



The Daily Bulletin: Wednesday, June 26, 2013

PUBLIC/HOUSE BILLS



H 357 (2013-2014) [RETIREMENT GOVERNANCE CHANGES ACT OF 2013.-AB](#) Filed Mar 19 2013, *A BILL TO BE ENTITLED AN ACT TO INCREASE CITIZEN OVERSIGHT AND TO MAKE OTHER CONSOLIDATIONS AND IMPROVEMENTS IN THE GOVERNANCE OF THE STATE RETIREMENT SYSTEMS, AND TO IMPROVE TRANSPARENCY BY ENSURING THAT ALL RETIREMENT PLANS ADMINISTERED BY THE DEPARTMENT OF STATE TREASURER ARE OVERSEEN BY A BOARD OF TRUSTEES.*

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

Amends GS 128-28(c), providing that five members (was, six members) from the Board of Trustees of the Teachers' and State Employees' Retirement System will be appointed to the Supplemental Retirement Board of Trustees. Requires the Governor to appoint eight members (was, six), to the Supplemental Retirement Board on April 1 of years in which an election is held for the office of Governor, or as soon thereafter as possible. Makes conforming changes.

Amends GS 135-97, concerning immunity for those serving on the Supplemental Retirement Board, making technical and clarifying changes.

Intro. by Moffitt, Howard, W. Brawley, Collins.

[GS 120, GS 127A, GS 128, GS 135, GS 161](#)

[View summary](#)

[Employment and Retirement](#)

H 767 (2013-2014) [CORPORAL PRUITT RAINEY BRASS TO CLASS ACT](#). Filed Apr 10 2013, *A BILL TO BE ENTITLED AN ACT ENACTING THE CORPORAL PRUITT RAINEY BRASS TO CLASS ACT, WHICH DIRECTS THE STATE BOARD OF EDUCATION TO ESTABLISH RULES FOR AWARDING CREDIT FOR PRIOR WORK EXPERIENCE GIVEN TO CERTAIN VETERANS FOR THE PURPOSE OF PLACING THEM ON STATE SALARY SCHEDULES.*

Senate committee substitute to the 4th edition makes the following changes.

Adds a whereas clause.

Gives the State Board of Education continuing authority to cap nonteaching experience credit for Junior Reserve Officer Training Corps instructors.

Requires the State Board of Education to report to the Joint Legislative Education Oversight Committee by February 28, 2014 on the rules to implement the act.

Deletes the required State Board of Education study and the related reporting requirement.

Updates the act's short and long titles.

Intro. by Murry, Whitmire, Szoka, Pierce.

[UNCODIFIED](#)

[View summary](#)

[Education, State Board of Education, Military and Veteran's Affairs](#)

H 232 (2013-2014) [STATE HEALTH PLAN/STATUTORY CHANGES.-AB](#) Filed Mar 5 2013, *A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AND OTHER CHANGES TO THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES STATUTES, AS REQUESTED BY THE STATE HEALTH PLAN.*

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

Amends the enactment clause, providing that Sections 1 (amending GS 135-48.40) and 4 (amending GS 135-48.43) of the act become effective January 1, 2014, and Section 3 becomes effective July 1, 2013 (previously, Sections 1, 3, and 4 became effective on July 1, 2013).

Intro. by Dockham.

[GS 135, GS 147](#)

[View summary](#)

[Health Insurance](#)

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

Senate committee substitute makes the following changes to the 2nd edition. Makes an organizational and clarifying change.

Intro. by Shepard, Hamilton, Torbett.

[GS 136](#)

[View summary](#)

[Local Government](#)

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

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

Amends the short and long title.

Amends GS 115C-238.29F(g), reorganizing the admission requirements for charter schools. Requires the charter school's population to reasonably reflect the local school administrative unit or the racial and ethnic composition of the special population the school seeks to serve within one year after beginning operation. Provides that limited priority can be given to children of the school's full-time employees (was, to the children of the principal, teachers, and teacher assistants as well as to the children of all school employees). Also provides that limited priority can be given to the children of the initial members of the board of directors for the first year of operation (was, first three years of operation), as long as the charter school is not a former public or private school. Also provides that priority can be given to a student that was enrolled at the charter school within the two previous school years but left to (1) participate in an academic study abroad program or a competitive admission residential program (previously, left to participate in an extraordinary educational opportunity such as a study abroad program or a competitive admission residential program) or (2) because of the vocational opportunities of the student's parents.

Provides that priority can be given to the younger siblings of charter school students if the older sibling attends the charter school for at least 4 grade levels and attends the highest grade of the school.

Amends GS 115C-238.29D, final approval of applications for charter schools, reorganizing provisions regarding the revision of

charter applications. Provides that expanding to offer grades four and five if previously authorized to offer grades K through third grade; expanding to offer grades seven and eight if the charter school is authorized to offer grade six; and expanding to offer grades ten, eleven, and twelve if the charter school is authorized to offer grade nine is not considered a material revision of a charter application.

Intro. by Hardister, Brandon, Stam, Lambeth.

GS 115C

[View summary](#)

Elementary and Secondary Education

H 359 (2013-2014) **RETIREMENT ADMINISTRATIVE CHANGES ACT OF 2013**. Filed Mar 19 2013, *A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO ADMINISTRATION OF THE STATE RETIREMENT SYSTEMS THAT WILL EXTEND THE TRANSFER BENEFIT OPTION TO PARTICIPANTS IN THE 403(B) SUPPLEMENTAL RETIREMENT PLAN, CLARIFY THE TIMING OF THE SOCIAL SECURITY OFFSET FOR LONG-TERM DISABILITY BENEFITS, ESTABLISH A 415(M) BENEFITS PRESERVATION ARRANGEMENT AS ALLOWED UNDER FEDERAL LAW, AND PROVIDE THAT DOMESTIC RELATIONS ORDERS DIVIDING INTERESTS UNDER THE RETIREMENT SYSTEM MUST BE SUBMITTED ON APPROVED FORMS, AND TO CORRECT AN OVERSIGHT IN THE DISABILITY INCOME PLAN, AND TO AMEND THE PROVISIONS FOR ALLOWANCE OF RETROACTIVE MEMBERSHIP SERVICE IN THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM AND THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM.*

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

Amends GS 135-5(m2) to allow a member of the Teachers' and State Employees' Retirement System (TSERS) who became a member of the Supplemental Retirement Income Plan (SRIP) before retiring and who remains a member to make a one-time election to transfer eligible balances, not including any Roth after-tax contributions and earnings, from specified plans to SRIP, subject to applicable SRIP requirements, and then through SRIP to TSERS. Provides a list of the specified plans.

Provides that an individual who transfers an eligible retirement plan under subsection (m2) to TSERS is taxed for state income tax purposes on the special retirement allowance as if that special retirement allowance was paid directly by the eligible plan or the plan through which the transfer was made, whichever is most favorable to the member.

Prohibits an eligible plan from assessing a fee specifically related to a transfer of accumulated contributions, but does not prohibit other fees assessable under the plan. Requires each plan, contract, account, or annuity to fully disclose to any member participating in a transfer any surrender charges or other fees contemporaneously with the initiation of the transfer by the member.

Makes organizational changes to this section.

Amends new GS 135-151(c) to provide that the supplemental benefit paid under the Qualified Excess Benefit Arrangement (QEBA) is taxable under NC law in the same manner as the benefit paid under TSERS. Amends new GS 128-38.10 (providing for QEBA under the Local Governmental Employees' Retirement System [LGERS]) to make identical provision regarding the taxability of the supplemental benefit paid under QEBA. Effective January 1, 2014.

Amends GS 135-3(8)d to provide that a beneficiary who retired on an early or service retirement allowance and then returns to service as a teacher or employee and earns at least three years membership service must have creditable service earned while receiving disability benefits under GS Chapter 135, Article 6, counted as membership service for purposes of computing the member's retirement allowance. Effective January 1, 2012, and applies to persons retiring on or after that date.

Amends GS 135-4(ff) pertaining to retroactive membership in TSERS. Provides that a member reinstated to service retroactively to the date of prior involuntary termination, with back pay, may be allowed membership service after submitting clear and convincing proof of the reinstatement, payment of the back pay, and restoration of associated benefits. Provides criteria for when the reinstatement is by court order and criteria when reinstatement is by settlement agreement. Makes identical amendments to GS 128-26(v) pertaining to retroactive membership service in LGERS.

Adds a severability clause to this act. Amends the title of the act to reflect changes to the content.

Except as otherwise indicated, this act becomes effective July 1, 2013 (was January 1, 2014).

Intro. by Moffitt.

GS 128, GS 135

[View summary](#)

Employment and Retirement

H 94 (2013-2014) [AMEND ENVIRONMENTAL LAWS 2013](#). Filed Feb 12 2013, *AN ACT TO AMEND CERTAIN ENVIRONMENTAL AND NATURAL RESOURCES LAWS TO (1) REPEAL 2008 AND SUBSEQUENT MODEL YEAR HEAVY-DUTY DIESEL VEHICLE REQUIREMENTS; (2) DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO STUDY THE CONTINUED NEED TO CONDUCT VEHICLE EMISSIONS INSPECTIONS; (3) PROVIDE THE ENVIRONMENTAL MANAGEMENT COMMISSION WITH THE FLEXIBILITY TO DETERMINE WHETHER RULES ARE NECESSARY FOR CONTROLLING THE EFFECTS OF COMPLEX SOURCES ON AIR QUALITY; (4) AMEND THE RULES THAT PERTAIN TO OPEN BURNING FOR LAND CLEARING OR RIGHT-OF-WAY MAINTENANCE; (5) CLARIFY THAT AN AIR QUALITY PERMIT SHALL BE ISSUED FOR A TERM OF EIGHT YEARS AND PROVIDE THAT A THIRD PARTY WHO IS DISSATISFIED WITH A DECISION OF THE ENVIRONMENTAL MANAGEMENT COMMISSION REGARDING AN AIR QUALITY PERMIT MAY FILE A CONTESTED CASE UNDER THE ADMINISTRATIVE PROCEDURE ACT WITHIN 30 DAYS; (6) AMEND COASTAL AREA MANAGEMENT ACT MINOR PERMIT NOTICE REQUIREMENTS; (7) AMEND THE DIRECTION TO THE MINING ENERGY COMMISSION CONCERNING ADOPTION OF RULES GOVERNING DISCLOSURE OF INFORMATION PERTAINING TO HYDRAULIC FRACTURING FLUID CHEMICALS AND CONSTITUENTS; (8) EXEMPT THE MINING AND ENERGY COMMISSION, THE ENVIRONMENTAL MANAGEMENT COMMISSION, AND THE COMMISSION FOR PUBLIC HEALTH FROM PREPARING FISCAL NOTES FOR RULES THAT PERTAIN TO THE MANAGEMENT OF OIL AND GAS DEVELOPMENT; (9) CLARIFY THE PROCESS FOR APPEALS FROM CIVIL PENALTIES ASSESSED BY A LOCAL GOVERNMENT THAT HAS ESTABLISHED AND ADMINISTERS AN EROSION AND SEDIMENTATION CONTROL PROGRAM APPROVED UNDER G.S. 113A-60 AND PROVIDE THAT CIVIL PENALTIES ASSESSED BY A LOCAL GOVERNMENT PURSUANT TO THE SEDIMENTATION POLLUTION CONTROL ACT OF 1973 SHALL BE REMITTED TO THE CIVIL PENALTY AND FORFEITURE FUND; (10) PROVIDE FOR LOW-FLOW DESIGN ALTERNATIVES FOR WASTEWATER SYSTEMS; (11) DIRECT THE COMMISSION FOR PUBLIC HEALTH TO ADOPT RULES TO PROVIDE FOR NOTICE OF KNOWN CONTAMINATION TO APPLICANTS WHO SEEK TO CONSTRUCT NEW PRIVATE DRINKING WATER WELLS AND TO DIRECT LOCAL HEALTH DEPARTMENTS TO EITHER ISSUE A PERMIT OR DENY AN APPLICATION FOR THE CONSTRUCTION, REPAIR, OR OPERATION OF A WELL WITHIN 30 DAYS OF RECEIPT OF AN APPLICATION; (12) CLARIFY THOSE UNDERGROUND STORAGE TANKS THAT ARE NOT REQUIRED TO PROVIDE SECONDARY CONTAINMENT UNTIL JANUARY 1, 2020; (13) MAKE TECHNICAL AND CONFORMING CHANGES TO PROTECTED SPECIES, MARINE, AND WILDLIFE RESOURCES STATUTES; (14) MAKE CLARIFYING AND CONFORMING CHANGES TO THE STATUTES PERTAINING TO THE MANAGEMENT OF SNAKES AND OTHER REPTILES; (15) AMEND THE ADMINISTRATIVE PROCEDURE ACT TO PROVIDE THE WILDLIFE RESOURCES COMMISSION WITH TEMPORARY RULE-MAKING AUTHORITY FOR MANNER OF TAKE; (16) PROHIBIT PUBLIC ENTITIES FROM PURCHASING OR ACQUIRING PROPERTY WITH KNOWN CONTAMINATION WITHOUT APPROVAL OF THE GOVERNOR AND COUNCIL OF STATE; (17) CLARIFY THAT NO BUILDING PERMIT IS REQUIRED FOR ROUTINE MAINTENANCE OF FUEL DISPENSERS; (18) CLARIFY THE FEES THAT THE SECRETARY FOR ENVIRONMENT AND NATURAL RESOURCES MAY ADOPT FOR THE NORTH CAROLINA AQUARIUMS; (19) REPEAL THE MOUNTAIN RESOURCES PLANNING ACT; (20) PROVIDE AN EXEMPTION FROM LOCAL GOVERNMENT REQUIREMENTS REGARDING THE NUMBER OF ACRES REQUIRED FOR PROPERTY DEVELOPMENT FOR BROWNFIELDS AGREEMENTS; (21) DIRECT THE DEPARTMENT OF TRANSPORTATION TO ADOPT RULES FOR SELECTIVE PRUNING WITHIN HIGHWAY RIGHTS-OF-WAY; (22) CLARIFY REQUIREMENTS FOR COMPLIANCE BOUNDARIES WITH RESPECT TO GROUNDWATER QUALITY STANDARDS; (23) EXEMPT CERTAIN RADIO TOWERS FROM APPLICABILITY WITH THE MILITARY LANDS PROTECTION*

ACT; (24) CLARIFY THAT EXTENDED DURATION PERMITS FOR SANITARY LANDFILLS AND TRANSFER STATIONS AUTHORIZED BY S.L. 2012-187 ARE PERMITS FOR OPERATION AS WELL AS CONSTRUCTION; (25) ADD A FACTOR FOR CONSIDERATION IN ASSESSING SOLID WASTE PENALTIES; (26) LIMIT LOCAL GOVERNMENT REGULATION OF STORAGE, RETENTION, OR USE OF NONHAZARDOUS RECYCLED MATERIALS; (27) AMEND THE DEFINITION OF "BUILT-UPON AREA" FOR PURPOSES OF IMPLEMENTING STORMWATER PROGRAMS; (29) EXEMPT PONDS THAT ARE CONSTRUCTED AND USED FOR AGRICULTURAL PURPOSES FROM RIPARIAN BUFFER RULES; (30) PROVIDE THAT A THIRD PARTY WHO IS DISSATISFIED WITH A DECISION OF THE ENVIRONMENTAL MANAGEMENT COMMISSION REGARDING A WATER QUALITY PERMIT MAY FILE A CONTESTED CASE UNDER THE ADMINISTRATIVE PROCEDURE ACT WITHIN 30 DAYS; (31) REPEAL REQUIREMENTS FOR INCREASES IN VEHICULAR SURFACE AREAS; (32) AMEND DREDGE AND FILL PERMIT APPLICANT PROCEDURE FOR NOTICE TO ADJOINING PROPERTY OWNERS; (33) PROVIDE THAT CERTAIN WATER TREATMENT SYSTEMS WITH EXPIRED AUTHORIZATIONS MAY OBTAIN NEW AUTHORIZATIONS THAT ALLOW THE SYSTEMS TO WITHDRAW SURFACE WATER FROM THE SAME WATER BODY AT THE SAME RATE AS WAS APPROVED IN THE EXPIRED AUTHORIZATION; AND (34) COMBINE THE DIVISION OF WATER QUALITY AND THE DIVISION OF WATER RESOURCES TO CREATE A NEW DIVISION OF WATER RESOURCES IN THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES AND MAKE CONFORMING CHANGES; AND (36) DIRECT THE COMMISSION FOR PUBLIC HEALTH TO CLARIFY ITS RULES THAT IMPLEMENT THE PROHIBITION ON SMOKING IN BARS AND RESTAURANTS AND (37) LIMIT REVIEW OF ENGINEERING WORK.

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

Amends the long title.

Part I, Repeal 2008 and Subsequent Model Year Heavy-Duty Diesel Vehicle Requirements (new)

Directs the Environmental Management Commission (EMC) to repeal administrative rule 15A NCAC 02D .1009 (Model Year 2008 and Subsequent Model Year Heavy-Duty Vehicle requirements) on or before December 1, 2013. Further provides that, until the repeal of this rule is effective, no entity or political subdivision of the state will implement or enforce the administrative rule.

Part II, Department of Environment and Natural Resources to Study the Continued Need to Conduct Vehicle Emissions Inspections (new)

Directs DENR to study and examine whether all of the counties covered under the emissions testing and maintenance program pursuant to GS 143-215.107A are needed to meet and maintain the current and proposed federal ozone standards in North Carolina. DENR will report its interim findings to the Environmental Review Commission on or before April 1, 2015. The final report, including legislative recommendations, will be submitted on or before April 1, 2016.

Part III, Provide the Environmental Management Commission with Flexibility to Determine Whether Rules Are Necessary for Controlling the Effects of Complex Sources on Air Quality (new)

Amends GS 143-215.109(a), providing that the EMC can, but is not required to, establish criteria for controlling the effects of complex sources on air quality (previously, the EMC was required to establish such criteria).

Part IV, Amend the Rules That Pertain to Open Burning for Land Clearing or Right-of-Way Maintenance (new)

Exempts open burning for land clearing or right-of-way maintenance under certain circumstances from various rules regulating air quality permits and amends GS 130A-294(a) by adding a new subdivision (4)d. exempting land clearing debris burning from the permitting requirements of that statute. Requires adoption of comparable rules.

Part V, Clarify That an Air Quality Permit Shall Be Issued for a Term of Eight Years and Provide That a Third Party Who Is Dissatisfied with a Decision of the Environmental Management Commission Regarding an Air Quality Permit May File a Contested Case under the Administrative Procedure Act within 30 Days

Amends GS 143-215.108, concerning the control of sources of air pollution, providing that a third party who is dissatisfied with a decision of the EMC can commence a contested case by filing a petition under GS 150B-23 within 30 days after the EMC notifies an applicant or permittee of its decision (previously, only allowed dissatisfied permit applicant or permittee to commence a contested case).

Part VI, Amend CAMA Minor Permit Notice Requirements

Amends the permit application requirements in GS 113A-119, providing that applications for minor permits pursuant to this section do not require notice of the application to be published in a newspaper of general circulation. Deletes the requirement that

notice of an application or modification pursuant to GS 113A-121 must be published in a newspaper of general circulation at least seven days before final action. Further deletes language that stated (1) that public notice under this subsection is mandatory and (2) certain modifications or permits were exempt.

Part VII, Amend the Provision of Hydraulic Fracturing Fluid Chemical and Constituents Data to the Mining and Energy Commission and the Department of Environment and Natural Resources (new)

Amends GS 113-391(b1) setting out provisions for information that is designated as confidential or a trade secret, providing, among other things, that (1) the Mining and Energy Commission (Commission) or DENR can disclose confidential information to officers, employees, or authorized representatives of federal, state, or local agencies and (2) persons subject to regulation under this Chapter can withhold information that constitutes a trade secret related to hydraulic fracturing fluid chemicals. Also specifies the parties and entities that can bring an action challenging the designation of information as confidential or as trade secret.

Part VIII, Exempt the Mining and Energy Commission, The Environmental Management Commission, and the Commission for Public Health from Preparing Fiscal Notes for Rules That Pertain to the Management of Oil and Gas Exploration and Development (new)

Provides that the Commission, EMC, and the Commission for Public Health are exempt from the provisions of GS 150B, requiring the preparation of fiscal notes for rules proposed for the creation of a modern regulatory program for the management of oil and gas exploration and development activities, including horizontal drilling and hydraulic fracturing.

Part IX, Clarify Local Government Authority under the Sedimentation and the Pollution Control Act
(previously Part II of the 2nd edition)

Part X, Provide for Low-Flow Design Alternatives for Wastewater Systems (new)

Requires the Commission for Public Health to adopt a new rule exempting wastewater systems from certain sewage flow rates where the system can achieve lower flow rates through an engineering design that utilizes low-flow fixtures and low-flow technologies and the design is sealed by a professional engineer; daily flows of less than 3,000 gallons do not require state review.

Part XI, Direct the Commission for Public Health to Adopt Rules to Provide for Notice of Known Contamination to Applicants Who Seek to Construct New Private Drinking Water Wells and to Direct Local Health Departments to Either Issue a Permit or Deny an Application for the Construction, Repair, or Operation of a Well within 30 Days of Receipt of an Application (new)

Amends GS 87-97, concerning private drinking water wells, to delete language that required the local health department to issue a construction or repair permit if it determines a private drinking water well can be constructed, repaired, and operated in compliance with the rules and provisions of this Article. Directs the local health department to, within 30 days of receipt of an application to construct or repair a well, determine whether the proposed private drinking water well can be constructed or repaired and operated in compliance with this Article and rules adopted pursuant to this Article, issuing or denying a permit accordingly. Further amends the section to provide that if a local health department fails to act within 30 days, the applicant can treat the failure to act as a denial of the permit and can challenge the denial as provided for in GS 150B.

Further amends GS 87-97 to provide that the Commission for Public Health must adopt rules governing permits for private drinking water wells for circumstances where the local health department has determined that the proposed well site is located within 1,000 feet of a known source of release of contamination. The rules must provide for notice and information of the known source of release and any known risk of issuing a permit.

Changes to GS 87-97(e) are effective when the act becomes law, applying to applications to construct or repair a private drinking water well received by a local health department on or after that date.

Part XII, Clarify Those Underground Storage Tanks That Are Not Required to Provide Secondary Containment Until January 1, 2020 (previously Part V of the 2nd edition)

Amends Section 11.6(a) of SL 2011-394 to provide that all underground storage tank systems installed after January 1, 1991, and before April 1, 2001, are not required to provide secondary containment until January 1, 2020.

Part XIII, Technical and Conforming Changes to Protected Species and Marine/Wildlife Resources Statutes (new)

Amends the definition of fish under GS 113-129(7) to mean finfish, shellfish, and crustaceans (removing reference to marine mammals and all other fishes); also amends GS 113-189 to expand protection of marine and wildlife resources by citing federal law conferring protection on various species, clarifying that the prohibitions under this statute include taking, harming, and

disturbing protected species, and adding finfish, marine mammals, and migratory birds to the species protected under the statute.

Part XIV, Clarifying and Conforming Changes to Statutes Pertaining to the Management of Snakes and Other Reptiles (new)

Amends GS 14-417 to make technical changes; also amends GS 14-419 to require consultation with the NC Museum of Natural Sciences or the NC Zoological Park in cases of suspected violations of prohibitions against mishandling certain reptiles and authorizing euthanasia in the case of a venomous reptile for which antivenin is not readily available. Provides an exception to the requirement to consult with the NC Museum or NC Zoological Park in cases in which law enforcement or animal control determines there is an immediate risk to public safety.

Part XV, Amend the Administrative Procedure Act to Provide the Wildlife Resources Commission with Temporary Rulemaking Authority for Manner of Take (new)

Amends GS 150B-21.1(a)(7) to include provisions for the manner of take and other conditions required to implement a hunting or fishing season under the Wildlife Resource Commission's temporary rule-making authorization.

Part XVI, Prohibit Public Entities from Purchasing or Acquiring Property with Known Contamination without Approval of the Governor and Council of State (new)

Amends GS Chapter 133 by adding a new Article 4 (GS 133-40) that would prohibit state entities, state universities and colleges, local governments, and political subdivisions from acquiring an ownership interest in real property that contains a known contamination (as defined in GS 130A-310.65(5)) without first obtaining approval from the Council of State. Sets out the procedures and requirements for obtaining such approval. Properties acquired involuntarily (such as through bankruptcy or tax delinquency) are exempt.

Effective July 1, 2013, and applies to a purchase or acquisition of interest in real property occurring on or after that date.

Part XVII, Clarify That No Building Permit is Required for Routine Maintenance on Fuel Dispensers (new)

Amends GS 143-138, providing that building permits are not required for routine maintenance on fuel dispensing pumps or other dispensing devices. Routine maintenance includes the repair or replacement of hoses, O-rings, nozzles, or emergency breakaways.

Part XVIII, Clarify the Fees That the Secretary of Environment and Natural Resources May Adopt for the North Carolina Aquariums (new)

Amends GS 143B-289.44, providing that the Secretary of DENR can adopt a schedule of fees for the aquariums and piers operated by the NC Aquariums, including gate admission fees, facility rental fees, and fees for educational programs. Effective July 1, 2013.

Part XIX, Repeal the Mountain Resources Planning Act (new)

Repeals GS 153A-349.4, the Mountain Resources Planning Act.

Part XX, Provide an Exemption from Local Government Requirements Regarding the Number of Acres for Property Development for Brownfields Developments

Amends GS 153A-349.4 and GS 160A-400.23 to provide an exemption from the 25 acre or more size requirement for local governments to enter into development agreements allowing the development of properties of any size provided the property is subject to an executed brownfields agreement.

Part XXI, Direct the Department of Transportation to Adopt Rules for Selective Pruning within Highway Rights-of-Way (new)

Directs the DOT to adopt rules for the selective pruning within highway rights-of-way for vegetation that obstructs a motorist's view of properties on which agritourism activities occur. Exempts the DOT from preparing fiscal notes, pursuant to GS 150B, for any rule proposed pursuant to this section.

Part XXII, Clarify Requirements for Compliance Boundaries with Respect to Groundwater Quality Standards (new)

Amends GS 143-215.1 (*Control of sources of water pollution; permits required*) to require any person subject to the statute who must obtain an individual permit for a disposal system to have a compliance boundary, which may be established by rule or permit for various categories of disposal systems, and beyond which groundwater quality standards may not be exceeded. Requires the location of the compliance boundary to be the property boundary. Requires that when operation of a permitted disposal system results in an exceedance of the groundwater quality standards adopted in accordance with GS 143-214.1 (*Water; water quality standards and classifications; duties of Commission*), the exceedances within the compliance boundary must be remedied through

cleanup, recovery, containment, or other response only when (1) the violation of any water quality standard in adjoining classified waters of the state occurs or can be reasonably predicted to occur; (2) there is an imminent hazard or threat to the environment, public health, or safety exists; or (3) there is a violation of any standard in groundwater occurring in the bedrock other than limestones, unless it can be shown that the violation will not adversely affect, or have the potential to adversely affect, a water supply well. Requires exceedances to be remedied through clean-up, recovery, containment, or other directed response where operation of a permitted disposal system results in exceedances of the groundwater quality standards at or beyond the compliance boundary.

Provides that with respect to exceedances of groundwater quality standards within a compliance boundary and related remedy requirements, new GS 143-215.1(j) applies instead of the restricted designation directives in 15A NCAC 2L .0104(d) and (e) until DENR has revised the rules to comply with this act.

Part XXIII. Exempt Certain Radio Towers from Applicability with the Military Lands Protection Act of 2013 (new)

Provides that if House Bill 433 (Land Use Surrounding Military Installations) becomes law, then GS 143-151.74 is amended to also exempt radio towers that were erected to temporarily replace those damaged by a natural disaster, provided that the specified conditions are met.

Part XXIV. Clarify that Extended-Duration Permits for Sanitary Landfills and Transfer Stations Authorized by SL 2012-187 are Permits for Operations as Well as Construction

This provision is the same as Part I in the previous edition. Adds that the changes made by the section are repealed if Senate Bill 328 (Solid Waste Management Reform Act of 2013) becomes law.

Part XXV. Add a Factor for Consideration in Assessing Solid Waste Penalties

This provision is the same as Part IV in the previous edition.

Part XXVI. Limit Local Government Regulation of Storage, Retention, or Use of Nonhazardous Recycled Materials (new)

Amends GS 130A-309.09A by adding a new subsection (h) requiring local governments to encourage storage, retention, and use of nonhazardous recycled materials and prohibiting local government regulations that impede use of recycled products through regulation of the height of recycled materials stockpiles, except when the facilities are located within 200 yards of residential districts.

Part XXVII. Direct the Environmental Review Commission to Study the Requirements Applicable to Recycling of Discarded Computer Equipment (new)

Requires the Environmental Review Commission to study the state requirements for recycling computer equipment and televisions, the results of the program implementation, and whether any changes are needed to improve recycling rates and program effectiveness. Requires a report to the 2014 Regular Session of the General Assembly upon its convening.

Part XXVIII. Amend the Definition of "Built-Upon Area" for Purposes of Implementing Stormwater Programs (new)

Amends GS 143-214.7 to define *built-upon area*, for the purposes of implementing stormwater programs, to mean impervious surface and partially impervious surface to the extent that the partially impervious surface does not allow water to infiltrate the surface and into the subsoil. Repeals SL 2006-246, Section 2(7), which defined *built-upon area*. Repeals SL 2008-211, Section 2(a)(3), which defined *built-upon area*. Requires the Environmental Management Commission to amend its rules to be consistent with the definition of *built-upon area* in this act. Applies to projects for which permit applications are received on or after the effective date of the act.

Part XXIX. Exempt Ponds that are Constructed and Used for Agricultural Purposes from Riparian Buffer Rules (new)

Exempts freshwater ponds from various riparian buffer rules adopted by the Environmental Management Commission when (1) the property the pond is located on is used for agricultural purposes, (2) the use of the property is in compliance with all other water quality and water quantity statutes and rules applicable to the property before the adoption of the Riparian Buffer Rules, and (3) the pond is not a component of an animal waste management system. Requires the adoption of comparable rules. Applies to ponds used for agriculture that were in existence on or constructed after July 22, 1997.

Part XXX. Provide That a Third Party who is Dissatisfied with a Decision of the Environmental Management Commission Regarding a Water Quality Permit may File a Contested Case under the Administrative Procedure Act within 30 Days (new)

Amends GS 143-215.1 as the title indicates.

Part XXXI. Repeal Requirements for Increases in Vehicular Surface Areas (new)

Repeals Article 4A (*Vehicular Surface Areas*) of GS Chapter 113A.

Part XXXII. Amend Dredge and Fill Permit Applicant Procedure for Notice to Adjoining Property Owners (new)

Amends GS 113-229(d) to provide that notice to adjoining property owners of a dredge or fill permit may be satisfied by obtaining a signed statement from each property owner indicating no objection to the project or sending a copy of the permit to each property owner by certified mail.

Part XXXIII. Provide That Certain Water Treatment Systems with Expired Authorizations May Obtain New Authorizations That Allow the Systems to Withdraw Surface Water from the Same Water Body at the Same Rate as Was Approved in the Expired Authorization (new)

Allows public water systems with authorizations for deactivated water treatment plants that expired within the last ten calendar years of the effective date of the act to obtain new authorizations allowing the system to withdraw surface water from the same water body and at the same rate as approved in the expired authorization and provides that the new authorizations do not have to prepare an environmental document.

Part XXXIV. Amend S.L. 2013-50, an Act to Promote the Provision of Regional Water and Sewer Services by Transferring Ownership and Operation of Certain Public Water and Sewer Systems to a Metropolitan Water and Sewerage District (new)

Repeals SL 2013-50, Section 1(a)(2), thereby removing the requirement that the public water system has not been issued a certificate for an interbasin transfer from the criteria to be met for all assets and all outstanding debts of any public water system to be transferred to the metropolitan sewerage district operating in the county where the public water system is located, to be operated as a Metropolitan Water and Sewerage District.

Part XXXV. Combine the Division of Water Quality and the Division of Water Resources to Create a New Division of Water Resources in the Department of Environment and Natural Resources and Make Conforming Changes (new)

Combines the Division of Water Quality and the Division of Water Resources into a new Division of Water Resources. Makes conforming changes to statutes throughout GS Chapters 74, 90A, 106, 113A, 136, 143, 143B, 159G, and various session laws.

Part XXXVI. Severability Clause and Effective Date

Adds a severability clause.

Makes change to GS 87-97(e), effective when the act becomes law, applying to applications to construct or repair a private drinking water well received by a local health department on or after that date.

The act is effective when it becomes law, except where otherwise indicated above.

Makes conforming changes to the act's long title.

Intro. by <p>McElraft, Samuelson, McGrady.</p>

GS 14, GS 74, GS 87, GS 90A, GS 106, GS 113, GS 113A, GS 130A, GS 133, GS 136, GS 143, GS 143B, GS 150B, GS 153A, GS 159G, GS 160A

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[Environment, Department of Environment and Natural Resources](#)

H 296 (2013-2014) [OMNIBUS WILDLIFE RESOURCES COMMISSION ACT \(NEW\)](#). Filed Mar 13 2013, A *BILL TO BE ENTITLED AN ACT TO (1) ADJUST THE FEES CHARGED FOR CERTAIN HUNTING AND FISHING LICENSES ISSUED BY THE WILDLIFE RESOURCES COMMISSION AND REPEAL THE COUNTY HUNTING, FISHING, AND TRAPPING LICENSES AND THE NONCOMMERCIAL SPECIAL DEVICE LICENSES; (2) ESTABLISH A BLACK BEAR MANAGEMENT STAMP THAT MUST BE PROCURED BEFORE TAKING BEAR WITHIN THE STATE AND AMEND THE LAW RESTRICTING THE TAKING OF BLACK*

BEAR WITH BAIT; (3) ADJUST THE AGE FOR DISCOUNTED SPECIAL LICENSES FROM AGE SIXTY-FIVE TO AGE SEVENTY; (4) PROVIDE THAT EFFECTIVE JANUARY 1, 2015, THOSE HUNTING AND FISHING LICENSE FEES IN EFFECT SHALL REMAIN AT THE EXISTING LEVELS UNTIL THE WILDLIFE RESOURCES COMMISSION ESTABLISHES NEW FEES THROUGH RULE MAKING, AND AUTHORIZE THE WILDLIFE RESOURCES COMMISSION TO ESTABLISH LICENSE FEES THROUGH RULE MAKING BEGINNING IN 2015; (5) REPLACE THE CURRENT SIX PERCENT WILDLIFE SERVICE AGENT COMMISSION FEE WITH A TWO-DOLLAR TRANSACTION FEE; (6) PROVIDE THAT NO MORE THAN TWENTY-FIVE PERCENT OF THE WILDLIFE RESOURCES COMMISSION'S AUTHORIZED OPERATING BUDGET SHALL BE KEPT IN RESERVE; AND (7) PROVIDE AN ANNUAL TARGET FOR UTILIZATION OF THE ANNUAL EXPENDABLE INTEREST OF THE WILDLIFE ENDOWMENT FUND.

Senate committee substitute deletes the provisions of the 2nd edition and instead provides as follows.

Amends the short and long titles.

Raises the fees for the following licenses by various amounts: The Resident Combination Hunting and Inland Fishing License, Annual Sportsman License, Lifetime Sportsman Licenses, Resident State Hunting License, Lifetime Resident Comprehensive Hunting License, Controlled Hunting Preserve Hunting License, Resident Annual Comprehensive Hunting License, Nonresident State Hunting License, Resident Big Game Hunting License, Nonresident Bear Hunting License, Nonresident Big Game Hunting License, Migratory Waterfowl Hunting License, hunting and fishing guide licenses issued by the Wildlife Resources Commission(WRC), trapping licenses issued by the WRC, Hook-and-Line fishing licenses issued by the WRC, Special Trout License, Mountain Heritage Trout Waters 3-Day Fishing License, Resident Special Device licenses issued by the WRC, and the Unified Hunting and Fishing Licenses.

The fees for the following licenses were lowered by the act: The Resident Disabled Veteran Lifetime Unified Sportsman/Coastal Recreational Fishing License, Resident Disabled Veteran Lifetime Sportsman License, Resident Totally Disabled Lifetime Sportsman License, Resident Totally Disabled Lifetime Unified Sportsman/Coastal Recreational Fishing License and Resident Special Device License.

Provides that the different disabled veteran licenses can also be issued to resident veterans that are at least 50% disabled as established by the rules of the WRC (current law only allows the issuance for 50% disablement as determined by the US Department of Veteran Affairs or by the Social Security Administration depending on the license).

Provides that the age for discounted special licenses is now 70 (was, 65). Makes conforming changes in regards to the age change, providing that now adult licenses are issued to individuals between the age of 12 and 70.

Amends GS 113-270.2(c), repealing the Resident County Hunting License and changing the Six-Day Nonresident State Hunting License to a Ten-Day License.

Amends GS 113-270.3, establishing a bear management stamp for a \$10 fee, which must be obtained prior to the taking of any bear in NC. Funds from the fee will be dedicated to black bear research and management. Changes the Six-Day Nonresident Big Game Hunting License to a Ten-Day License.

Amends GS 113-270.5(b) and GS 113-271(d), repealing the Resident County Trapping License and the Resident County Inland Fishing License.

Amends GS 113-272.2(c), repealing the Resident Noncommercial Special Device License and the Nonresident Noncommercial Special Device License and providing for only the Resident Special Device License and the Nonresident Special Device License (current law has these two licenses labeled as "Commercial" licenses, this language is now deleted).

Amends GS 113-291.1(b), adding language providing that the WRC cannot establish rules that allow the taking of a black bear with the use and aid of any kind of bear bait. Also prohibits the WRC from making rules that allow the taking of a bear while it is consuming bait.

Repeals Chapter 828 of the 1981 Session Laws, a local act prohibiting the taking of a black bear with bait.

Amends GS 113-26, exemptions and exceptions to license and permit requirements, providing that landowners are not exempt from the requirement to obtain a bear management stamp before the taking of a black bear on their property. Amends GS 113-276(n), updating statute citations.

Amends GS 113-270.1(b), concerning licensing agents, providing that license agents can charge a fee of \$2 per transaction for the issuance of licenses or permits (was, can deduct a fee of up to 6% from the amount collected for each license or permit).

Amends GS 113-270.1B by adding a new subsection (c) providing that for licenses sold directly through the WRC, the WRC can charge a fee of \$2 per transaction. Prohibits a fee from being charged for the federal Harvest Information Program certification, big game harvest report cards for lifetime license holders, exempt landowners, persons of less than 16 years of age, or for any other license or vessel transactions that do not carry a charge.

Amends GS 75A-5.2(c), to increase the surcharge levied and received by vessel agents for certain transactions. Provides that the surcharge will be added to the fee for each certificate issued.

Amends GS Chapter 143 by adding a new section, GS 143-249.1, operating budget, providing that no more than 25% of the certified operating budget of the WRC is allowed to accumulate in a cash balance. Provides that it is the intent of the General Assembly to implement nonrecurring reductions in subsequent fiscal years in the amount equal to the cash balance that exceeds 25% of the authorized operating budget in the prior fiscal year.

Amends GS 143-250.1 by adding a new subsection that provides that when the cash balance in the Wildlife Endowment Fund is equal to or greater than \$100 million, the WRC will budget at least 50% of the annual expendable interest from the Fund to implement the conservation goals found in the WRC's strategic plan.

The WRC is directed to adopt rules to establish fees for the hunting, fishing, trapping, and activity licenses issued and administered by the WRC. However, no rule to increase fees above January 1, 2015, levels may increase a fee in excess of the average increase in the Consumer Price Index for All Urban Consumers over the preceding five years. Provides that effective January 1, 2015, the statutory fees for the hunting, fishing, trapping, and activity licenses issued and administered by the WRC will remain at the levels existing on that date until the rules required to be adopted by the WRC become effective. Provides that the statutory fees for the hunting, fishing, trapping, and activity licenses issued and administered by the WRC will expire when the WRC's adopted rules become effective.

Provides that all discounted licenses for persons at least 65 years of age provided for in GS 113-270.1D(b), 113-271(d), 113-351(c), and 113-174.2(c) for which the age requirement is increased from 65 to 70 by this act will remain available at age 65 for persons born on or before August 1, 1953.

Amends the enactment clause, providing that Sections 1 through 11 and Sections 14 and 21 of the act become effective August 1, 2014. Sections 12 and 13 are effective when they become law. Sections 15, 16, 17, and 18 of the act become effective January 1, 2014. Section 20 becomes effective January 1, 2015. The remainder of this act becomes effective July 1, 2013.

Intro. by J. Bell, Moffitt, Martin, Wray.

[GS 75A](#), [GS 113](#), [GS 143](#)

[View summary](#)

[Animals](#)

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

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

Amends GS 108A-29.1 to delete the current requirements for identification and treatment and to instead require drug screening for each applicant or recipient of Work First Program (WFP) assistance when the Department of Health and Human Services (DHHS) reasonably suspects the person is engaged in the illegal use of controlled substances. Makes the person who is tested responsible for the cost of the drug screening. Directs DHHS to provide notice of drug screening to each applicant or recipient. Also specifies that the applicant or recipient be advised that the drug screening may be avoided if the applicant or

recipient does not apply for WFP assistance. Provides that dependent children under the age of 18 are exempt from the requirements of this section. Lists additional requirements which DHHS is to enforce under this section.

Provides that if an individual tests negative for controlled substances, DHHS is to increase the amount of the initial WFP assistance in an amount equal to the cost the applicant or recipient paid for the drug testing. Designates a person who tested positive for controlled substances as ineligible for WFP assistance for one year from the date of the positive drug test, except permits the ineligible person to reapply for WFP if the person can document the successful completion of a substance abuse treatment program offered by area mental health authorities and licensed by DHHS. Requires that the person reapplying pass a drug test. Provides that the cost of any drug testing and substance abuse program is the responsibility of the person being tested or receiving treatment. Provides additional guidelines regarding ineligibility for persons who test positive for controlled substances more than once.

Directs the Social Services Commission to adopt rules for the testing of applicants and recipients under this section.

Deletes provision that permitted the requirements of this section under current law to be waived or modified as necessary in the case of individual applicants or recipients to the degree necessary to comply with Medicaid eligibility provisions.

Provides that a criminal record check of a WFP applicant or recipient that shows a conviction, arrest, or outstanding warrant within three years before the date the check is conducted relating to illegal controlled substances constitutes reasonable suspicion that requires drug testing.

Requires that DHHS report to the General Assembly by July 1, 2014, on the implementation of the act.

Adds a severability clause to the act.

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

Amends the act's short and long titles.

Intro. by Arp.

[GS 108A, GS 114](#)

[View summary](#)

[Criminal Justice, Public Assistance](#)

H 817 (SL 2013-183) (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.*

AN ACT TO STRENGTHEN THE ECONOMY THROUGH STRATEGIC TRANSPORTATION INVESTMENTS. Enacted June 26, 2013. Effective July 1, 2013, except as otherwise provided.

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

[GS 105, STUDY, GS 20, GS 136](#)

[View summary](#)

[Transportation, Department of Transportation](#)

H 543 (2013-2014) [GUARDIANSHIP ROLES OF MHDDSA PROVIDERS \(NEW\)](#). Filed Apr 3 2013, *A BILL TO BE ENTITLED AN ACT ADDRESSING PERMISSIBLE GUARDIANSHIP ROLES FOR CORPORATIONS AND INDIVIDUALS THAT PROVIDE MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, OR SUBSTANCE ABUSE SERVICES.*

Conference report makes the following changes to the 3rd edition.

Amends GS 35A-1213(f) to allow an individual contracting with or employed by an entity contracting with a LME for mental health, developmental disabilities, and substance abuse services to serve as a guardian for a ward for whom the services are provided if the person is a member of the ward's immediate family and under contract with an LME for the delivery of services and was serving as a guardian on January 1, 2013 (was, a member of the ward's immediate family, a licensed family foster care provider, or a licensed therapeutic foster care provider under contract for the delivery of services and serving as a guardian as of January 1, 2013).

Intro. by Jones, Avila, Glazier, Turner.

GS 35A

[View summary](#)**Health, Mental Health, Child Welfare**

H 327 (2013-2014) **FIRE AND RESCUE PENSION REVISIONS OF 2013.-AB** Filed Mar 18 2013, *AN ACT TO MODERNIZE, UPDATE, AND CLARIFY THE STATUTES GOVERNING THE FIREMEN'S AND RESCUE SQUAD WORKERS' PENSION FUND BY ADDING A DEFINITION SECTION TO THE STATUTES, TO REPEAL ARCHAIC AND UNNECESSARY PROVISIONS, TO MAKE THE PROVISIONS GENDER NEUTRAL, TO ELIMINATE THE BOARD OF TRUSTEES WHILE TRANSFERRING ITS AUTHORITY TO THE BOARD OF TRUSTEES OF THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, TO ESTABLISH A FIREFIGHTERS' AND RESCUE SQUAD WORKERS' ADVISORY PANEL, TO PROHIBIT CERTAIN FELONS FROM PARTICIPATING IN THE FUND, AND TO ESTABLISH AN AGGRAVATING FACTOR FOR DEFENDANTS WHO COMMIT OFFENSES DIRECTLY RELATED TO THEIR SERVICE AS FIREFIGHTERS OR RESCUE SQUAD WORKERS.*

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

Amends GS 58-86-95 to provide that if a member who is in service and has not received 20 years of fully credited service on December 1, 2013, is convicted of an offense listed in new GS 58-86-100 (was, GS 126-38.5) for acts committed after December 1, 2013, then that member is not entitled to any fully credited service that accrued after December 1, 2013.

Intro. by Howard, Elmore, Hager, Turner.

GS 15A, GS 25, GS 58, GS 147

[View summary](#)**Employment and Retirement**

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

Senate committee substitute makes the following changes to the 4th edition.

Amends GS 115C-112.5, deleting the requirement that the Authority report to the Department of Public Instruction (DPI) on the number of students who received scholarships for the previous school year and were enrolled in a local school administrative unit or charter school for the semester before the semester for which a scholarship grant was awarded. Also deletes the requirement that DPI adjust the allotments of local school administrative units and charter school based on the number of awarded scholarships. Makes clarifying and technical changes regarding the remaining reporting requirements.

Intro. by Jordan, Brandon, Jones, Stam.

GS 105, APPROP, GS 115C

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

PUBLIC/SENATE BILLS

S 709 (2013-2014) **DOT STUDY 75 MPH SPEED/DEVELOP PILOT PROPOSAL (NEW).** Filed Apr 2 2013, *A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF TRANSPORTATION TO CONDUCT A STUDY OF INCREASING THE SPEED LIMIT ON UP TO FOUR CONTROLLED ACCESS HIGHWAYS TO SEVENTY-FIVE MILES PER HOUR, DEVELOP A PILOT PROGRAM PROPOSAL, AND REPORT TO THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE BY*

JANUARY 31, 2014.

House committee substitute deletes the provisions of the 1st edition and instead provides as follows.

Directs the Department of Transportation (DOT) to study and evaluate a pilot implementation of a maximum speed limit of 75 miles per hour on up to four controlled access highways. Requires that the study and pilot implementation include five elements, including evaluating the effect of a 75 miles per hour speed limit on motor vehicle insurance rates and analyzing the effect of a 75 miles per hour speed limit on the current state penalty structure for speeding and possible changes to that structure. Requires DOT to report to the Joint Legislative Transportation Oversight Committee on its findings and recommendations by January 31, 2014. Requires the report to include a proposal for a pilot program on up to four segments of controlled access highways. Updates the act's titles.

Intro. by Hunt, Rabon, Harrington.

STUDY

[View summary](#)

Transportation, Department of Transportation

S 485 (2013-2014) [UNC/REPORT/E-COMMERCE/IMPROVEMENTS \(NEW\)](#). Filed Mar 27 2013, *A BILL TO BE ENTITLED AN ACT TO ELIMINATE A DUPLICATIVE REPORTING REQUIREMENT REGARDING PERSONAL SERVICE CONTRACTS FOR THE UNIVERSITY OF NORTH CAROLINA, TO ALLOW THE BOARD OF GOVERNORS TO PROVIDE FOR THE IMPLEMENTATION AND EXPANSION OF E-COMMERCE INFRASTRUCTURE, AND TO CLARIFY THE PROPERTY TAX STATUS OF CERTAIN IMPROVEMENTS ON UNIVERSITY LANDS THAT ARE OWNED BY CERTAIN SOCIAL ORGANIZATIONS.*

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

Amends the short and long title.

Amends GS 116-40.22, providing that the UNC Board of Governors can provide for the implementation and expansion of electronic commerce infrastructure and capabilities among UNC System constituent institutions, allowing for the contracting with service providers in order to allow for increased efficiencies, technical capabilities, uniformity, and best practices of contemplated service providers.

Amends GS 105-275, property classified and excluded from the tax base, to add a new subsection that provides that improvements to real property that are (1) owned by social fraternities, sororities, and similar college, university, or high school organizations and (2) located on land owned by or allocated to UNC or one of its constituent institutions are excluded from the tax. Effective for taxes imposed for taxable years beginning on or after July 1, 2013.

Intro. by Apodaca.

GS 116, GS 105, GS 143

[View summary](#)

UNC System

S 638 (2013-2014) [NC FARM ACT OF 2013](#). Filed Apr 2 2013, *AN ACT TO ENACT THE NORTH CAROLINA FARM ACT OF 2013 TO (1) LIMIT THE LIABILITY OF NORTH CAROLINA COMMODITY PRODUCERS ARISING FROM FOOD SAFETY ISSUES RELATED TO THEIR PRODUCTS; (2) LIMIT THE LIABILITY OF FARM ANIMAL ACTIVITY SPONSORS, FARM ANIMAL PROFESSIONALS, AND AGRITOURISM OPERATORS AND CLARIFY THAT EQUINE RECREATION WHERE THE LANDOWNER RECEIVES NO COMPENSATION IS SUBJECT TO THE RECREATIONAL USE STATUTE AND NOT THE EQUINE ACTIVITY LIABILITY STATUTE; (3) ALLOW THE COMMISSIONER OF AGRICULTURE TO ASSESS NONMONETARY PENALTIES TO ADDRESS VIOLATIONS WHEN APPROPRIATE; (4) DECREASE THE FREQUENCY OF THE AGRICULTURAL WATER USE SURVEY; (5) LIMIT THE PERSONALLY IDENTIFYING INFORMATION THAT THE DEPARTMENT OF AGRICULTURE AND*

CONSUMER SERVICES MAY DISCLOSE ABOUT ITS ANIMAL HEALTH PROGRAMS; (6) MAKE CONFORMING CHANGES TO THE NAME OF THE STRUCTURAL PEST CONTROL AND PESTICIDES DIVISION AND CLARIFY THE RESPONSIBILITIES OF THE DIVISION; (7) AMEND CERTAIN EGG LABELING REQUIREMENTS; (8) REPEAL THE INTERSTATE PEST CONTROL COMPACT; (9) REPEAL CERTAIN CLEANLINESS STANDARDS FOR CREAMERIES AND DAIRY FACILITIES THAT ARE ADDRESSED BY THE NC FOOD, DRUG, AND COSMETIC ACT; (10) CHANGE SETBACK DISTANCES AND BURN TIMES FOR FLAMMABLE MATERIALS RESULTING FROM GROUND CLEARING ACTIVITIES; (11) REPEAL THE STATE SULFUR CONTENT STANDARDS FOR GASOLINE; (12) EXEMPT FORESTRY AND SILVICULTURE OPERATIONS FROM TEMPORARY DRIVEWAY PERMITTING; (13) ALLOW A FARM BUILDING THAT IS USED FOR PUBLIC OR PRIVATE EVENTS TO MAINTAIN ITS FARM BUILDING STATUS FOR PURPOSES OF THE STATE BUILDING CODE; (14) EXEMPT CERTAIN STRUCTURES FROM THE SPRINKLER SYSTEM REQUIREMENTS OF THE NORTH CAROLINA BUILDING CODE; (15) ALLOW RETAILERS TO DISPLAY MORE THAN FOUR HUNDRED SQUARE FEET OF NURSERY STOCK FOR SALE IN THEIR PARKING LOTS; (16) EXPAND THE AGRICULTURAL DAM EXEMPTION TO THE DAM SAFETY ACT; (17) ALLOW A LANDOWNER TO WITHDRAW WATER FOR AGRICULTURAL USE DURING WATER SHORTAGE EMERGENCIES UNDER CERTAIN CONDITIONS; (18) DIRECT 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 STREAM AND WETLANDS MITIGATION BEYOND THE IMMEDIATE WATERSHED WHERE DEVELOPMENT WILL OCCUR; AND (19) ACCELERATE THE SUNSET DATE OF THE PETROLEUM DISPLACEMENT PLAN AS A RESULT OF THE STATE HAVING SUBSTANTIALLY ACHIEVED ITS TWENTY PERCENT REDUCTION GOAL OF THE USE OF PETROLEUM PRODUCTS.

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

Amends GS 99B-12 to add the following to the requirements to be met in order for commodity producers to be entitled to a rebuttable presumption that they were not negligent when consumption of the producer's raw agricultural commodity is the proximate cause of death or injury: the producer (1) has a written food safety policy complying with the certification program's standard and can provide evidence that the producer trains employees on the policy annually and (2) has had no administrative findings or sanctions, legal judgments, or settlements of complaints against the producer during the previous three years based on a claim that the commodity producer's negligence was the proximate cause of a plaintiff's death or illness.

Amends GS 99E-5 to amend the definition of *farm animal activity* to mean an activity in which participants engage with farm animals (was, participants observe, engage with, or lean about farm animals), including the specified activities.

Deletes Part XV of the act, *Water Quality Permit Not Required for Activities in Wetlands That Are Not Waters of the United States*.

Amends SL 2005-279, Section 19.5(a), as amended, to add that no state agency, university, or community college shall alter its petroleum displacement plan in a way that increases the amount of the petroleum products consumed.

Amends the act's long title.

Intro. by Jackson, Brock.

[GS 38A](#), [GS 99B](#), [GS 99E](#), [GS 106](#), [GS 119](#), [GS 136](#), [GS 143](#)

[View summary](#)

[Agriculture, Building and Construction, Environment](#)

S 127 (2013-2014) [ENERGY/ECONOMIC DEVELOPMENT MODIFICATIONS \(NEW\)](#). Filed Feb 21 2013, *AN ACT TO (1) PERMIT THE DEPARTMENT OF COMMERCE TO CONTRACT WITH A NORTH CAROLINA NONPROFIT CORPORATION FOR THE PERFORMANCE OF CERTAIN ECONOMIC DEVELOPMENT FUNCTIONS; (2) MODIFY THE NORTH CAROLINA BOARD OF SCIENCE AND TECHNOLOGY; (3) CREATE COLLABORATION FOR PROSPERITY ZONES; (4) REQUIRE CERTAIN LIAISONS IN EACH COLLABORATION FOR PROSPERITY ZONE; (5) STUDY COMMISSION ON INTERAGENCY COLLABORATION FOR PROSPERITY; (6) MODIFY REPEAL OF CERTAIN REGIONAL ECONOMIC DEVELOPMENT COMMISSIONS; (7) AUTHORIZE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO ISSUE PERMITS ON OR AFTER JULY 1, 2015, FOR OIL AND GAS EXPLORATION AND DEVELOPMENT ACTIVITIES IN THE STATE,*

INCLUDING THE USE OF HORIZONTAL DRILLING AND HYDRAULIC FRACTURING TREATMENTS FOR THAT PURPOSE; AND (8) PROVIDE A TAX FOR THE SEVERANCE OF ENERGY MINERALS FROM THE SOIL OR WATER OF THE STATE, REPEAL OUTDATED OIL AND GAS TAX STATUTES, AND AUTHORIZE THE SUSPENSION OF PERMITS FOR FAILURE TO FILE A RETURN FOR SEVERANCE TAXES.

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

Amendment #1 states the General Assembly's intent that state marketing and rebranding functions performed by regional economic development commissions be performed by the Department of Commerce or a North Carolina nonprofit on and after January 1, 2014, and that funds appropriated for those functions will be available to the Department on or after that date. Deletes the provision allowing the Department of Commerce to retain 50% of the appropriation for state marketing and rebranding if Senate Bill 402 becomes law and appropriates money to the regional economic development commissions.

Amendment #2 amends GS 143B-431A to clarify that members of the Economic Development Oversight Committee appointed by the Speaker of the House or the President Pro Tempore of the Senate may not be General Assembly members. Amends the Committee's duties to clarify that the complaints that they can receive, review, and refer are those regarding the contract or the performance of the nonprofit corporation, and allows the Committee to perform any other duties the Committee deems necessary (was, any other duties set forth in the contract). Clarifies that each member of the Committee appointed by the Governor must have expertise in the specified issue areas. Makes technical changes.

Amends the duties of the Revisor of Statutes concerning making conforming changes and corrections.

Amendment #3 amends GS 143B-431A to provide that if the Department of Commerce contracts with a state nonprofit corporation to promote and grow the travel and tourism industries, then all funds appropriated to the Department for tourism and marketing purposes must be used for a research-based comprehensive marketing program directed toward consumers in key markets most likely to travel to the state and not for ancillary activities. Also amends the statute to require that the membership of the governing board of the NC nonprofit corporation include expertise in tourism, as jointly recommended by the North Carolina Travel and Tourism Coalition and the North Carolina Travel Industry Association (was, recommended by the North Carolina Travel and Tourism Coalition).

Amendment #4 amends GS 143B-472.81 to require one member of the North Carolina Board of Science, Technology, and Innovation be a member of a state or federally recognized North Carolina Indian Tribe.

Intro. by Brown.

[GS 120, GS 143, GS 143B, GS 153A](#)

[Community and Economic Development, State Agencies, Community Colleges System Office, Department of Commerce, Department of Environment and Natural Resources, Department of Transportation](#)

[View summary](#)

S 132 (2013-2014) [HEALTH CURRICULUM/PRETERM BIRTH](#). Filed Feb 25 2013, *A BILL TO BE ENTITLED AN ACT TO INCLUDE INSTRUCTION IN THE SCHOOL HEALTH EDUCATION PROGRAM ON THE PREVENTABLE CAUSES OF PRETERM BIRTH, INCLUDING INDUCED ABORTION AS A CAUSE OF PRETERM BIRTH IN SUBSEQUENT PREGNANCIES, AND TO PROVIDE SUCH INFORMATION TO CHARTER, NONPUBLIC, AND HOME SCHOOL STUDENTS.*

House amendment to the 3rd edition makes the following changes. Amends GS 115C-238.29F, GS 115C-548, GS 115C-556, and GS 115C-565 to require that information be given to charter school students, private church school or religious charter school students, nonpublic school students, and home school students on the preventable causes of preterm birth in subsequent pregnancies, including induced abortion, smoking, alcohol use, illicit drug use, and inadequate prenatal care. Makes conforming changes to the act and the act's long title.

Intro. by Daniel, Tillman, Randleman.

[GS 115C](#)

[View summary](#)

**Elementary and Secondary Education, Department of
Health and Human Services, Health**

S 717 (2013-2014) **MV SAFETY INSPECTOR/MV LICENSING LAW CHANGES (NEW)**. Filed Apr 2 2013, *A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES DISCRETION IN ASSESSING PENALTIES AND SUSPENSIONS ON SAFETY INSPECTION LICENSE HOLDERS FOR SAFETY INSPECTION LAW VIOLATIONS AND TO CLARIFY THE MOTOR VEHICLE DEALERS AND MANUFACTURERS' LICENSING LAW.*

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

Makes a conforming change to GS 20-183.7(a), deleting a reference to inspection stickers.

Amends GS 20-183.7A (safety violations) to delete changes from the previous edition and revert to current law, which requires the Division of Motor Vehicles (DMV) to take the specified actions for violations (was, the DMV may take the specified actions).

Clarifies the length of the license suspension as 180 days for a first or second Type I violation within three years. Authorizes the DMV to stay a term of suspension for the first Type I violation by a safety inspection station if the station agrees to follow reasonable terms and conditions imposed by the DMV. Also provides that the DMV may, at its discretion, run suspensions for multiple violations in separate safety inspections concurrently.

Amends GS 20-183.7B to modify the list of Type I, II, and III safety inspection violations.

Amends GS 20-183.8B (emissions violations), authorizing the DMV to stay a term of suspension for the first Type I violation by an emissions inspection station if the station agrees to follow reasonable terms and conditions imposed by the DMV. Provides that if two or more violations occur in a single emissions inspection, the DMV is to take action only on the most significant violation. Provides that if there are multiple violations in separate emissions inspections, the DMV is to consider each violation as a separate occurrence and impose a separate penalty for each violation. However, authorizes the DMV, at its discretion, to run suspensions concurrently. Clarifies the duration of the license suspension as 180 days for Type I violations.

Amends GS 20-183.8C to modify the list of Type I, II, and III emissions inspection violations.

Amends GS 20-183.8G(f) (administrative and judicial review) to conform the administrative and judicial review provisions governing safety and emissions inspection violations to reflect the changes made regarding safety and emissions inspections in this act.

Provides that each of the preceding provisions, representing Sections 1-6 of this act, become effective October 1, 2013. The following provisions, constituting Sections 7-12 of this act are effective when the act becomes law.

Amends GS 20-305(30), extending the deadline for certain established manufacturer programs that vary the price charged to its franchised dealers in the state, although the programs would otherwise be unlawful under GS 20-305, to continue in effect until June 30, 2018 (was, June 30, 2014).

Amends GS 20-305 by adding new subsections GS 20-305(44-48), adding to the conduct considered unlawful on the part of any manufacturer, factory branch, distributor, distributor branch, field representative, officer agent, or any other representative as follows:

1. GS 20-305(44), providing it is unlawful, aside from other conditions or agreements, to require, coerce, or attempt to coerce any new motor vehicle dealer to refrain from displaying any sports-related honors, awards, photos, display, or other artifacts related to the dealership, dealer principal, or any owners or other officials of the business.
2. GS 20-305(45), providing it is unlawful, aside from other conditions or agreements, to discriminate against any new motor vehicle dealer for offering service contracts or other products that are not approved, endorsed, or offered by the manufacturer or affiliates. This discrimination includes, but is not limited to, the following: requiring or coercing a dealer to exclusively offer their service contracts or similar products, taking or threatening adverse action against a dealer for offering such unendorsed products, measuring performance of a franchise in any part based on the sale of the endorsed or approved products of the manufacturer, requiring a dealer to promote the sale of the manufacturer's products, or considering the dealer's sale of the approved or endorsed products in determining eligibility to purchase vehicles or parts, the volume of vehicles or parts the dealer can purchase, the price of anything bought from the manufacturer, and the availability of vehicle

discounts, credits, special pricing, or rebates. Includes language stating examples of actions by a manufacturer which are not considered discrimination.

3. GS 20-305(46), providing it is unlawful to require, coerce, or attempt to coerce a dealer to purchase goods or services from a vendor specified, selected, identified, or designated by a manufacturer or affiliate when the dealer may obtain goods or services of substantially similar quality and design from a dealer-selected vendor with prior approval. Allows dealers to file a protest with the Commissioner of Motor Vehicles (Commissioner) in certain circumstances.
4. GS 20-305(47), providing it is unlawful to fail to provide to a dealer the right to purchase or lease signs or other franchisor image elements of like kind and quality from a vendor selected by the dealer.
5. GS 20-305(48), providing it is unlawful to unreasonably interfere with a dealer's independence in staffing the dealership by requiring the hiring of specific individuals, for specific positions, or by requiring the approval by the manufacturer or affiliate.

Amends GS 20-305.2 (*Unfair methods of competition*), creating a new subsection GS 20-305.2(e), stating that an unfair method of competition includes any warranty fix, repair, update, or adjustment made or provided directly by a manufacturer or distributor to any vehicle in the state without the direct participation of a dealer franchised by the manufacturer or distributor and without such dealer receiving reasonable compensation. Adds new subsection (f) to declare that no claim or cause of action may be brought against a dealer in this state arising out of any warranty repair, fix, repair, or update that was provided by the manufacturer or distributor without the direct participation of the dealer. Requires any manufacturer or distributor who violates this provision to fully indemnify and hold harmless any dealer in this state for claims, judgments, damages, attorneys' fees, litigation expenses, and all other costs arising out of the actual or attempted fix, repair, update, or adjustment.

Amends 20-305.7 (*Protecting dealership data and consent to access dealership information*), making conforming, technical, and clarifying changes. Extends the provisions concerning direct access to a dealer's computer system so that it also applies to a third party approved, referred, endorsed, authorized, certified, granted preferred status, or recommended by a relevant party. Extends the hold harmless provision in (g2) to also include costs related to the disclosure of security breaches and computer system costs.

Amends GS 20-305.1 (*Automobile dealer warrant obligations*), making clarifying and technical changes. Amends GS 20-305.1(a1), stating any reasonable rate determined at a hearing conducted pursuant to this section will be effective as of 60 days after the date of the dealer's initial submission of the customer-paid service orders to the manufacturer or distributor.

Includes "batteries and light bulbs" in the list included in GS 20-305.1(a2) of work that is excluded when calculating the retail rate customarily charged by the dealer for parts and labor, for purposes of this section.

Provides that terms and provisions of Sections 7-12 of this act are applicable to all current and future franchises and other agreements in existence between any new motor vehicle dealer in this state and a manufacturer or distributor as of the effective date of this act.

Includes a severability clause, providing that if any provision of this act is found to be invalid, the remainder of the act would still be valid to the extent that it may be given effect without the invalid provisions.

Amends the act's short and long titles.

Intro. by Rabon.

GS 20

[View summary](#)

Transportation

S 636 (2013-2014) **WILDLIFE RESOURCES COMM. PENALTY CHANGES**. Filed Apr 2 2013, *A BILL TO BE ENTITLED AN ACT TO AMEND THE BOATING SAFETY ACT BY INCREASING THE FINES AND OTHERWISE AMENDING THE PENALTY AND OTHER PROVISIONS OF THAT ACT AND BY AMENDING THE PENALTY PROVISIONS FOR SPECIFIC VIOLATIONS OF THE WILDLIFE LAWS; TO AUTHORIZE COUNTIES AND CITIES TO ATTACH AND GARNISH A MEMBER OF THE GOVERNING BODY IF THE COUNTY OR CITY HAS BEEN GRANTED A MONEY JUDGMENT AGAINST THAT MEMBER AND*

THE MONEY JUDGMENT HAS NOT BEEN SATISFIED; AND TO AMEND THE NORTH CAROLINA CONSTITUTION TO PROHIBIT CONDEMNATION OF PRIVATE PROPERTY EXCEPT FOR A PUBLIC USE, TO PROVIDE FOR THE PAYMENT OF JUST COMPENSATION WITH RIGHT OF TRIAL BY JURY IN ALL CONDEMNATION CASES, AND TO MAKE SIMILAR STATUTORY CHANGES.

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

Amends GS 75A-6.1(c) to make a violation of any rule governing navigational lighting a Class 3 misdemeanor (was, violation of the navigation rules in (a) of the statute are an infraction).

Deletes proposed changes to GS 75A-17(f), which would have decreased the punishment level for failing to slow to a no-wake speed when passing within 100 feet of a law enforcement vessel displaying a flashing blue light.

Amends GS 75A-18 to make it a Class 3 misdemeanor, subject to a fine of no more than \$250, to violate the Boating Safety Act.

Makes it an infraction, with a \$50 fine, to violate a rule adopted by the Wildlife Resources Commission under the authority of GS Chapter 75A (was, an infraction to violate a provision of the Boating Safety Act or violate a rule adopted under authority of the Chapter). Provides that a person convicted of an infraction is not assessed court costs.

Amends GS 113-294 to make it a Class 1 misdemeanor to unlawfully take, possess, or transport elk, no matter where the elk is located (was, take, possess, or transport elk from state-owned land).

Intro. by Newton.

[GS 75A, GS 113](#)

[View summary](#)

[Animals](#)

LOCAL/HOUSE BILLS

H 107 (2013-2014) [EASTERN REGION/DISBURSEMENT OF FUNDS \(NEW\)](#). Filed Feb 14 2013, *A BILL TO BE ENTITLED AN ACT TO ALLOW A COUNTY FROM THE EASTERN REGION TO RECEIVE A DISBURSEMENT OF ITS SHARE OF THE MOTOR VEHICLE REGISTRATION TAX PROCEEDS AS WELL AS PAYMENTS MADE BY THE COUNTY IN LIEU OF TAXES.*

Senate committee substitute to the 3rd edition makes the following changes. Amends GS 158-42 to delete the provision removing a county from the Region upon acceptance of the disbursement.

Expands the scope of the act so that it also applies to Carteret, Duplin, Edgecombe, Greene, Jones, Lenoir, Nash, Onslow, Pamlico, Pitt, Wayne, and Wilson counties.

Intro. by Speciale.

[Carteret, Craven, Duplin, Edgecombe, Greene, Jones, Lenoir, Nash, Onslow, Pamlico, Pitt, Wayne, Wilson, GS 158](#)

[View summary](#)

[Transportation, Community and Economic Development, Local Government, Tax](#)

H 290 (SL 2013-181) (2013-2014) [RUTHERFORD AIRPORT AUTHORITY](#). Filed Mar 12 2013, *AN ACT TO ALLOW THE BOARD OF COMMISSIONERS OF RUTHERFORD COUNTY TO SERVE EX OFFICIO AS THE RUTHERFORD COUNTY AIRPORT AUTHORITY.*

AN ACT TO ALLOW THE BOARD OF COMMISSIONERS OF RUTHERFORD COUNTY TO SERVE EX OFFICIO AS THE RUTHERFORD COUNTY AIRPORT AUTHORITY. Enacted June 26, 2013. Effective June 26, 2013.

Intro. by Hager.

Rutherford

[View summary](#)

Transportation

H 294 (SL 2013-182) (2013-2014) **AUTHORITY TO REMOVE ABANDONED VESSELS**. Filed Mar 13 2013, A *BILL TO BE ENTITLED AN ACT TO ALLOW CERTAIN COUNTIES TO REMOVE ABANDONED VESSELS FROM NAVIGABLE WATERS*.

AN ACT TO ALLOW CERTAIN COUNTIES TO REMOVE ABANDONED VESSELS FROM NAVIGABLE WATERS.
Enacted June 26, 2013. Effective June 26, 2013.

Intro. by Tine.

Dare, GS 153A

[View summary](#)

Transportation

ACTIONS ON BILLS

PUBLIC BILLS

H 56: AMEND STATE CONTRACT REVIEW LAWS.

Ratified

H 60: TRANSFER OF INDIAN CULTURAL CENTER PROPERTY.

Signed by Gov. 6/26/2013

Ch. SL 2013-186

H 94: AMEND ENVIRONMENTAL LAWS 2013.

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

H 110: PUBLIC CONTRACTS/PROJECT LABOR.

Senate: Withdrawn From Cal

Senate: Placed On Cal For 06/27/2013

H 137: REWARD AMT/ARREST OF FUGITIVE FROM JUSTICE.

Senate: Withdrawn From Cal

Senate: Placed On Cal For 06/27/2013

H 161: MANDATORY RETIREMENT AGE FOR MAGISTRATES.

Senate: Withdrawn From Cal

Senate: Placed On Cal For 06/27/2013

H 168: DIVISION OF ATTY'S FEES IN WORKERS' COMP (NEW).

Senate: Withdrawn From Cal

Senate: Placed On Cal For 06/27/2013

H 176: CHARTER SCHOOL ELECTION.

Senate: Withdrawn From Cal

Senate: Placed On Cal For 06/27/2013

H 192: ALLOW ROW USAGE IN CENTRAL BUSINESS DISTRICTS.

Senate: Withdrawn From Cal

Senate: Re-ref Com On State and Local Government

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

H 219: UPDATE REFERENCES/CHILD BORN OUT OF WEDLOCK (NEW).

Signed by Gov. 6/26/2013

Ch. SL 2013-198

H 220: DESIGNATE NC FRAGILE X AWARENESS DAY.

Ratified

H 223: ELECTRIC MEMBERSHIP CORPS/MEMBER CONTROL.

Signed by Gov. 6/26/2013

Ch. SL 2013-187

H 232: STATE HEALTH PLAN/STATUTORY CHANGES.-AB

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

H 240: INSURANCE TECHNICAL/CLARIFYING CHANGES.-AB

Signed by Gov. 6/26/2013

Ch. SL 2013-199

H 241: BLUE MONDAY SHAD FRY.

Senate: Withdrawn From Cal

Senate: Placed On Cal For 06/27/2013

H 243: LIENS/SELF-SERVICE STORAGE FACILITIES.

Pres. To Gov. 6/26/2013

H 248: TAXPAYER DEBT INFORMATION ACT.

Signed by Gov. 6/26/2013

Ch. SL 2013-200

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

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

H 257: UNCLAIMED PROPERTY PROGRAM IMPROVEMENTS.

Senate: Placed On Cal For 06/27/2013

Senate: Withdrawn From Cal

H 259: HONOR EDWARD L. WILLIAMSON.

Senate: Withdrawn From Com

Senate: Placed On Cal For 06/27/2013

H 269: CHILDREN W/DISABILITIES SCHOLARSHIP GRANTS.

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

Senate: Re-ref Com On Finance

H 296: OMNIBUS WILDLIFE RESOURCES COMMISSION ACT (NEW).

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

H 322: CDL REQUIREMENTS/MILITARY EXPERIENCE.

Ch. SL 2013-201

Signed by Gov. 6/26/2013

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

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

Senate: Re-ref Com On Appropriations/Base Budget

H 331: HOAS/UNIFORM LIEN PROCEDURE.

Signed by Gov. 6/26/2013

Ch. SL 2013-202

H 332: NOTARY ACT/SATISFACTION OF SECURITY INTERESTS.

Signed by Gov. 6/26/2013

Ch. SL 2013-204

H 333: SEX OFFENDER RESIDENCY/REGIS. AMENDMENTS.

Signed by Gov. 6/26/2013

Ch. SL 2013-205

H 336: CONTINUING BUDGET AUTHORITY (NEW).

Ch. SL 2013-184

Ratified

Pres. To Gov. 6/26/2013

Signed by Gov. 6/26/2013

H 340: LIMITED LINES TRAVEL INSURANCE.

Senate: Withdrawn From Cal

Senate: Placed On Cal For 06/27/2013

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

House: Rec From Senate

House: Rec To Concur S Com Sub

House: Cal Pursuant Rule 36(b)

House: Placed On Cal For 06/27/2013

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

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

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

H 358: RETIREMENT TECHNICAL CORRECTIONS.-AB

Senate: Reptd Fav

H 359: RETIREMENT ADMINISTRATIVE CHANGES ACT OF 2013.

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

Senate: Re-ref Com On Appropriations/Base Budget

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

Senate: Withdrawn From Cal

Senate: Placed On Cal For 06/27/2013

H 371: CHIROPRACTIC ASSISTANT CERTIFICATION/FEE.-AB

Senate: Withdrawn From Cal

Senate: Placed On Cal For 06/27/2013

H 390: STATE IT GOVERNANCE CHANGES.-AB

Signed by Gov. 6/26/2013

Ch. SL 2013-188

H 391: VOLUNTEER SERVICE IN RETIREMENT.

Senate: Withdrawn From Cal

Senate: Placed On Cal For 06/27/2013

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

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

H 402: TRICARE SUPPLEMENT FOR FLEX ACCOUNTS.

Senate: Withdrawn From Cal

Senate: Placed On Cal For 06/27/2013

H 428: NORTH CAROLINA SCHOOL BUS SAFETY ACT.

Senate: Withdrawn From Cal

Senate: Placed On Cal For 06/27/2013

H 433: LAND USE SURROUNDING MILITARY INSTALLATIONS.

Signed by Gov. 6/26/2013

Ch. SL 2013-206

H 450: CRIMINAL CONTEMPT/BAIL PROCEDURE (NEW).

Senate: Withdrawn From Cal

Senate: Placed On Cal For 06/27/2013

H 459: CHRONIC CARE COORDINATION ACT.

Signed by Gov. 6/26/2013

Ch. SL 2013-207

H 462: INCREASE FAMILY COURT FEE.

Senate: Reptd Fav

H 543: GUARDIANSHIP ROLES OF MHDDSA PROVIDERS (NEW).

Senate: Conf Com Reported

Senate: Placed On Cal For 06/27/2013

House: Conf Com Reported

House: Placed On Cal For 06/27/2013

H 587: ALTERNATE ACT/PLAN FOR CERTAIN STUDENTS (NEW).

Signed by Gov. 6/26/2013

Ch. SL 2013-208

H 597: BAIL BONDSMAN/OFFICIAL SHIELD (NEW).

Signed by Gov. 6/26/2013

Ch. SL 2013-209

H 641: AMEND CONDITIONAL DISCHARGE/1ST DRUG OFFENSE.

Signed by Gov. 6/26/2013

Ch. SL 2013-210

H 656: FORFEITURE FOR SPEEDING TO ELUDE REVISIONS.

Pres. To Gov. 6/26/2013

H 664: CELL TOWER DEPLOYMENT ACT.

Signed by Gov. 6/26/2013

Ch. SL 2013-185

H 686: NC SEAFOOD PARK/NAME CHANGE.

Signed by Gov. 6/26/2013

Ch. SL 2013-211

H 743: UI LAWS ADMINISTRATIVE CHANGES.

Ratified

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

Senate: Withdrawn From Cal

Senate: Placed On Cal For 06/27/2013

H 767: CORPORAL PRUITT RAINEY BRASS TO CLASS ACT.

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

H 784: WORTHLESS CHECK/PRESENT CASHED CHECK.

Pres. To Gov. 6/26/2013

H 816: TOBACCO GROWERS ASSESSMENT ACT (NEW).

Senate: Reptd Fav

H 817: STRATEGIC TRANSPORTATION INVESTMENTS (NEW).

Signed by Gov. 6/26/2013

Ch. SL 2013-183

H 819: HONOR BOBBY HAROLD BARBEE.

Ratified

Ch. Res 2013-17

H 830: ADOPT STATE SYMBOLS.

Ch. SL 2013-189

Signed by Gov. 6/26/2013

H 832: EXPAND PHARMACISTS' IMMUNIZING AUTHORITY.

House: Concurred In S/Com Sub

House: Ordered Enrolled

H 834: MODERN STATE HUMAN RESOURCES MANAGEMENT/RTR (NEW).

Senate: Placed On Cal For 06/27/2013

Senate: Withdrawn From Cal

H 891: EXPLOITATION OF SRS/FREEZE DEFENDANT'S ASSETS.

Signed by Gov. 6/26/2013

Ch. SL 2013-203

H 895: UNC/MAHEC/HONOR REP. MARY NESBITT.

Senate: Withdrawn From Cal

Senate: Placed On Cal For 06/27/2013

H 917: ADOPT DUBLIN PEANUT FESTIVAL.

Senate: Withdrawn From Cal

Senate: Placed On Cal For 06/27/2013

H 951: ELIMINATE TAX DESIGNATION FOR POLITICAL PARTY.

Senate: Reptd Fav

H 982: MODIFY MEDICAID SUBROGATION STATUTE.

Senate: Withdrawn From Cal

Senate: Placed On Cal For 06/27/2013

H 1006: UTILITIES COMMISSION CONFIRMATION.

Ratified

Ch. Res 2013-18

S 8: INCREASE FINE FOR VEHICLE REMOVAL.

Signed by Gov. 6/26/2013

Ch. SL 2013-190

S 25: HUNTING & FISHING/ACTIVE DUTY MILITARY.

Signed by Gov. 6/26/2013

Ch. SL 2013-191

S 112: CREATE JOBS THROUGH REGULATORY REFORM (NEW).

House: Withdrawn From Com

House: Re-ref Com On Regulatory Reform

S 127: ENERGY/ECONOMIC DEVELOPMENT MODIFICATIONS (NEW).

House: Amend Adopted A4

House: Passed 2nd Reading

House: Amend Adopted A1

House: Amend Adopted A2

House: Amend Adopted A3

S 132: HEALTH CURRICULUM/PRETERM BIRTH.

House: Amend Adopted A1

House: Amend Failed A2

House: Amend Failed A3

House: Amend Tabled A4

House: Passed 2nd Reading

S 168: CLARIFY EDUCATION REPORTING REQUIREMENTS.

Ratified

S 201: ALLOW HUNTING WITH SUPPRESSORS.

House: Withdrawn From Com

House: Re-ref Com On Judiciary Subcommittee A

House: Serial Referral To Environment Stricken

House: Serial Referral To Judiciary Stricken

House: Serial Referral To Rules, Calendar, and Operations of the House Stricken

S 205: ELIMINATE UNNECESSARY TESTING/ANIMAL WASTE.

Senate: Concurred In H/Com Sub

Senate: Ordered Enrolled

S 261: SALES TAX REFUND FOR REGIONAL JAILS.

Senate: Reptd Fav

S 264: ABATE NUISANCES/DRUG SALES FROM STORES.

Pres. To Gov. 06/26/2013

S 285: DWI CASES/NO ILAC REQUIRED (NEW).

Signed by Gov. 6/26/2013

Ch. SL 2013-194

S 328: SOLID WASTE MANAGEMENT REFORM ACT OF 2013.

House: Passed 1st Reading

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

S 336: COLLABORATION AMONG STATE DIABETES PROGRAMS.

Signed by Gov. 6/26/2013

Ch. SL 2013-192

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

House: Withdrawn From Com

House: Re-ref Com On Rules, Calendar, and Operations of the House

S 358: GUARANTEED ASSET PROTECTION WAIVERS.

Signed by Gov. 6/26/2013

Ch. SL 2013-193

S 377: SUSPEND TRUCK INSPECTION/SEVERE WEATHER.

Pres. To Gov. 06/26/2013

S 444: UNC/CHEROKEE LANGUAGE.

House: Reptd Fav

House: Cal Pursuant Rule 36(b)

S 461: CDL CHANGES.

Ch. SL 2013-195

Signed by Gov. 6/26/2013

S 485: UNC/REPORT/E-COMMERCE/IMPROVEMENTS (NEW).

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

S 488: AMEND NURSING HOME ADMINISTRATOR ACT/FEES.

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

S 490: EXCLUDE CUSTOM SOFTWARE FROM PROPERTY TAX (NEW).

House: Passed 3rd Reading

S 494: COMMUNITY SERVICE/POST-RELEASE SUPERVISION.

Signed by Gov. 6/26/2013

Ch. SL 2013-196

S 568: BIOPTIC LENSES FOR DRIVERS LICENSE TESTS.

Pres. To Gov. 06/26/2013

S 613: CREATE MILITARY AFFAIRS COMMISSION.

Senate: Concurred In H/Com Sub

Senate: Ordered Enrolled

S 635: TRANSMISSION LINE OWNERSHIP.

Senate: Concurred In H/Com Sub

Senate: Ordered Enrolled

S 636: WILDLIFE RESOURCES COMM. PENALTY CHANGES.

House: Reptd Fav Com Substitute

House: Re-ref Com On Judiciary Subcommittee B

S 638: NC FARM ACT OF 2013.

House: Placed On Cal For 06/27/2013

House: Reptd Fav Com Sub 2

House: Cal Pursuant Rule 36(b)

S 639: BD. OF AGRICULTURE MODIFICATIONS.

Signed by Gov. 6/26/2013

Ch. SL 2013-197

S 640: NO INCOME TAX WITHHOLDING ON H2A WORKERS.

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

S 709: DOT STUDY 75 MPH SPEED/DEVELOP PILOT PROPOSAL (NEW).

House: Reptd Fav Com Substitute

House: Cal Pursuant Rule 36(b)

House: Placed On Cal For 06/27/2013

S 717: MV SAFETY INSPECTOR/MV LICENSING LAW CHANGES (NEW).

House: Reptd Fav Com Substitute

House: Cal Pursuant Rule 36(b)

House: Placed On Cal For 06/27/2013

LOCAL BILLS

H 107: EASTERN REGION/DISBURSEMENT OF FUNDS (NEW).

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

H 143: EDEN PAYMENT IN LIEU OF TAXES.

Senate: Passed 3rd Reading

Senate: Ordered Enrolled

H 196: WS/FC SCHOOL BOARD VACANCIES.

Senate: Reptd Fav

H 261: KANNAPOLIS/DEANNEXATION.

Senate: Passed 3rd Reading

House: Rec From Senate

House: Rec To Concur S Com Sub

House: Cal Pursuant Rule 36(b)

House: Placed On Cal For 06/27/2013

H 290: RUTHERFORD AIRPORT AUTHORITY.

Ratified

Ch. SL 2013-181

H 294: AUTHORITY TO REMOVE ABANDONED VESSELS.

Ratified

Ch. SL 2013-182

H 302: REPEAL KANNAPOLIS ANNEXATION.

Senate: Passed 3rd Reading

Senate: Ordered Enrolled

H 318: WINSTON-SALEM/SEISMIC CODES.

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

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

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

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

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

H 404: CAMDEN LOCAL STORMWATER FEES.

Senate: Withdrawn From Cal

Senate: Placed On Cal For 06/27/2013

H 409: SHELBY DEANNEXATION.

Senate: Passed 3rd Reading

Senate: Ordered Enrolled

H 412: EDEN/DUKE ENERGY/ANNEXATION AGREEMENT.

Senate: Passed 3rd Reading

Senate: Ordered Enrolled

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

Senate: Passed 2nd Reading

H 421: MARSHVILLE DEANNEXATION.

House: Concurred On 2nd Reading

H 441: ROBESON COUNTY DRAINAGE DISTRICT.

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

H 490: LEE COUNTY ELECTIONS.

Senate: Amend Tabled A1

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

Senate: Ordered Enrolled

H 526: CHADBOURN VOLUNTARY ANNEXATION.

House: Rec To Concur S Com Sub

House: Cal Pursuant Rule 36(b)

House: Placed On Cal For 06/27/2013

Senate: Passed 3rd Reading

House: Rec From Senate

H 529: EDGECOMBE COUNTY OCCUPANCY TAX AUTHORIZATION.

Senate: Reptd Fav

H 544: WILMINGTON CHARTER/CIVIL SERVICE COMMISSION.

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

Senate: Ordered Enrolled

H 551: AMEND WILMINGTON FIREFIGHTERS' RELIEF FUND.

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

Senate: Ordered Enrolled

H 553: AMEND CARTERET CO. OCCUPANCY TAX.

Senate: Passed 3rd Reading

Senate: Ordered Enrolled

H 567: LUMBERTON DEANNEXATION.

House: Concurred On 2nd Reading

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