



The Daily Bulletin: 2013-05-29

PUBLIC/HOUSE BILLS

H 10 (2013-2014) [REMOVE ROUTE RESTRICTION FOR NC 540 LOOP](#). Filed Jan 30 2013, *A BILL TO BE ENTITLED AN ACT TO REMOVE THE RESTRICTION ON THE TURNPIKE AUTHORITY'S SELECTION OF A CORRIDOR LOCATION FOR THE SOUTHEAST EXTENSION PROJECT OF N.C. 540.*

The conference report makes the following changes to the 3rd edition. Deletes the proposed changes to GS 136-89.183(a) which removed authorization for several Turnpike Projects and amended the process for selecting other projects. Instead amends GS 136-89.183(a)(2)a. to authorize the Turnpike Authority to design, establish, purchase, construct, operate, and maintain the Triangle Expressway, including portions known as the NC 540 Triangle Parkway and the Western Wake Freeway in Wake and Durham Counties (deleting the Southeast Extension and the specified limitations on the location of the extension from the current law). Provides that these segments make up three projects. Adds that the act is effective only if House Bill 817 (Strategic Transportation Investments) becomes law.

Intro. by Stam, Dollar.

GS 136

[View summary](#)

[Transportation, Department of Transportation](#)

H 60 (2013-2014) [TRANSFER OF INDIAN CULTURAL CENTER PROPERTY](#). Filed Jan 31 2013, *A BILL TO BE ENTITLED AN ACT TO TERMINATE LEASES AT THE INDIAN CULTURAL CENTER SITE AND THEN SELL OR ALLOCATE CERTAIN PORTIONS OF THE PROPERTY, AS RECOMMENDED BY THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE.*

Senate committee substitute to the 4th edition makes the following changes. Requires that Parcel 1 first be offered for purchase to the Lumbee Tribal Administration (was, to the Lumbee Tribe). Makes conforming changes, replacing Lumbee Tribe with Lumbee Tribal Administration throughout the act. Adds the requirement that of the sale proceeds that remain after the \$7,300 is used for the appraisal of Parcel 1, 25% of those remaining funds are to be appropriated to the Department of Environment and Natural Resources, Division of Parks and Recreation, for improvements to Parcels 2, 3, and 4, and 75% of those funds must be deposited into the Savings Reserve Account.

Intro. by Howard.

UNCODIFIED

[View summary](#)

[State Government, Department of Administration, Cultural Resources and Museums](#)

H 317 (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 change to the 2nd edition.

Makes a technical correction in Section 1, subsection (4), changing "deaf and hard of hearing" to "deaf or hard of hearing."

Intro. by Blackwell, Farmer-Butterfield, Holloway, Martin.

UNCODIFIED

[View summary](#)

[Education, Department of Health and Human Services, State](#)

Board of Education

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.*

Senate committee substitute makes the following changes to the 4th edition. Amends GS 130A-101(a) to require that a certificate of live birth must be filed with the local registrar in the county where the birth occurs within ten days (was, within five days) after the birth.

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 475 (2013-2014) **FERRY TOLLING ALTERNATIVES.** Filed Mar 28 2013, *A BILL TO BE ENTITLED AN ACT TO REMOVE MANDATORY FERRY TOLLING AND TO PROVIDE THE DEPARTMENT WITH EXPANDED AUTHORIZATION TO GENERATE RECEIPTS TO SUPPORT ONGOING OPERATION OF THE FERRY SYSTEM.*

House committee substitute to the 1st edition makes the following changes. Amends GS 136-82 by adding that nothing in the statute affects the Department of Transportation's authority to collect tolls according to the fare and rate structure established in 19A NCAC 02D .0532 and in effect as of May 1, 2013.

Intro. by Jeter, Tine, Torbett, Iler.

[GS 136](#)

[View summary](#)

Transportation

H 492 (2013-2014) **SAFEGUARD QUALIFIED INDIVIDUALS-MEDICAID PCS (NEW).** Filed Apr 1 2013, *A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO ADJUST MEDICAID PERSONAL CARE SERVICES TO PROVIDE ADDITIONAL SAFEGUARDS FOR QUALIFIED INDIVIDUALS AND TO REPORT TO THE HOUSE APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN SERVICES, THE SENATE APPROPRIATIONS COMMITTEE ON HEALTH AND HUMAN SERVICES, AND TO THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON HEALTH AND HUMAN SERVICES.*

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

Requires the Department of Health and Human Services (DHHS) to reduce the rate for personal care services to fund the additional services hours authorized in the act and to remain within the budgeted amount of funds for personal care services (was, required DHHS to implement the act within available funds).

Requires DHHS, on or before August 15, 2013, to submit a Medicaid State Plan Amendment necessary to implement the act to the Centers for Medicare and Medicaid Services. Requires the Amendment to have an effective date of July 1, 2013, or as soon after that date as allowed by the Centers for Medicare and Medicaid Services.

Changes the due date for the DHHS interim report to on or before August 1, 2013 (was, on or before June 1, 2013), and adds the Fiscal Research Division to the report recipients. Makes a conforming change by removing the August 1, 2013, report on the implementation of the act.

Provides that Section 1 of the act becomes effective upon approval by the Centers for Medicare and Medicaid Services of the Medicaid State Plan Amendment. Requires DHHS to provide notice of the approval by posting the effective date of the change

on its website.

Intro. by Dollar.

UNCODIFIED

[View summary](#)

Health, Public Assistance

H 556 (2013-2014) **VARIOUS SPECIAL PLATES**. Filed Apr 3 2013, *AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE VARIOUS SPECIAL LICENSE PLATES*.

House committee substitute to the 1st edition makes the following changes. Further amends GS 20-70.4(b) to also allow issuance of the following 14 license plates, contingent on the receipt of at least 300 plate applications: Charlotte Checkers, flag of the USA, Mission Foundation, Morehead Planetarium, municipality plate, Native Brook Trout, NC Sportsmen Caucus, NC Cattlemen's Association, Order of the Long Leaf Pine, Red Drum, RiverLink, Town of Matthews, turtle rescue team, and YMCA. Establishes the fees for those plates and requires the funds in the Collegiate and Cultural Attraction Plate Account from the sale of each of the plates to go to specified entities for each plate.

Amends GS 20-79.4(b)(41) to change the City/County Clerk plate to the NCAMC/NCACC Clerk plate, issuable to a clerk of a municipal governing board or a clerk of a county board of commissioners of a municipality or city.

Repeals GS 20-79.4(b)(163), allowing issuance of the Phi Beta Sigma Fraternity plate. Makes conforming changes.

Amends GS 20-79.4(b)(172) to specify what is to appear on a register of deeds plate issued to a retired register of deeds.

Amends GS 20-79.4(b)(224) to allow for a Vietnam Veterans of America motorcycle plate.

Amends GS 20-81.12(b2) to allow for the development of a North Carolina Transportation Museum plate, contingent on receiving 300 plate applications, with revenue from the plate to be used by the museum foundation for educational programs and conservation programs and for the Museum's operating expenses.

Amends GS 20-81.12(b38) to require funds derived from the sale of the Charlotte Motor Speedway plates to go to Speedway Children's Charities.

Authorizes the Revisor of Statutes to alphabetize, number, and renumber the special registration plates in GS 20-79.4(b) to ensure that the plates are listed in alphabetical order and numbered accordingly.

Intro. by Iler.

GS 20

[View summary](#)

Transportation, Department of Transportation

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 amendment makes the following changes to the 2nd edition. Changes the statute number of proposed GS 90-270.29.1 (criminal history record checks of applicants for licensure) to GS 90-270.29A and makes a conforming change.

Intro. by Fulghum, Hollo, Faircloth, Murry.

GS 90, GS 114

[View summary](#)

Health Care Facilities and Providers

H 980 (2013-2014) **MEDICAID/2012-2013 ADDITIONAL APPROPRIATIONS** Filed Apr 17 2013, *A BILL TO BE ENTITLED AN ACT TO PROVIDE ADDITIONAL FUNDING IN THE STATE MEDICAID PROGRAM FOR THE 2012-2013 FISCAL YEAR*.

Senate committee substitute makes the following changes to the 2nd edition. Increases the cap on the amount that the Director of the Budget must make in budget adjustments to ensure adequate funding in the Medicaid budget to an amount not to exceed \$451 million (was, \$401 million) and increases the projected budget shortfall to \$333 million (was, \$283 million). Amends the adjustments that are required to be made to require the transfer of projected revenue over collections for the 2012-13 fiscal year in the amount of up to \$94,667,122 (was, up to \$44,667,122). Makes clarifying changes.

Intro. by Burr.

[APPROP](#)

[View summary](#)

[Budget/Appropriations, Department of Health and Human Services, Office of State Budget and Management, Public Assistance](#)

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.*

House committee substitute to the 1st edition makes the following changes. Clarifies throughout that Christopher J. Ayers is to be appointed as Executive Director of the Public Staff of the Utilities Commission (was, appointed as Executive Director of the Utilities Commission). Updates the act's long title.

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

[JOINT RES](#)

[View summary](#)

[Public Enterprises and Utilities](#)

PUBLIC/SENATE BILLS

S 663 (2013-2014) [BLUE RIBBON COMM. RECS./SUPPORTIVE MH HOUSING](#). Filed Apr 2 2013, *A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO ESTABLISH A SUPPORTIVE HOUSING PROGRAM FOR INDIVIDUALS TRANSITIONING FROM INSTITUTIONAL SETTINGS TO INTEGRATED COMMUNITY-BASED SETTINGS, TO CLARIFY HOW FUNDS APPROPRIATED TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES FOR THE ESTABLISHMENT AND OPERATION OF THIS PROGRAM SHALL BE USED, AND TO CREATE A COMMUNITY LIVING HOUSING FUND WITHIN THE HOUSING FINANCE AGENCY TO INTEGRATE INDIVIDUALS WITH DISABILITIES INTO COMMUNITY-BASED SUPPORTED HOUSING.*

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

Changes the long title.

Amends GS 122C-3(20c), providing that an *LME/MCO* is defined as an LME/MCO that is under contract with the Department of Health and Human Services (Department) to operate the combined Medicaid Waiver program (previously, defined as an LME that has been approved by the Department).

Amends GS 122C-20.5, amending the definition for *In-reach activities*, providing that the term does not include education or information provided by adult care homes (previous edition stated it did not include education or information provided by adult care homes or state psychiatric hospitals to residents). Deletes the term and definition for *Institution for mental disease*.

Amends GS 122C-20.8, *Eligibility requirements for NC Supportive Housing Program* (Program), providing that the Division of Aging and Adult Services (Division) (was, the Commission on Mental Health, Developmental Disabilities, and Substance Abuse Services) will adopt rules to establish eligibility for the program. Directs the Division to adopt temporary rules necessary to implement this article. Makes a technical change. Deletes GS 122C-20.15, *Rules to implement NC Supportive Housing Program*, as included in the previous edition and makes organizational changes accordingly.

Amends GS 122C-20.9, *In-reach activities for supportive housing*, providing that LME/MCOs have an ongoing responsibility to report back to the Department on the LME/MCO's recommended list of program participants on a daily basis (was, monthly).

Amends GS 122C-20.10, *Allocation of supportive housing slots to LME/MCOs*, making a technical change.

Amends GS 122C-20.11, *Transition of program participants into housing slots*, making a clarifying change.

Amends GS 12C-20.13, *Approval of landlords and housing units*, providing that the application process for landlords must include an inspection of the owners' selected housing units (was, all of the owner's available housing units) and a requirement that owners receive education information from the NC Supportive Housing Program prior to being approved as landlords (previously, owners were required to complete training).

Enacts GS 122C-20.15 (previously, 122C-20.16), *Annual reporting on NC Supportive Housing Program*, providing that the Department will annually, on October 1, report to the General Assembly on the numbers of individuals within each catchment area who transitioned into housing slots available through the Program (was, each LME/MCO was required to report annually on April 1 to the Department). Deletes a requirement for the Department to annually report to the General Assembly on the effectiveness of the Program.

Deletes GS 122C-20.17, *Department not obligated to provide unlimited number of housing slots*.

Enacts new GS 122C-20.16, *NC Supportive Housing Program not an entitlement*, providing that the Department will not be required to provide housing slots to individuals beyond the number that can be supported by funds appropriated by the General Assembly for this purpose. Establishes that this Program is not an entitlement and no property rights are created.

Amends the appropriations of the act, providing that \$3,835,280 is appropriated from the General Fund to the Department (was, to Transitions to Community Living Housing Budget) for fiscal year 2013-14, and \$5,876,000 for fiscal year 2014-15.

Amends GS 122E-3A, changing title to *Community Living Housing Fund* (was, *Transitions to Community Living Housing Budget*). Deletes the terms *Individuals with disabilities* and *Transitions to Community Living Fund* (Fund) from the definitions section. Provides that the Community Living Housing Fund is established within the Housing Finance Agency (previously, this section established the Transitions to Community Living Housing Budget within the Transitions to Community Living Fund) to pay for the transition of individuals diagnosed with severe mental illness or severe and persistent mental illness from institutional settings to integrated, community-based supported housing and to increase the percentage of targeted housing units available to individuals with disabilities for use in the Program. Amends the purposes for which the monies of the Fund can be used, providing that they must be used to either provide permanent community-based housing in integrated settings appropriate for individuals with severe mental illness and severe and persistent mental illness or to support an increase in the number of targeted units for individuals with disabilities in housing projects funded by the Housing Finance Agency from 10% to 15%. Also provides that any additional targeted units funded must be made available to the Department for use in the Program. Makes conforming changes.

Amends GS 168-18, deleting individuals who have intellectual or developmental disabilities from the definition for *individuals with disabilities*. Makes a technical change.

Appropriates from the General Fund to the Transitions to Community Living Fund \$150,000 for the 2014-15 fiscal year (previous edition appropriated funds from the General Fund to the Community Living Housing Budget and included a \$200,000 appropriation for 2013-14). Provides that these funds will also be used to pay for assistive technology devices for individuals with disabilities who are transitioning from institutional settings (previous edition provided the funds could be used for assistive technology assessments only).

Amends the enactment clause, changing effective dates, providing that Section 3 of the act becomes effective July 1, 2014, with Section 5(b) becoming effective July 1, 2013, with the remainder effective when the act becomes law.

Intro. by Hise.

[APPROP, GS 122C, GS 122E, GS 168](#)

[View summary](#)

[Budget/Appropriations, Mental Health](#)

ACTIONS ON BILLS**PUBLIC BILLS****H 10: REMOVE ROUTE RESTRICTION FOR NC 540 LOOP.**

Senate: Conf Com Reported

Senate: Placed On Cal For 05/30/2013

House: Conf Com Reported

House: Placed On Cal For 05/30/2013

House: Postponed To 06/03/2013

H 13: STATE AGENCY PROPERTY USE/BIENNIAL REPORT.

House: Failed Concur In S Com Sub

House: Conf Com Appointed

H 32: INCREASE YEAR'S ALLOWANCE.

Senate: Reptd Fav

Senate: Placed On Cal For 06/04/2013

H 60: TRANSFER OF INDIAN CULTURAL CENTER PROPERTY.

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

Senate: Re-ref Com On Appropriations/Base Budget

H 90: HONOR HAYESVILLE'S 100TH ANNIVERSARY.

House: Passed 2nd Reading

House: Passed 3rd Reading

H 146: BACK TO BASICS.

Senate: Reptd Fav

H 157: LIMIT USE OF HIGHWAY FUND CREDIT BALANCE.

Senate: Reptd Fav

Senate: Re-ref Com On Appropriations/Base Budget

H 317: IMPROVE ED. FOR CHILDREN WHO ARE DEAF.

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

Senate: Placed On Cal For 06/04/2013

H 371: CHIROPRACTIC ASSISTANT CERTIFICATION/FEE.-AB

House: Passed 2nd Reading

House: Passed 3rd Reading

H 399: AMEND LAWS PERTAINING TO DHHS.-AB

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

Senate: Re-ref Com On Judiciary II

H 410: CANCEL TITLE TO MANUFACTURED HOME.

Senate: Reptd Fav

Senate: Placed On Cal For 06/04/2013

H 449: STATE CONTRACTS/FURNITURE.

Senate: Reptd Fav

H 459: CHRONIC CARE COORDINATION ACT.

Senate: Reptd Fav

Senate: Re-ref Com On Appropriations/Base Budget

H 475: FERRY TOLLING ALTERNATIVES.

House: Reptd Fav Com Substitute

House: Re-ref Com On Finance

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

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

Senate: Re-ref Com On Appropriations/Base Budget

H 556: VARIOUS SPECIAL PLATES.

House: Reptd Fav Com Substitute

House: Re-ref Com On Finance

H 591: REPORTING AND TERMS FOR LONG. DATA BOARD.

Senate: Reptd Fav

H 616: TRANSITIONAL MORTGAGE LOAN ORIGINATOR.

House: Passed 2nd Reading

House: Passed 3rd Reading

H 710: WATER UTILITY RECOVERY.

Senate: Reptd Fav

Senate: Placed On Cal For 06/04/2013

H 788: WATER/SEWER AUTHORITY/RATE FLEXIBILITY.

Senate: Reptd Fav

H 828: UPDATE PHYSICAL THERAPY PRACTICE ACT.

House: Amend Adopted A1

House: Passed 2nd Reading

House: Passed 3rd Reading

House: Ordered Engrossed

H 903: UNC & COMM. COLLEGE CREDIT TRANSFERS.

Senate: Reptd Fav

Senate: Placed On Cal For 06/04/2013

H 980: MEDICAID/2012-2013 ADDITIONAL APPROPRIATIONS

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

Senate: Placed on Today's Calendar

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

House: Rec From Senate

House: Rec To Concur S Com Sub

House: Added to Calendar

House: Concurred In S/Com Sub

House: Ordered Enrolled

H 1006: UTILITIES COMMISSION CONFIRMATION.

House: Reptd Fav

House: Added to Calendar

House: Passed 2nd Reading

House: Passed 3rd Reading

Senate: Rec From House

Senate: Passed 1st Reading

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

H 1007: CONFIRM AYERS AS EXEC DIRECTOR NCUC.

House: Reptd Fav Com Substitute

House: Added to Calendar

House: Passed 2nd Reading

House: Passed 3rd Reading

Senate: Rec From House

Senate: Passed 1st Reading

Senate: Ref To Com On Commerce

H 1012: PRELIMINARY EMANCIPATION PROCLAMATION EXHIBIT.

House: Passed 1st Reading

House: Cal Pursuant 32(a)

House: Added to Calendar

House: Adopted

S 208: EFFECTIVE OPERATION OF 1915(B)/(C) WAIVER.

House: Postponed To 05/30/2013

House: Postponed To 06/03/2013

S 234: HUNTER EDUCATION/APPRENTICE PERMIT.

House: Passed 2nd Reading

House: Passed 3rd Reading

House: Ordered Enrolled

S 334: DOROTHEA DIX LEASE.

House: Passed 2nd Reading

House: Passed 3rd Reading

S 663: BLUE RIBBON COMM. RECS./SUPPORTIVE MH HOUSING.

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

Senate: Re-ref Com On Appropriations/Base Budget

S 726: HONOR ECU MEN'S BASKETBALL TEAM.

Senate: Filed

LOCAL BILLS

H 252: ASHEVILLE TRANSFERS.

Senate: Reptd Fav

Senate: Placed On Cal For 06/04/2013

H 537: EDENTON-CHOWAN SCH. BD. TERMS.

Senate: Reptd Fav

Senate: Re-ref Com On State and Local Government

H 545: MODIFY HENDERSON CO. OCCUPANCY TAX.

Senate: Reptd Fav

H 553: AMEND CARTERET CO. OCCUPANCY TAX.

House: Passed 2nd Reading

House: Postponed To 06/03/2013

H 671: MILLS RIVER/DEANNEXATION.

Senate: Reptd Fav

S 269: SALISBURY/DEANNEX ROWAN CTY AIRPORT PROPERTY.

House: Passed 2nd Reading

House: Postponed To 06/03/2013

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