Passed 1st Reading*

*House: Ref To Com On Judiciary Subcommittee B*

**S 456: DESIGNATE PRIMARY STROKE CENTERS.**

*House: Passed 2nd Reading*

*House: Passed 3rd Reading*

*House: Ordered Enrolled*

**S 460: RAIL CORRIDOR LEASE/CITY OF BELMONT (NEW).**

*House: Passed 1st Reading*

*House: Ref To Com On Transportation*

**S 476: NC CAPTIVE INSURANCE ACT.**

*Senate: Reptd Fav Com Substitute*

*Senate: Com Substitute Adopted*

**S 486: PERTUSSIS EDUCATION & AWARENESS.**

*Senate: Reptd Fav*

**S 489: CONSUMER FINANCE ACT AMENDMENTS.**

*Senate: Reptd Fav Com Substitute*

*Senate: Com Substitute Adopted*

**S 493: 2014 REGULATORY REFORM ACT (NEW).***Senate: Reptd Fav Com Substitute**Senate: Com Substitute Adopted**Senate: Reptd Fav Com Substitute**Senate: Com Substitute Adopted**Senate: Reptd Fav Com Substitute**Senate: Com Substitute Adopted***S 505: CLARIFY AGRICULTURAL ZONING.***House: Passed 1st Reading**House: Ref to the Com on Agriculture, if favorable, Government***S 507: ELIMINATE OUTDATED ENV. REPORTS.***Senate: Passed 2nd Reading**Senate: Passed 3rd Reading***S 516: PUBLIC SCHOOL REGULATORY REFORM.***House: Passed 1st Reading**House: Ref To Com On Education***S 520: WC/RECORD FULL IC HEARINGS.***House: Ref To Com On Judiciary Subcommittee C***S 547: ENERGY SAVINGS CONTRACTING AMENDMENTS.***Senate: Reptd Fav Com Substitute**Senate: Com Substitute Adopted***S 557: NC PRE-K FUNDING PILOT (NEW).***Senate: Reptd Fav***S 568: BIOPTIC LENSES FOR DRIVERS LICENSE TESTS.***House: Passed 1st Reading**House: Ref To Com On Transportation***S 612: REGULATORY REFORM ACT OF 2013.***Senate: Amend Adopted A1**Senate: Amend Adopted A2**Senate: Passed 2nd Reading***LOCAL BILLS****H 108: ROWAN VEHICLE PERSONAL USE EXEMPTION.***Senate: Rec From House**Senate: Passed 1st Reading**Senate: Ref To Com On State and Local Government***H 143: EDEN PAYMENT IN LIEU OF TAXES.***House: Passed 3rd Reading**House: Ordered Engrossed***H 196: WS/FC SCHOOL BOARD VACANCIES.***House: Reptd Fav**House: Cal Pursuant Rule 36(b)**House: Placed On Cal For 05/02/2013*

**H 234: CLARIFY PENDER COUNTY ABC LAWS (NEW).**

*House: Passed 2nd Reading*

*House: Passed 3rd Reading*

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

*House: Reptd Fav*

*House: Cal Pursuant Rule 36(b)*

*House: Placed On Cal For 05/02/2013*

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

*Senate: Rec From House*

*Senate: Passed 1st Reading*

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

**H 412: EDEN/DUKE ENERGY/ANNEXATION AGREEMENT.**

*House: Passed 3rd Reading*

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

*House: Reptd Fav Com Sub 2*

*House: Cal Pursuant Rule 36(b)*

*House: Placed On Cal For 05/02/2013*

**H 422: MARSHVILLE CHARTER AMENDMENT/UTILITY BILLING.**

*Senate: Rec From House*

*Senate: Passed 1st Reading*

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

**H 506: WEDDINGTON/FIRE DEPT AGREEMENTS.**

*Senate: Passed 2nd Reading*

*Senate: Passed 3rd Reading*

*Senate: Ordered Enrolled*

**H 523: PITT CO. BD. OF EDUCATION.**

*House: Reptd Fav Com Substitute*

*House: Cal Pursuant Rule 36(b)*

*House: Added to Calendar*

*House: Passed 2nd Reading*

*House: Passed 3rd Reading*

**H 531: WEAVERVILLE, BUNCOMBE & HENDERSON.**

*Senate: Rec From House*

*Senate: Passed 1st Reading*

*Senate: Ref to State and Local Government. If fav, re-ref to Finance*

*Senate: Rec From House*

*Senate: Passed 1st Reading*

*Senate: Ref to State and Local Government. If fav, re-ref to Finance*

**H 555: DESIGN-BUILD/BUNCOMBE.**

*House: Concurred In S/Com Sub*

*House: Ordered Enrolled*

**S 75: ONSLOW PUBLIC-PRIVATE PARTNERSHIP.**

*Ratified*

*Ch. SL 2013-37*

**S 136: GRAHAM OCCUPANCY TAX CHANGES (NEW).**

*Senate: Withdrawn From Com*

*Senate: Re-ref to State and Local Government. If fav, re-ref to Finance*

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

*Ratified*

*Ch. SL 2013-38*

**S 288: WAKE COMM VACANCY & ABERDEEN ZONING (NEW).**

*Senate: Withdrawn From Com*

*Senate: Re-ref Com On State and Local Government*

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