



The Daily Bulletin: Tuesday, July 9, 2013

PUBLIC/HOUSE BILLS

H 802 (2013-2014) [LANDLORD/TENANT/SHORTEN EVICTION TIME](#). Filed Apr 10 2013, *A BILL TO BE ENTITLED AN ACT AMENDING THE LAWS RELATED TO LANDLORD AND TENANT RELATIONSHIPS TO SHORTEN THE TIME PERIOD REQUIRED TO EVICT A TENANT.*

Senate amendment makes the following changes to the 4th edition.

Amends GS 42-36.2(b), regarding the storage of an evicted tenant's personal property. Reduces the maximum duration that a landlord in lawful possession of a tenant's property via execution of a writ of possession must retain that property in anticipation of the tenant seeking to reclaim the property to seven days (was, 10 days); however, these provisions do not apply to manufactured homes and their content. Clarifies that if a landlord offers to release the tenant's property after being placed in lawful possession of the tenant's property and the tenant fails to retrieve his or her property within seven days after the execution of the writ of possession, then the landlord may sell, throw away, or otherwise dispose of the property. Provides that if the tenant does not request release of the property within seven days (was, 10 days), then all the costs of eviction, execution, and storage proceedings are to be charged to the tenant as court costs and are to constitute a lien against the stored property or a claim against any remaining balance of the proceeds of a warehouseman's lien sale.

Intro. by Earle, T. Moore, W. Brawley, Cunningham.

[GS 7A, GS 42](#)

[View summary](#)

[Civil Law, Property and Housing](#)

H 321 (2013-2014) [AMEND LOCAL SOLID WASTE PLANNING](#). Filed Mar 14 2013, *AN ACT TO REPEAL THE REQUIREMENT THAT LOCAL GOVERNMENTS DEVELOP AND MAINTAIN A SOLID WASTE MANAGEMENT PLAN.*

Senate amendment makes the following changes to the 3rd edition.

Amends proposed new GS 130A-294(b1), concerning the exemption for certain sanitary landfills from obtaining a franchise from a local government to operate a sanitary landfill if, among other things, the property on which the landfill is located is incorporated within a local government's boundaries by an act of the General Assembly after 1997 (was, if the property on which the landfill is located is incorporated within a local government's boundaries by an act of the General Assembly).

Intro. by McGrady, McElraft, G. Graham, Speciale.

[GS 130A](#)

[View summary](#)

[Public Health](#)

PUBLIC/SENATE BILLS

S 386 (2013-2014) [BOARD OF AGRICULTURE SWINE APPT \(NEW\)](#). Filed Mar 20 2013, *A BILL TO BE ENTITLED AN ACT TO PROVIDE REPRESENTATION OF SWINE INTERESTS ON THE BOARD OF AGRICULTURE, AND TO EXPAND THE DEFINITION OF A "PUBLIC CORPORATION" FOR THE PURPOSE OF ESTABLISHING FOREIGN TRADE ZONES.*

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

Deletes all of the previous content of this bill and instead amends GS 106-2, as amended, to provide that the membership of the Board of Agriculture (Board) must also include a member who is a practicing pork farmer to represent the swine interest of the state. Increases the Board membership to 11 members (was, 10) and modifies a current membership designation for a practicing dairy farmer to represent the "dairy and cattle interest" (was, "dairy and livestock interest"). Effective September 1, 2013, and applies to appointments to the Board made on or after that date.

Makes conforming changes, rewriting the long and short titles to reflect the changes in the content of the bill.

Intro. by Barefoot, Rabin, Walters.

[GS 106](#)

[View summary](#)

[Agriculture, Department of Agriculture and Consumer Services](#)

S 653 (2013-2014) [CLARIFY DEALER PLATES \(NEW\)](#). Filed Apr 2 2013, *A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT A DEALER LICENSE PLATE MAY BE DISPLAYED ON A MOTOR VEHICLE DRIVEN ON A HIGHWAY BY A PERSON WHO IS AN EMPLOYEE OF A DEALER THAT EMPLOYS AT ALL TIMES NO LESS THAN THREE MOTOR VEHICLE SALES REPRESENTATIVES WHO ARE REQUIRED TO BE LICENSED UNDER ARTICLE 12 OF CHAPTER 20 OF THE GENERAL STATUTES OR SOLD ONE HUNDRED OR MORE VEHICLES IN THE PRIOR YEAR.*

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

Deletes all of the provisions of the 1st edition and instead amends GS 20-79(d), which provides for the issuance of automobile license plates to licensed motor vehicle dealers. Under current law, displaying a dealer license plate on a motor vehicle is permitted only when the motor vehicle meets specified requirements. Expands those requirements to permit any employee of a dealer who employs at least three licensed sales representatives licensed under Article 12 of GS Chapter 20 or who sold 100 or more motor vehicles in the previous 12-month period ending December 31 to drive a vehicle displaying a dealer license plate.

Amends the long and short titles of the bill to accurately reflect the changes in the content of this act.

Intro. by Parmon.

[GS 20](#)

[View summary](#)

[Motor Vehicle](#)

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

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

Amends the process for appointing members to the State Payment in Lieu of Taxes Study Commission (Commission) established by this act. Provides that of the three members appointed by the Speaker of the House and the three members appointed by the Senate Pro Tempore of the Senate, each must appoint two members based on the recommendation of the North Carolina Association of County Commissioners (County Commissioners), and each must appoint one member based on the recommendation of the North Carolina League of Municipalities (was, directed each to make three appointments based on the

recommendation of the County Commissioners).

Intro. by J. Davis.

STUDY, GS 136, GS 143

[View summary](#)

Transportation, Environment, Local Government, Public Safety, Tax

LOCAL/HOUSE BILLS

H 538 (2013-2014) **APEX LAND USE CHANGES**. Filed Apr 3 2013, *A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF APEX TO CONTINUE COMMUNICATIONS WITH RESIDENTS AND OTHERS ON OTHER MATTERS PENDING A QUASI-JUDICIAL DECISION.*

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

Deletes proposed changes made to GS 160A-388(e1).

Amends GS 160A-388(e)(2), as enacted by Section 2 of SL 2013-126 and applying only to Apex, to prohibit a member of any board exercising the functions of a board of adjustment from participating in or voting on any quasi-judicial matter in a way that would violate the affected persons' constitutional rights to an impartial decision maker. Effective October 1, 2013 (was, when the act becomes law) and applies to quasi-judicial decisions of the Town on or after that date.

Intro. by Dollar.

Wake, GS 160A

[View summary](#)

ACTIONS ON BILLS

PUBLIC BILLS

H 14: REV LAWS TECHNICAL, CLARIFYING, & ADMIN. CHG.

House: Ordered Engrossed

House: Passed 3rd Reading

H 15: VARIOUS EMERGENCY MANAGEMENT CHANGES.

Senate: Passed 2nd Reading

H 26: STRENGTHEN LAWS/VEHICLE THEFT.

Senate: Withdrawn From Com

Senate: Placed On Cal For 07/10/2013

H 90: HONOR HAYESVILLE'S 100TH ANNIVERSARY.

Ratified

Ch. Res 2013-19

H 94: AMEND ENVIRONMENTAL LAWS 2013.

Senate: Withdrawn From Senate Clerk's Office

House: Rec From Senate

House: Rec To Concur S Com Sub

House: Ref To Com On Environment

H 110: PUBLIC CONTRACTS/PROJECT LABOR.

Ratified

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

Ratified

H 161: MANDATORY RETIREMENT AGE FOR MAGISTRATES.

Ratified

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

House: Placed On Cal For 07/10/2013

Senate: Withdrawn From Senate Clerk's Office

House: Rec From Senate

House: Rec To Concur In S Amend 2

House: Cal Pursuant 36(b)

H 176: CHARTER SCHOOL ELECTION.

Ratified

H 192: ALLOW ROW USAGE IN CENTRAL BUSINESS DISTRICTS.

House: Concurred In S/Com Sub

House: Ordered Enrolled

H 214: AMEND REAL ESTATE LICENSE LAW/RECORDS.

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

Senate: Ordered Enrolled

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

House: Conf Com Appointed

House: Failed Concur In S Com Sub

H 241: BLUE MONDAY SHAD FRY.

Ratified

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

House: Failed Concur In S Com Sub

House: Conf Com Appointed

H 257: UNCLAIMED PROPERTY PROGRAM IMPROVEMENTS.

House: Concurred In S/Com Sub

House: Ordered Enrolled

H 259: HONOR EDWARD L. WILLIAMSON.

Ratified

Ch. Res 2013-20

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

House: Cal Pursuant 36(b)

House: Placed On Cal For 07/10/2013

Senate: Withdrawn From Senate Clerk's Office

House: Rec From Senate

House: Rec To Concur S Com Sub

H 321: AMEND LOCAL SOLID WASTE PLANNING.

Senate: Amend Adopted A1

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

Engrossed

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

House: Concurred In S/Com Sub

House: Ordered Enrolled

H 340: LIMITED LINES TRAVEL INSURANCE.

House: Concurred In S/Com Sub

House: Ordered Enrolled

H 345: INCREASE PENALTIES FOR MISUSE OF 911 SYSTEM.

House: Concurred In S/Com Sub

House: Ordered Enrolled

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

House: Ordered Enrolled

House: Concurred In S/Com Sub

H 358: RETIREMENT TECHNICAL CORRECTIONS.-AB

Ratified

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

House: Concurred In S/Com Sub

House: Ordered Enrolled

H 371: CHIROPRACTIC ASSISTANT CERTIFICATION/FEE.-AB

Ratified

H 391: VOLUNTEER SERVICE IN RETIREMENT.

House: Concurred In S/Com Sub

House: Ordered Enrolled

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

Senate: Placed On Cal For 07/10/2013

Senate: Withdrawn From Cal

H 402: TRICARE SUPPLEMENT FOR FLEX ACCOUNTS.

House: Concurred In S/Com Sub

House: Ordered Enrolled

H 417: MODIFY INTERNAL AUDITING STATUTES.

Senate: Withdrawn From Com

Senate: Placed On Cal For 07/10/2013

H 428: NORTH CAROLINA SCHOOL BUS SAFETY ACT.

House: Concurred In S/Com Sub

House: Ordered Enrolled

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

Ratified

H 462: INCREASE FAMILY COURT FEE.

Ratified

H 467: BREAST DENSITY NOTIFICATION & AWARENESS.

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

H 474: REDEPOSIT GOVT. FUNDS INTO INS. DEPOSIT ACCT.

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

Senate: Ordered Enrolled

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

House: Concurred In S/Com Sub

House: Ordered Enrolled

H 510: FOSTER CARE CHILDREN'S BILL OF RIGHTS.

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

H 565: AMEND REAL ESTATE APPRAISERS' LAWS/FEEES.

House: Passed 2nd Reading

House: Passed 3rd Reading

H 616: TRANSITIONAL MORTGAGE LOAN ORIGINATOR.

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

H 635: INVOLUNTARY COMMITMENT CUSTODY ORDERS.

Ratified

H 683: COMMONSENSE CONSUMPTION ACT.

House: Concurred In S/Com Sub

House: Ordered Enrolled

H 695: FAMILY, FAITH, AND FREEDOM PROTECTION ACT (NEW).

House: Rec From Senate

House: Rec To Concur S Com Sub

House: Cal Pursuant 36(b)

Senate: Withdrawn From Senate Clerk's Office

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

House: Concurred In S Amend 1

House: Ordered Enrolled

H 767: CORPORAL PRUITT RAINEY BRASS TO CLASS ACT.

House: Concurred In S/Com Sub

House: Ordered Enrolled

H 783: PYROTECHNICS TECHNICAL AND CONFORMING CHANGES.

House: Concurred In S/Com Sub

House: Ordered Enrolled

H 796: EXEMPT CERTAIN COLUMBARIUMS/CEMETERY ACT.

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

H 802: LANDLORD/TENANT/SHORTEN EVICTION TIME.

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

Engrossed

Senate: Amend Adopted A1

Senate: Amend Failed A2

H 816: TOBACCO GROWERS ASSESSMENT ACT (NEW).

Senate: Withdrawn From Senate Clerk's Office

House: Rec From Senate

House: Rec To Concur S Com Sub

House: Cal Pursuant 36(b)

House: Placed On Cal For 07/10/2013

H 828: UPDATE PHYSICAL THERAPY PRACTICE ACT.

House: Ordered Enrolled

House: Concurred In S/Com Sub

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

Ratified

H 917: ADOPT DUBLIN PEANUT FESTIVAL.

House: Concurred In S/Com Sub

House: Ordered Enrolled

H 982: MODIFY MEDICAID SUBROGATION STATUTE.

House: Concurred In S/Com Sub

House: Ordered Enrolled

H 998: TAX SIMPLIFICATION AND REDUCTION ACT (NEW)

Senate: Withdrawn From Senate Clerk's Office

House: Rec From Senate

House: Rec To Concur S Com Sub

House: Ruled Material

House: Ref To Com On Finance

H 1016: HONOR JAMES E. RAMSEY.

House: Passed 2nd Reading

House: Passed 3rd Reading

Senate: Rec From House

Senate: Passed 1st Reading

Senate: Placed on Today's Calendar

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

Senate: Ordered Enrolled

H 1017: HONORING THE GROVE PARK INN'S CENTENNIAL.

House: Withdrawn From Com

House: Placed On Cal For 07/10/2013

H 1018: HONOR CHINA GROVE'S FOUNDERS.

House: Withdrawn From Com

House: Placed On Cal For 07/10/2013

S 132: HEALTH CURRICULUM/PRETERM BIRTH.

Ratified

S 174: DISAPPROVE INDUSTRIAL COMMISSION RULES.

Ratified

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

Senate: Ordered Enrolled

S 280: DCR/HISTORIC SITES/FEEES (NEW).

Ratified

S 316: PRETRIAL RELEASE/REBUTTABLE PRESUMPTION.

House: Placed On Cal For 07/10/2013

House: Withdrawn From Com

House: Cal Pursuant Rule 36(b)

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

Senate: Rec To Concur H Com Sub

Senate: Placed On Cal For 07/10/2013

S 344: VINTAGE AUTO INSPECTIONS.

House: Reptd Fav

House: Cal Pursuant Rule 36(b)

House: Placed On Cal For 07/10/2013

S 372: OMNIBUS COUNTY LEGISLATION.

House: Reptd Fav Com Sub 2

House: Cal Pursuant Rule 36(b)

House: Placed On Cal For 07/10/2013

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

House: Reptd Fav Com Substitute

House: Cal Pursuant Rule 36(b)

House: Placed On Cal For 07/10/2013

S 399: CRIMINAL DEFENDANT MAY WAIVE JURY TRIAL.

Ratified

S 444: UNC/CHEROKEE LANGUAGE.

House: Postponed To 07/10/2013

S 454: REGISTRATION OF PETROLEUM DEVICE TECHNICIANS.-AB

House: Re-ref Com On Finance

House: Reptd Fav

S 455: INCREASED PENALTY/SEED LAW VIOLATIONS.-AB

House: Reptd Fav

House: Re-ref Com On Judiciary Subcommittee B

S 465: PROHIBIT USE OF TAX ZAPPER SOFTWARE.

House: Withdrawn From Com

House: Cal Pursuant Rule 36(b)

House: Placed On Cal For 07/10/2013

S 501: CLARIFY ATV DEF/EST. GEN. GOV. OVERSIGHT COMM (NEW).

House: Reptd Fav

House: Cal Pursuant Rule 36(b)

House: Withdrawn From Cal

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

S 638: NC FARM ACT OF 2013.

Ratified

S 653: CLARIFY DEALER PLATES (NEW).

House: Placed On Cal For 07/10/2013

House: Reptd Fav Com Substitute

House: Cal Pursuant Rule 36(b)

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

Ratified

LOCAL BILLS

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

House: Concurred In S/Com Sub

House: Ordered Enrolled

H 196: WS/FC SCHOOL BOARD VACANCIES.

Ratified

Ch. SL 2013-249

H 318: WINSTON-SALEM/SEISMIC CODES.

Ratified

Ch. SL 2013-250

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

Ratified

Ch. SL 2013-251

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

Ratified

Ch. SL 2013-252

H 404: CAMDEN LOCAL STORMWATER FEES.

Ratified

Ch. SL 2013-253

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

Senate: Passed 3rd Reading

H 422: MARSHVILLE CHARTER AMENDMENT/UTILITY BILLING.

Senate: Reptd Fav

H 441: ROBESON COUNTY DRAINAGE DISTRICT.

Ratified

Ch. SL 2013-254

H 468: HIGH POINT ELECTIONS/TRYON CHARTER AMENDMENTS

Senate: Withdrawn From Senate Clerk's Office

House: Rec From Senate

House: Rec To Concur S Com Sub

House: Cal Pursuant 36(b)

House: Placed On Cal For 07/10/2013

H 529: EDGECOMBE COUNTY OCCUPANCY TAX AUTHORIZATION.

Ch. SL 2013-255

Ratified

H 538: APEX LAND USE CHANGES.

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

H 546: ROANOKE RAPIDS GRADED SCHOOL DISTRICT.

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

Senate: Ordered Enrolled

H 568: ASHEVILLE DEANNEXATION.

Senate: Rec From House

Senate: Passed 1st Reading

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

S 81: CHARLOTTE DOUGLAS INTERNATIONAL AIRPORT (NEW).

House: Withdrawn From Com

House: Re-ref Com On Finance

S 177: HOOKERTON/MAYSVILLE SATELLITE ANNEXATIONS.

Ratified

Ch. SL 2013-248

S 315: MUNICIPAL SERVICES (NEW).

Senate: Placed On Cal For 07/10/2013

Senate: Rec To Concur H Com Sub

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