



The Daily Bulletin: Thursday, July 18, 2013

PUBLIC/HOUSE BILLS

H 192 (SL 2013-266) (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*.

A BILL TO BE ENTITLED AN ACT TO PERMIT LOCAL GOVERNMENTS TO ENACT SIDEWALK DINING ORDINANCES FOR USE OF STATE-OWNED RIGHT-OF-WAY. Enacted July 17, 2013. Effective July 17, 2013.

Intro. by Shepard, Hamilton, Torbett.

[GS 136](#)

[View summary](#)

[Local Government](#)

H 767 (SL 2013-268) (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*.

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. Enacted July 17, 2013. Effective July 17, 2013, and applies to military veterans initially employed by local school administrative units in the 2014-2015 school year and beyond.

Intro. by Murry, Whitmire, Szoka, Pierce.

[UNCODIFIED](#)

[View summary](#)

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

H 110 (SL 2013-267) (2013-2014) [PUBLIC CONTRACTS/PROJECT LABOR](#). Filed Feb 14 2013, A *BILL TO BE ENTITLED AN ACT TO PROVIDE FOR FAIR AND OPEN COMPETITION IN GOVERNMENTAL CONSTRUCTION CONTRACTS AND TO PROHIBIT REQUIREMENTS FOR CERTAIN TERMS IN GOVERNMENT CONTRACTS*.

A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR FAIR AND OPEN COMPETITION IN GOVERNMENTAL CONSTRUCTION CONTRACTS AND TO PROHIBIT REQUIREMENTS FOR CERTAIN TERMS IN GOVERNMENT CONTRACTS. Enacted July 17, 2013. Effective October 1, 2013.

Intro. by Goodman, J. Bell, Moffitt, Murry.

GS 143

[View summary](#)**Building and Construction, State Government**

H 692 (2013-2014) [AMEND PREDATORY LENDING LAW](#). Filed Apr 9 2013, *A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA ANTI-PREDATORY LENDING LAW, AND TO LIMIT THE PROVISIONS OF STATE MORTGAGE LENDING LAW TO BEING NO MORE RESTRICTIVE THAN FEDERAL LAW.*

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

Makes a technical change to proposed GS 24-1.1F(b1), concerning rate spread home loans, deleting a citation referring to 15 USC § 1639c(c) and replacing it with 15 USC § 1639c(a).

Intro. by Szoka, Hanes, Dockham, Samuelson.

GS 24

[View summary](#)**Banking and Finance, Property and Housing**

H 74 (2013-2014) [REGULATORY REFORM ACT OF 2013 \(NEW\)](#). Filed Feb 5 2013, *AN ACT TO IMPROVE AND STREAMLINE THE REGULATORY PROCESS IN ORDER TO STIMULATE JOB CREATION, TO ELIMINATE UNNECESSARY REGULATION, TO MAKE VARIOUS OTHER STATUTORY CHANGES, AND TO AMEND CERTAIN ENVIRONMENTAL AND NATURAL RESOURCES LAWS.*

Senate committee substitute to the 2nd edition makes the following changes. Much of the new language added to the bill is also found in the 6th edition of S 112 (Create Jobs Through Regulatory Reform) and the 4th edition of H 94 (Amend Environmental Laws 2013).

Part I. Improve Rule Making Process

Amends GS 150B-2 to define policy as any nonbinding interpretive statement within the delegated authority of an agency that merely defines, interprets, or explains the meaning of a statute or rule.

Amends GS 150B-21.4 to require an agency to obtain certification that funds required by a proposed rule change are available from the Office of State Budget and Management before adopting a permanent rule change that would require the expenditure or distribution of funds subject to the State Budget Act. Requires the agency to submit the text of the proposed rule change, analysis of the change, and a fiscal note on the change at the time the agency submits the notice of text for publication. Also requires that the analysis made to determine if the rule will result in increased DOT costs that must be done when an agency adopts a rule affecting environmental permitting of Department of Transportation (DOT) projects be conducted and submitted to the Board of Transportation when the agency submits the notice of texts for publication (was, before the agency publishes the proposed text). Makes conforming changes triggering other text and fiscal note submissions before an agency adopts a permanent rule change (was, before an agency publishes the proposed text). Changes the definition of *substantial economic impact* to mean an aggregate financial impact on all persons affected of at least \$3 million (was, at least \$500,000) in a 12-month period.

Amends proposed GS 150A-21.3A from the previous edition by providing that the Rules Review Commission has broad authority to modify the schedule and extend the time for review in appropriate circumstances. Adds a new subsection to provide that rules adopted to conform to or implement federal law do not expire as provided in the act. Requires the Rules Review Commission to report annually to the Joint Legislative Administrative Procedure Oversight Committee on any rules that do not expire under the new subsection. Retains all other changes made by the previous edition of the act.

Provides that if GS 150B-21.3A becomes law, the Rules Review Commission must subject rules adopted by the Environmental Management Commission related to surface water quality and wetlands to review in the first year that the RRC establishes for the review of existing rules in accordance with GS 150B-21.3A.

Requires the Joint Legislative Administrative Procedure Oversight Committee to study the exemptions from rulemaking, including evaluating the continued need for each exemption and potential consequences of repeal. Requires a report to the 2014 Session of the 2013 General Assembly.

Part II. State and Local Government Regulations

Amends GS 153A-449 and GS 160A-20.1 (both concerning contracts with private entities) to add that a county or city may not require a private contractor under the statute to abide by any restriction that the city or county could not impose on all of its employers as a condition of bidding on a contract. Effective when the act becomes law and applies to contracts entered on or after that date.

Amends GS 153A-340 and GS 160A-381 to add that a zoning or unified development ordinance may not differentiate in terms of the regulations applicable to fraternities or sororities between those that are approved or recognized by a college or university and those that are not.

Amends GS 130A-247 to amend the definition of private club to include an organization that meets the definition of a private club in GS 18B-1000(5).

Amends GS 136-133.1 to allow the Department of Transportation, at the request of the selective vegetation removal permittee, to approve plans for the cutting, thinning, pruning, or removal of vegetation outside of the cut or removal zone along acceleration or deceleration ramps if the view to the road will be improved and the total aggregate area of cutting or removal does not exceed the maximum allowed in the statute. Allows tree branches within a highway right of way that encroach into the zone created by points A, B, D, and E (was, points A, C, and D).

Enacts new GS 136-131.2 to prohibit a city, county, local or regional zoning authority, or other political subdivision from, without paying just compensation, regulating or prohibiting the repair or reconstruction of any outdoor advertising for which there is in effect a valid DOT permit as long as the square footage of the advertising surface area is not increased. Requires the Division of Mental Health, Developmental Disabilities, and Substance Abuse Services to amend its Records Retention and Disposition Schedule Manual to provide that if a Medicaid service has been eliminated by the state, the provider must retain records for three years after the last date of the service, unless a longer period is required under federal law. Allows records to be destroyed or transferred, at the termination of that time period, to a state agency or contractor identified by the Department of Health and Human Services.

Requires the Joint Legislative Program Evaluation Oversight Committee to include in the 2013-14 Work Plan for the Program Evaluation Division a study to evaluate the structure, organization, and operation of the various independent occupation licensing boards. Specifies issues to be included in the study. Requires the Program Evaluation Division to report to the Joint Legislative Program Evaluation Oversight Committee and the Joint Legislative Administrative Procedure Oversight Committee at a time to be determined.

Enacts new GS 160A-204 and GS 153A-145.1, both titled *Transportation impact mitigation ordinances prohibited*, providing that no city or county can enact or enforce an ordinance, rule, or regulation that requires an employer to assume financial, legal, or other responsibility for the mitigation of the impact of their employees' commute or transportation to or from the workplace that may result in the employer being subject to a fine, fee, or other monetary, legal, or negative consequences.

Part III. Business and Labor Regulations

Amends GS 130A-247, concerning bed and breakfast establishments, adding and defining a *bed and breakfast home*, a new category, as a business in a private home of not more than eight guest rooms that offers bed and breakfast accommodations for a period of less than one week. Also sets out four criteria that must also be met for a business to be considered a bed and breakfast home, including not serving food or drink to the general public for pay and serving breakfast, lunch, and dinner, or a combination, only to overnight guests in the home. Amends GS 130A-248(a2), making conforming changes and directing the Commission for Public Health to adopt rules to govern the sanitation of bed and breakfast homes as well as bed and breakfast inns, ensuring that they do not unreasonably interfere with the business operations thereof. Effective October 1, 2013.

Amends GS 110-90.2 (mandatory child care providers' criminal history checks) to add that the check of the state and national repositories for the criminal history of a person required to be conducted by the statute and directed to the SBI must be completed within 15 calendar days of the receipt of the request from the Department of Health and Human Services (DHHS). Requires the criminal history check of a person required to be conducted by DHHS by the statute to be completed

within 15 calendar days of the receipt of the application from the child care provider.

Amends GS 58-36-105(b) to provide that workers' compensation, or employers' liability insurance in connection with a policy of workers' compensation insurance, cancellation is not effective unless written notice is given to the insured no less than 15 days before the proposed effective date of the cancellation. Allows the notice to be given (was, required to be given) by registered or certified mail, return receipt requested. Adds that notice of cancellation, termination, or nonrenewal may also be given by any method permitted for service of process under Rule 4 of the NC Rules of Civil Procedure. Enacts new GS 58-2-255 to provide that when any insurance law of the state, except for cancellation, termination, or nonrenewal of workers' compensation under GS 58-36-105(b) requires a communication to be provided to a party in writing, signed by a party, provided by means of a specific delivery method, or retained by an insurer, those requirements are met if the insurer complies with Article 40 of GS Chapter 66. Provides that verification of communications delivered by electronic means constitutes proof of mailing in civil and administrative proceedings and under the state's insurance laws. Provides that a recording of an oral communication between an insurer and a party that is reasonably stored and reproduced by an insurer constitutes an electronic communication or record. Amends GS 97-19 to prohibit any principal contractor, intermediate contractor, or subcontractor who sublets any contract for the performance of work from being held liable to any employee of such subcontract if (1) the subcontractor has a worker's compensation insurance policy in effect on the date of the injury or (2) the policy expired or was cancelled before the date of the injury if the principal contractor, intermediate contractor, or subcontractor obtained a certificate at any time before subletting the contract to the subcontractor and was unaware of the expiration or cancellation. Above changes are effective when the act becomes law and apply to insurance policies and certificates of insurance in effect on or after that date.

Enacts GS 95-28.4, concerning veterans' preference for employment in North Carolina, providing that a private, nonpublic employer in North Carolina can provide a preference to a veteran for employment. Also allows spouses of honorably discharged veterans that have service-connected permanent and total disability to also receive the preference for employment. Provides that this preference does not violate any state or local law.

Amends GS 95-79, concerning certain illegal agreements between employers and labor unions/organizations, making organizational changes and enacting a new subsection (b), which provides that provisions that directly or indirectly condition the purchase of agricultural products or the terms of the agreement on an agricultural producer's status as a union or nonunion employer or willingness to enter into an agreement with a labor union/organization is invalid and unenforceable as against public policy. Defines *agricultural producer* as any producer engaged in any service or activity included within specified federal provisions.

Enacts new GS 97-5.1 to create a rebuttable presumption that any person who operates and has an ownership or leasehold interest in a passenger motor vehicle that is operated as a taxicab is an independent contractor for purposes of GS Chapter 97 and not an employee as defined in GS 97-2. Provides that the presumption that taxicab drivers are independent contractors is not rebutted solely (1) because the operator is required to comply with rules and regulations imposed on taxicabs by the local governmental unit that licenses companies, taxicabs, or operators or (2) because a taxicab accepts a trip request to be at a specific place at a specific time. However, declares that the presumption can be rebutted by application of the common law test for determining employment status. Defines passenger motor vehicle that is operated as a taxicab according to passenger capacity and services provided and also defines the terms *lease* and *leasehold* as they are used in this section. Effective when the act becomes law and applies to causes of action arising on or after that date.

Part IV. Environmental and Public Health Regulations

Amends GS 130A-309.57 to prohibit permitted scrap tire collectors from contracting with a scrap tire processing facility unless the processing facility can document that it has access to a facility permitted to receive the scrap tires (was, required the Commission to adopt a rule to implement this prohibition).

Current law provides that the North Carolina State Building Code (Code) may contain provisions requiring the installation of carbon monoxide detectors in every dwelling unit with a fossil-fuel burning heater, appliance, or fireplace, and any dwelling unit with an attached garage. Amends GS 143-138 to require that the Code also contain requirements for installing electrical carbon monoxide detectors at lodging establishments. Provides that violations under this subsection are punishable in accordance with subsection (h) of this section and GS 143-139. Adds to the specified criteria for carbon monoxide detectors installed in dwelling units and in lodging establishments.

Amends GS 130A-248(g), *Regulation of food and lodging establishments*, to require all hotels, motels, tourist homes, and

other establishments that provide lodging for pay to have carbon monoxide detectors installed in specified locations. Sets out four specifications that installed carbon monoxide detectors must meet, including receiving primary power from the building's wiring and receiving power from a battery when primary power is interrupted. Provides that detectors can be combined with smoke detectors if the combined detector meets the specifications and requirements of this subdivision. Amends GS 130A-248(b), providing that the permit required by this subsection can only be issued once all of the requirements of subsection (g), as described above, are satisfied, effective October 1, 2013.

Provides that the definitions in GS 143-212, 15A NCAC 02T .0103 and 15A NCAC 02T .1302 apply to Section 20 of this act, regarding the lagoon closure rule. Directs the Environmental Management Commission (EMC) and the Department of Environment and Natural Resources (DENR) to implement the closure requirements of 15 NCAC 02T .1306 as provided in Section 20(c) of this act until the effective date of the revised permanent rule that the EMC is required to adopt under Section 20(d) of this act. Provides criteria regarding permit rescission in Section 20(c) of this act. Provides for additional rule-making authority for the EMC in Section 20(d) of this act, directing the EMC to adopt a rule to amend 15 NCAC 02T .1306 (closure requirements) consistent with Section 20(c) of this act. Provides that Section 20(c) of this act expires on the date that the rules pursuant to Section 20(d) of this act become effective.

Directs the EMC and DENR to implement 15A NCAC 02T .1302 (definitions) as provided in Section 21(b) of this act until the effective date of the revised permanent rule that the EMC is required to adopt under Section 21(c) of this act. Directs the EMC to adopt a rule to amend 15A NCAC 02T .1302 that is consistent with Section 21(b) of this act. Provides that Section 21(b) of this act expires on the date that rules adopted under Section 21(c) of this act become effective.

Provides that the definitions set out in GS 143-212 and 15A NCAC 02U .0103 apply in Section 22 of this act. Requires the EMC and DENR to implement 15A NCAC 02U .0701 (setbacks) as provided in Section 22(c) of this act, until the effective date of the revised permanent rule that Section 22(d) requires the Commission to adopt. Provides additional criteria regarding implementation and conferring additional rule-making authority on the EMC. Provides that Section 22(c) of this act expires on the date that rules adopted under Section 22(d) of this act become effective.

Directs the Commission for Public Health (CPH) to amend and clarify its rules for the implementation of a smoking ban in restaurants and bars no later than January 1, 2014. Requires that the rules ensure consistent interpretation and enforcement and declares that the rules must specifically clarify the definition of enclosed areas for purposes of implementation. Exempts rules adopted under this section from the requirements of GS 150B-21.4, provides that they are not subject to Part 3 of Article 2A of GS Chapter 150B, and makes them effective as provided in GS 150B-21.3(b1). Requires the EMC to report on its progress in clarifying and amending the rules to the Joint Legislative Oversight Committee on Health and Human Services no later than November 1, 2013.

Directs the Environmental Review Commission to study the statutory models for establishing, operating, and financing certain organizations that provide water and sewer services in the state and to determine whether, how, and to what extent the number of statutory models should be reduced and consolidated. Requires the Commission to consider and address any impacts such reduction and consolidation would have on ongoing operation and financing of existing organizations. Requires the Commission to report its findings and recommendations to the 2014 Regular Session of the 2013 General Assembly upon its convening.

Part V. Amend Environmental Laws

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.

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.

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).

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.

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).

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.

Amends GS 113-391(a)(5)h, providing that the Mining and Energy Commission and DENR can review, but not possess or take ownership of, data and information related to the chemicals and constituents used in hydraulic fracturing fluids that are designated as trade secrets. Directs the Commission to develop rules for the public disclosure through an online registry in regards to the applicable chemical families or other similar descriptions of the chemicals used in hydraulic fracturing. Defines *chemical family* for use in the subsection. Provides that notwithstanding subsection (m) of Section 2 of SL 2012-143, the Mining and Energy Commission is required to adopt the rules noted above no later than December 1, 2013. Such rules when adopted will become effective as provided in GS 150B-21.3(b1) as though 10 or more written objections had been received as provided by GS 150B-21.3(b2).

Provides that the Mining and Energy Commission, EMC, and the Commission for Public Health are exempt from the provisions of GS Chapter 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.

Amends GS 113A-64 (penalties under the Sedimentation Pollution Control Act) to clarify the procedure for appealing a notice of assessment issued by a local government. Directs the penalty proceeds to the Civil Penalty and Forfeiture Fund (rather than the local government's general fund).

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.

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 are effective when the act becomes law and (e), as amended, applies to applications to construct or repair a private drinking water well received by a local health department on or after that date.

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.

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.

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.

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.

Amends GS Chapter 133 by adding a new Article 4 (GS 133-40) that would prohibit public entities, defined as the State and the Community College System, 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 September 1, 2013, and applies to a purchase or acquisition of interest in real property occurring on or after that date.

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.

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 when the act becomes law.

Repeals GS Chapter 153B (Mountain Resources Planning Act).

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.

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.

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.

Amends GS 143-151.74, as 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.

Amends Section 15.1 of SL 2012-187 to clarify how the Commission for Public Health must adopt rules pertaining to sanitary landfill development permits. Repeals the changes if Senate Bill 328 becomes law.

Amends GS 130A-22 to require consideration of 11 specified factors in determining the amount of a solid waste penalty, including the type of waste involved, potential effect on public health and the environment, and damage to private property.

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.

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. Effective when the act becomes law and (b2) of GS 143-214.7 applies to projects for which permit applications are received on or after the effective date of the act.

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. Effective when the act becomes law and applies to ponds used for agriculture that were either in existence on or constructed after July 22, 1997.

Amends GS 143-215.1 to 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.

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

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. Makes clarifying and conforming changes.

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.

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.

Amends GS 89C-19, *Public works; requirements where public safety involved*. Prohibits the state and any of its political subdivisions, in the course of conducting a technical review, from requiring revisions to the parts of an application or plan that constitutes the practice of engineering and has been supervised and sealed by a professional engineer, unless the employee or official requesting the revision is also a professional engineer or an engineering intern with the appropriate supervision. Such approved revisions must be provided by written notice, on agency letterhead, signed by the professional engineer reviewing the submission, including his or her state license number, and then provided to the permit applicants or the person that submitted the plan for approval.

Part VI. Legislative Research Commission Studies

Allows the Legislative Research Commission to study: (1) disciplinary hearings and the right to counsel under Part 3 of Article 1 of GS Chapter 116; (2) state personnel status of Deputy Commissioners of the Industrial Commission; (3) preemption of certain local government ordinances; (4) child care provider criminal background checks; (5) regulatory requirements applicable to sanitary landfills; (6) spirituous liquor sales by distilleries to tour patrons; (7) regulation of digital dispatching services; and (8) the Professional Employer Organization Act.

Part VII. Severability Clause and Effective Date

Include a severability clause.

Act is effective when it becomes law, unless otherwise indicated.

Amends the act's titles.

Intro. by Murry, Moffitt, Samuelson, Bryan.

STUDY, GS 14, GS 58, GS 87, GS 89C, GS 90A, GS 95, GS 97, GS 106, GS 110, GS 113, GS 113A, GS 130A, GS 133, GS 136, GS 143, GS 143B, GS 150B, GS 153A, GS 159G, GS 160A

[View summary](#)

Business and Commerce, Building and Construction, Environment, Local Government, APA/Rule Making, Public Health

H 522 (2013-2014) **FOREIGN LAWS/PROTECT CONSTITUTIONAL RIGHTS (NEW)**. Filed Apr 2 2013, *A BILL TO BE ENTITLED AN ACT TO PROTECT RIGHTS AND PRIVILEGES GRANTED UNDER THE UNITED STATES AND NORTH CAROLINA CONSTITUTION IN THE APPLICATION OF FOREIGN LAW.*

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

Deletes all of the provisions of the 2nd edition. Instead, enacts a new Article 7A, *Application of Foreign Law*, in GS Chapter 1.

Defines the following terms as they are used in this act: (1) *fundamental constitutional right*, (2) *foreign law*, and (3) *foreign venue or forum*.

Recognizes that the US Constitution and the Constitution of North Carolina constitute the supreme law of this state.

Declares that is the public policy of North Carolina to protect its citizens from the application of foreign law that would result in the violation of a fundamental right of a natural person.

Declares that no court, administrative agency, arbitrator, mediator, or other entity or person acting under authority of state law may apply a law of another country if it would violate a legal or constitutional right of one or more natural persons who are parties to the proceeding. Prohibits a court, or any other entity or person acting under the authority of state law, from applying a foreign law in any legal proceeding involving, or recognize a foreign judgment involving, a claim for absolute divorce, divorce from bed and board, child custody, child support, alimony, or equitable distribution if doing so would violate a fundamental constitutional right of one or more natural persons who are parties to the proceedings.

Requires strict construction and modification of contracts involving choice of a forum venue or forum to protect constitutional rights. Provides for when a motion to transfer proceedings to a foreign venue or forum is to be denied.

Makes null and void any contract provision or agreement that is incapable of being modified or amended under this article in order to preserve the legal and constitutional rights of the natural persons who are parties to the contract or agreement.

Provides for the strict construction of waivers.

Declares that the provisions of this act will apply only to proceedings or matters under GS Chapters 50 and 50A.

Rewrites the long and short title of this act to reflect the change in bill content.

Provides that this act becomes effective September 1, 2013, and applies to agreements and contracts entered into on or after that date.

Intro. by Avila.

GS 1

[View summary](#)

Civil Procedure

H 652 (2013-2014) **MODIFY JUDICIAL DISCIPLINE (NEW)**. Filed Apr 9 2013, *A BILL TO BE ENTITLED AN ACT TO MODIFY THE LAW REGARDING DISCIPLINE FOR JUDGES.*

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

Deletes all provisions of the 2nd edition and replaces it with the following.

Amends GS 7A-374.2 to modify the definition for *public reprimand* to mean a finding by the North Carolina Supreme Court based upon a written recommendation of the North Carolina Judicial Standards Commission (Commission) that a judge has violated the Code of Judicial Conduct (Code) and has engaged in minor misconduct that is prejudicial to the administration of justice (was, means a written action of the Commission issued upon a finding by the Commission that a judge violated the Code).

Amends GS 7A-376, concerning the powers of the Commission, to provide that the Supreme Court, based on a written recommendation by the Commission, has the power to issue a public reprimand to a judge, removing that power from the Commission. Changes the title of GS 7A-376 to *Grounds for discipline by Commission; public reprimand, censure, suspension, or removal by the Supreme Court*. Makes conforming changes.

Amends GS 7A-377, concerning the procedures of the Commission, providing that the Commission cannot recommend a justice or judge for a public reprimand unless she or he has been given a hearing affording due process of law. Provides that all records, investigations, recommendations, and hearings of the Judicial Standards Commission and hearings by the Supreme Court are confidential until the Supreme Court issues a public reprimand, censure, suspension, or removal (previously, they were not considered confidential). Makes conforming changes relating to the issuance of public reprimands by the Supreme Court, upon recommendation by the Commission.

Repeals GS 7A-378 regarding the censure, suspension, or removal of any justice of the North Carolina Supreme Court. Changes the long and short title of this act to reflect the changes in bill content.

Intro. by Davis, Stam.

GS 7A

[View summary](#)

[Courts/Judiciary](#)

H 14 (2013-2014) [REV LAWS TECHNICAL, CLARIFYING, & ADMIN. CHG.](#) Filed Jan 30 2013, *A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL, CLARIFYING, AND ADMINISTRATIVE CHANGES TO THE REVENUE LAWS AND RELATED STATUTES, AS RECOMMENDED BY THE REVENUE LAWS STUDY COMMITTEE.*

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

Amends the introductory language to Sections 58(a) and 58(b), making technical corrections, changing references to House Bill 988 to House Bill 998.

Amends proposed GS 105-153.6(e), Bonus Asset Basis, providing that when adding any remaining deductions allowed under GS 105-13.6(a), the transferee must depreciate the adjusted basis over any remaining life of the asset.

Amends proposed GS 105-153.6(f), Prior Transactions, providing that the limitations on future depreciation deductions also apply to the transferor in specified transactions, in regards to the transferor and transferee making an election to make the basis adjustment allowed on the transferee's 2013 tax return.

Amends GS 105-164.13, *Retails sales and use tax*, providing that state attractions, defined as a physical place supported with state funds that offers cultural, educational, historical, or recreational opportunities, and an item purchased by a professional motorsports racing team for which the team may receive a sales tax refund under GS 105-164.14A(5), are exempt from the tax imposed by GS Chapter 105, Article 5, *Sales and Use Tax*. Effective January 1, 2014, and applies to taxable years that begin on or after that date and to purchases on or after that date.

Intro. by Howard.

GS 105, GS 20, GS 62A, GS 66, GS 113A, GS 160A

[View summary](#)

[Transportation, Tax](#)

PUBLIC/SENATE BILLS

S 305 (2013-2014) [DMV COMMISSION CONTRACT CHANGES](#). Filed Mar 13 2013, *A BILL TO BE ENTITLED AN ACT TO IMPROVE THE PUBLIC/PRIVATE PARTNERSHIP BY WHICH THE DIVISION OF MOTOR VEHICLES ISSUES MOTOR VEHICLE TITLES AND REGISTRATIONS.*

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

Adds the requirement that the Revenue Laws Study Commission study the per transaction compensation amounts in Commission contracts entered into by the Division of Motor Vehicles for the issuance of registration plates, registration certificates, and certificates of title. Requires a report to the 2014 General Assembly.

Intro. by Tillman, Jenkins, Newton.

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

[View summary](#)

[Transportation, Department of Transportation](#)

S 321 (2013-2014) [INMATE COSTS/CT.APPT./NOTARIES](#). Filed Mar 13 2013, *AN ACT TO CAP REIMBURSEMENT BY COUNTIES, TO MAKE ADDITIONAL PROVISIONS RELATING TO PAYMENT, FOR MEDICAL SERVICES PROVIDED TO INMATES IN COUNTY JAILS, TO ALLOW COUNTIES TO UTILIZE MEDICAID FOR ELIGIBLE PRISONERS, TO PROVIDE THAT VACANCIES IN THE OFFICE OF DISTRICT COURT JUDGE SHALL BE FILLED BY APPOINTMENT OF THE GOVERNOR; AND TO CREATE A PRIVATE RIGHT OF ACTION AGAINST NOTARIES WHO VIOLATE THE NOTARY PUBLIC ACT.*

House amendment #3 makes the following changes to the 6th edition.

Amends the long title.

Deletes the repeal of GS 161-8, concerning office attendance at the Register of Deeds.

Deletes proposed new section GS 161-8.1, *Office hours; notice of hours*, which proposed new rules and procedures for register of deeds offices.

Amends the effective dates for the act, as amended by Amendment 1, providing that Section 1 and 3 of the act will become effective September 1, 2013, and Section 2 of the act will become effective July 1, 2014. Provides that Section 8 is effective.

Intro. by J. Davis, Newton, Goolsby.

[GS 10B](#), [GS 89C](#), [GS 133](#), [GS 143](#), [GS 153A](#)

[View summary](#)

[Civil Law, Civil Procedure, Court System, Criminal Justice, Health, Immigration](#)

S 420 (2013-2014) [UI LAWS ADMINISTRATIVE CHANGES \(NEW\)](#). Filed Mar 26 2013, *A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL, ADMINISTRATIVE, AND CLARIFYING CHANGES TO THE UNEMPLOYMENT INSURANCE LAWS.*

House committee substitute to the 2nd edition deletes the provisions of the 2nd edition and replaces it with the following.

Amends GS 96-6(1), as amended, to require the Division of Employment Security to administer the Unemployment Insurance Fund solely for the payment of unemployment compensation (as defined in section 3306(h) of the Code), exclusive of expenses of administration, and for refunds of sums erroneously paid into the fund (was, administer the fund exclusively for the purposes of GS Chapter 96). Makes technical changes.

Amends GS 96-9.2, as amended, to add that taxable wages are determined in accordance with GS 96-9.3. Provides that the applicable contribution percentage for an employer is considered the employer's contribution rate and determined in accordance with this statute (was, determined by the employer's base rate and the balance in the Unemployment Insurance

Fund as of the computation date). Sets the contribution rate for a beginning employer, until the employer's account has been chargeable with benefits for at least 12 months ending July 31 immediately preceding the computation date, at 1%. Requires the contribution rate for an experienced rated employer who does not qualify as a beginning employer to be the amount set out in specified table (same as in current law, except removes reference to 1% contribution rate for standard beginning rate) and then rounded to the nearest .01%. Adds that an employer's experience rating is computed as a reserve ratio in accordance with GS 96-9.4, with the reserve ratio percentage being the employer's reserve ratio multiplied by sixty-eight hundredths.

Amends GS 96-14.1 to add that temporary unemployment benefits are payable on the basis of service, to which section 3309(a)(1) of the Code applies, performed for a governmental entity, a nonprofit, and an Indian tribe in the same amount, on the same terms, and subject to the same conditions as compensation payable on the basis of other service. Also provides that an individual who is disqualified from receiving benefits may have the disqualification removed by filing a valid claim based on employment with a bona fide employer that employed the individual subsequent to the employment that resulted in disqualification. Allows an individual who had a prior disqualification removed to be determined to be disqualified based on the reason for separation from employment, and the individual must be otherwise eligible for employment. Provides that benefits are not payable for services performed by individuals who performed services described in existing (e)(1) (instructional, research, or principal administrative employees of educational institutions) or (e)(2) (employees who provide services in any other capacity for an educational institution) in an education institution while in the employ of an educational service agency. Makes clarifying and technical changes.

Amends GS 96-14.2(c), requiring the amount of benefits payable to an individual be reduced as provided in specified Code section, to provide that it does not apply to social security retirement benefits.

Amends GS 96-14.9 to provide that an individual who is otherwise eligible may not be denied benefits for any week because of the application to any such week of requirements related to availability for work, active search for work, or refusal to accept work if the individual is attending an approved training program (was, an individual has satisfied the work search requirements for any given week for one or more of the three specified occurrences applied).

Amends GS 96-14.11(c), as amended, to provide that an individual is disqualified for any remaining benefits if it is determined that the individual is unemployed (was, the individual, at the time a claim is filed, is unemployed) because the individual, without good cause and after receiving notice, refuse to return to work under specified circumstances.

Amends GS 96-16(g) to provide that all benefits paid to a seasonal worker must be charged according to GS 96-11.2.

Amends GS 96-32 to change the name of the Division of Labor and Economic Analysis to the Labor and Economic Analysis Division.

Effective July 1, 2013. Provides that changes made by the act to unemployment benefits apply to claims for benefits filed on or after June 30, 2013, with changes to the determination and application of the contribution rate applicable to contributions payable for calendar quarters beginning on or after January 1, 2014.

Amends the act's titles.

Intro. by Clark.

GS 96

[View summary](#)

[Employment and Retirement](#)

S 480 (2013-2014) [UNC CAPITAL IMPROVEMENT PROJECTS](#). Filed Mar 27 2013, *A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ACQUISITION OR CONSTRUCTION AND THE FINANCING, WITHOUT APPROPRIATIONS FROM THE GENERAL FUND, OF CERTAIN CAPITAL IMPROVEMENTS PROJECTS OF THE CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA.*

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

Amends the long title.

Repeals GS 161-8, *Attendance at office*. Effective December 1, 2013.

Enacts new GS 161-8.1, *Office hours; Notice of hours*, providing that the register of deeds office will be open for public

business during county office workdays and hours, as set by the board of county commissioners (board), pursuant to GS 153A-94(b). The register of deeds can set the hours for registration of real estate instruments to begin not more than 30 minutes after the office opens to the public and end not more than 30 minutes after the office closes. Allows the office to be closed temporarily with the prior approval of the board or county manager. Specifies the reporting and posting requirements for alerting the public to the schedule of the office and any temporary changes to that schedule or temporary closings. Effective December 1, 2013.

Intro. by Apodaca.

[GS 161](#)

[View summary](#)

[Civil Law](#)

S 515 (2013-2014) [JORDAN LAKE WATER QUALITY ACT \(NEW\)](#). Filed Mar 27 2013, *AN ACT TO DELAY ADDITIONAL IMPLEMENTATION OF THE JORDAN LAKE RULES AND JORDAN LAKE SESSION LAWS AND PROVIDE FOR ALTERNATIVE IMPLEMENTATION OF THE PROTECTION OF EXISTING BUFFERS RULE.*

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

Amends the long title.

Amends the whereas clauses, deleting clauses related to the USACE Notice of Decision and adding clauses regarding the intent of the General Assembly.

Deletes Section 1 of the act, concerning the legislative intent of the General Assembly.

Deletes provisions that provided for the repeal of all of the Jordan Lake Rules and the Jordan Lake Session Laws.

Sets out the administrative rules that are to be considered "Jordan Lake Rules," including 15A NCAC 02B .0262 through .0267, .0270 through .0272, and .0311. Sets out the session laws that are to be considered "Jordan Lake Session Laws," including SL 2009-216, Part II of SL 2009-484, Section 14 of SL 2011-394, Section 12.1 of SL 2012-187, Subsections 9(c) through 9(g) of SL 2012-200, and Subsections 11(a) through 11(e) of SL 2012-201. Delays the implementation of the Jordan Lake Rules and Jordan Lake Session Laws that begin July 1, 2013, or later, for three years.

Deletes Section 3 of previous edition, LRC Study Jordan Lake Nutrient Loading Issues.

Provides for the modified implementation of the Protection of Existing Riparian Buffers Rule, as provided for and described in 15A NCAC 02B .0267, Jordan Water Supply Nutrient Strategy: Protection of Existing Riparian Buffers. Sets out the conditions and criteria for the implementation of the Buffer Rule. Requires this rule to remain effective until the effective date of the rule required to be adopted by the EMC below. Directs the EMC to adopt a rule consistent and substantively identical with the specified conditions and criteria for implementation.

Amends the enactment clause of the act, providing that the act is effective when it becomes law (previously, subsection 2(b) of the act was effective October 1, 2013, with the rest effective when the act became law).

Intro. by Gunn, Wade.

[UNCODIFIED](#)

[View summary](#)

[Environment](#)

S 581 (2013-2014) [ESTABLISH HISTORICAL BOILERS LICENSING ACT](#) Filed Apr 2 2013, *A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE HISTORICAL BOILERS LICENSING ACT.*

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

Amends the short and long titles.

Enacts the Historical Boilers Licensing Act, GS Chapter 95, Article 7B.

Creates the Historical Licensing Board (Board), consisting of nine members with staggered terms. Terms will be five years after the initial appointment term, with members not allowed to serve more than two consecutive terms. Provides

that four members will be appointed by the General Assembly, two by the President Pro Tempore of the Senate and two by the Speaker of the House. Members appointed by the General Assembly must (1) own a historical boiler, (2) have at least 10 years' experience in the operation of historical boilers, and (3) be a current resident of North Carolina and each must represent a different region of the State. Three members will be appointed by the Governor and two members will be appointed by the Commissioner of Labor; at least one of the two Commissioner of Labor appointees must be employed by the Boiler Safety Bureau as a boiler and pressure valve inspector. Sets out procedures for the filling of vacancies and provides that the Department of Agriculture must provide staff, meeting space, and office supplies for the Board. Members will receive per diem and reimbursement for travel expenses.

Provides definitions for the act, including defining a *historical boiler* as a steam boiler of riveted construction that is preserved, restored, or maintained for hobby or demonstration.

Sets out seven powers and duties of the Board, including issuing licenses to operate historical boilers in public and establishing requirements for the minimum amount of liability insurance an owner of a historical boiler must carry on each historical boiler in operation.

Prohibits operating a historical boiler in a place open to the public unless licensed under the new article and the owner holds a current valid certificate of operation.

Provides that the Board, upon application, must issue a license to operate a historical boiler if an individual is (1) at least 16 years of age, (2) has completed a safety program created and conducted by the Board, and (3) has 100 hours of actual operating experience or training in the operation of historical boilers. Requires a one-time fee of \$50 for issuance of the license; no renewal fee is required. The license is valid for for the lifetime of the operator unless the license is revoked by the Board. Allows a person under 16 to be trained in the operation of historical boilers by serving as an apprentice to an operator who is licensed pursuant to this article.

Sets out the criteria and procedure for inspecting historical boilers. Provides that owners must obtain a certificate from the Board, with the historical boiler being inspected every three years by inspectors designated by the Chief Inspector of the Boiler Safety Bureau of the Department of Labor. Upon determining that the historical boiler is in safe operating condition, the inspector must recommend that the Board certify the boiler. If the inspector does not recommend certification or if the Board does not issue a certificate, the owner of the historical boiler can file an appeal with the Board, who will then conduct a hearing in accordance with GS Chapter 150B.

Amends GS 95-69.10, *Application of Article; exemptions*, providing that once the Board has adopted rules to implement this act, historical boilers will no longer be subject to the inspection requirements of the Uniform Boiler and Pressure Vessel Act. Effective October 1, 2014.

Directs the Board to adopt rules to implement this act in accordance with GS Chapter 150B, with such adopted rules becoming effective October 1, 2014.

Provides that historic boilers that have been issued valid inspection certificates by the Boiler Safety Board of the Department of Labor under GS Chapter 95, Article 7A, can be operated until October 1, 2014.

Intro. by Bingham.

GS 95

[View summary](#)

Occupational Licensing, Department of Labor

S 182 (2013-2014) [LIMIT APPEALS TO SUPERIOR COURT](#). Filed Mar 5 2013, A *BILL TO BE ENTITLED AN ACT TO ELIMINATE APPEALS FOR INFRACTIONS, TO MODIFY APPEALS TO THE SUPERIOR COURT IN PROBATION REVOCATIONS IN WHICH THE DEFENDANT HAS WAIVED A HEARING, TO AMEND THE LAW PERTAINING TO RESENTENCING UPON THE REVERSAL OF A SENTENCE ON APPELLATE REVIEW, TO MAKE CHANGES REGARDING THE PROCEDURES FOR A MOTION FOR APPROPRIATE RELIEF, AND TO RECLASSIFY CERTAIN MISDEMEANORS AS INFRACTIONS.*

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

Changes the long title.

Provides that Section 2 of the act, proposed changes to GS 15A-1347, will become effective December 1, 2013, and will expire on December 31, 2015. Repeals GS 15A-1347, effective December 31, 2015.

Amends GS 7A-27, effective January 1, 2016, to provide that an appeal lies of right directly to the Court of Appeals, from any final judgment of a district court that revokes probation or imposes special probation. Effective January 1, 2016.

Intro. by Brunstetter.

[GS 7A, GS 15A](#)

[View summary](#)

[Court System, Corrections \(Sentencing/Probation\)](#)

S 558 (2013-2014) [TREASURER'S INVESTMENTS](#). Filed Mar 28 2013, *A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW GOVERNING THE STATE TREASURER'S INVESTMENT AUTHORITY WITH REGARD TO SPECIAL FUNDS HELD BY THE TREASURER.*

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

Amends GS 147-69.2(b) to provide that the investments authorized under subdivision (6c) are not to exceed 7.5% of the market value of all invested assets of the retirement systems. Further amends this subsection to prohibit the investments authorized by subdivision (7) from exceeding 10% of the market value of all invested assets of the retirement systems (was, both subdivisions prohibited the respective investments authorized by each subdivision from exceeding the limitations set forth in new subdivision (10a) of this subsection). Amends subdivision (8) of this subsection to reinstate provision that limits the investment of retirement system assets in the stock of a single corporation to no more than 1.5% of the market value of the assets (was, provided that assets authorized under this subsection could be invested directly by the State Treasurer for the primary purpose of approximating the movements of a nationally recognized and published benchmark index within .50% per annum). Further amends subdivision (8), to reinstate language that investments under this subdivision are not to exceed 8.5% (was, 6.5%) of the market value of all investment assets of the retirement systems. Amends subdivision (9) to provide that the amount invested under this subdivision is not to exceed 8.75% of the market value of all invested assets of the retirement systems. Provides that the investments authorized under subdivision (9a) are not to exceed 7.5% of the market value of all invested assets of the retirement systems. Amends subdivision (10a) to provide that with respect to the assets of the retirement systems, as defined in subdivision (8) of subsection (b) of GS 147-69.2, the market value of any of subdivision (6c) or (7), sub-subdivision b of subdivision 8, or subdivision (9) or (9a) of this section, is not to exceed 10% of the market value of all invested assets of the retirement systems.

Makes this act effective when it becomes law (was, effective July 1, 2013).

Intro. by Hise.

[GS 147](#)

[View summary](#)

[Department of State Treasurer](#)

S 638 (SL 2013-265) (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.

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. Enacted July 17, 2013. Sections 2 through 4 are effective August 1, 2013. The remainder is effective July 17, 2013.

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](#)

LOCAL/HOUSE BILLS

H 726 (2013-2014) [WAKE COUNTY COMM. RESP. FOR SCHOOL CONSTR. \(NEW\)](#). Filed Apr 10 2013, *A BILL TO BE ENTITLED AN ACT AUTHORIZING WAKE COUNTY TO ASSUME RESPONSIBILITY FOR CONSTRUCTION, IMPROVEMENT, OWNERSHIP, AND ACQUISITION OF PUBLIC SCHOOL PROPERTY.*

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

Deletes all the provisions of the previous edition and rewrites the bill to authorize Wake County to assume responsibility for construction, improvement, ownership, and acquisition of public school property.

Provides that this act applies only to Wake County.

Enacts new GS 153A-158.1A authorizing counties to elect by resolution to assume responsibility for "owning, siting, acquiring, planning, constructing, reconstructing, enlarging, improving, repairing, and renovating" all real property that is for use by a specified local school administrative unit (LEA) that is located entirely within the county. Provides that the county's authority extends only to the extent that the terms and conditions are specified in the board of county commissioners' resolution. Prohibits the LEA from exercising any power over the areas over which the county commissioners have elected to assume authority via resolution. Permits the commissioners to elect to leave the LEA with the responsibility for equipment and for maintenance and repairs in categories or amounts as named in the resolution. Mandates that responsibility for school property that is transferred by resolution under this statute is for a period of no less than 10 years and that the election may be renewed in 10-year increments by subsequent resolution of the commissioners. Requires the county board of commissioners to hold a public hearing, before adopting the resolution, and to allow any person who wishes to be heard on the resolution to appear. Specifies that the resolution must address (1) whether the county is vesting ownership in real property or school capital funds, or both, currently owned or future acquired in the name of the county; (2) responsibility for insurance of liability; (3) transfer of title to property affected by the resolution; and (4) the date of renewal of the resolution.

Directs the county to consult with the board of education about actions involving the siting, design, construction, equipping, expansion, improvement, or renovation of property for use by an LEA.

Requires that the clerk of the board of commissioners certify the resolution and send it to the clerk of the board of education. Allots 30 days from the entry of the resolution for the board of education to execute any documents or deeds to complete the transfer under the exact terms as set out in the resolution. Directs the county to pay any costs associated with executing the documents and completing the transfer.

Prohibits a local board of education from exercising its authority under GS 115C-531 or GS 115C-532 during the period of the resolution.

Provides that if a county opts not to renew the resolution, then the title to real property will vest in the local board of education on the renewal date stated in the last adopted resolution unless the property is accompanied by a debt that would prevent transfer of deed title. In such case, the title would vest in the local school board upon satisfaction of the debt. Directs the county to execute any documents or deeds necessary to make the transfer of title to the local board of education within 30 days of failing to renew the resolution. Directs the county to pay the costs of executing the documents and completing the transfer. Provides that if the county fails to renew a resolution, the county is barred from adopting another resolution for at least 12 months.

Defines *interest in real property* and *school capital funds* as the terms are used in this section. Attaches no liability to the county for acts or omissions of school employees in or on school property that is owned, acquired, leased, or improved by the county via a resolution elected under this section.

Provides that any real or personal interest in school property, acquired by a county under this section, is presumed to be for the exclusive use of the LEA for public school purposes, and acquisition of property per the provisions of this act does not constitute the exercise of eminent domain and does not entitle the LEA or local board of education to any funds or other consideration for any property acquired or transferred to the county under this section.

Amends GS 115C-207(2) to provide that if a county has assumed ownership of school property, the local board of education can only permit use of the school property as authorized by the county commissioners. Amends GS 115C-426 to provide that the capital outlay is not to include appropriations for the purposes for which the county has assumed responsibility under proposed GS 153A-158.1A.

Amends GS 115C-431 to clarify that if a county has assumed responsibility for the ownership, acquisition, construction, and improvement of school property under GS 153A-158.1A, this section does not apply to disputes over capital outlay funds as provided in GS 115C-426(f)(1) and (f)(2).

Assigns responsibility in GS 115C-519 to the clerk of the board of county commissioners for safe keeping for all deeds to school property owned by a county after the deeds are registered.

Amends GS 115C-521 to require a local board of education to annually submit, concurrent with the submission of the school budget, the needs for school buildings necessary to provide adequate provisions for the public school term, if the county has assumed responsibility for school buildings under GS 153A-158.1A. Provides that when a county has assumed responsibility for school buildings and there is a dispute between the local board of education and county commissioners as to whether adequate school buildings have been provided for the public school term by the county, the local board of education and county commissioners may resolve the dispute using the mediation process provided in GS 115C-431(a) and (b).

Conditions a county's acquisition of moveable or mobile classroom units upon receipt of notice from the local board of education that the existing permanent school building lacks sufficient classrooms to house the school's anticipated pupil enrollment. Provides for the resolution of any dispute regarding the need for mobile units via the mediation process provided in GS 115C-431(a) and (b).

Requires the county to insure any school building that it owns.

Makes additional conforming changes to GS Chapter 115C regarding the authority of county commissions which elect to assume responsibility for construction, improvement, ownership, and acquisition of public school property by resolution under proposed GS 153A-158.1A.

Authorizes Wake County to adopt a resolution under new GS 153A-158.1A to be effective immediately at any regular or special meeting prior to January 1, 2014.

Changes the long and short titles of this act to reflect the changes to the bill content.

Intro. by Elmore, Burr, Hollo.

Wake

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

H 523 (2013-2014) [PITT CO. BD. OF EDUCATION](#). Filed Apr 2 2013, *A BILL TO BE ENTITLED AN ACT TO REDUCE THE SIZE OF THE PITT COUNTY BOARD OF EDUCATION FROM TWELVE MEMBERS TO NINE, TO PROVIDE FOR FOUR-YEAR TERMS RATHER THAN SIX-YEAR TERMS, AND TO SHORTEN THE TIME BETWEEN THE ELECTION OF MEMBERS OF THE PITT COUNTY BOARD OF EDUCATION AND WHEN THOSE MEMBERS TAKE OFFICE.*

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

Rewrites the provisions of Section 2 through Section 8 of this act as follows. Provides that beginning in December 2014 there will be nine members on the Pitt County Board of Education elected only by voters residing in the county (was, nine members were to be elected from numbered single-member districts and three members from lettered single-member districts by the qualified voters of each district). Clarifies that Sections 2 and 3 of SL 1987-193 are repealed. Provides that elections are to be held in even-numbered years as terms expire, at the same time as the regular election of county officers. Requires that members take office at the time set by general state law and serve for terms of four years (was, six years, and previously called for an initial election of three members from lettered single-member districts in 2014 and six members from numbered single-member districts in 2016). Makes these provisions effective the first Monday in December 2014. Provides that in the 2014 election, the individual elected to fill the vacant seat for District 1, Seat A for the remainder of the term is to serve for two years, and three individuals are to be elected at large to serve a two-year term. Provides that this act does not affect the terms of office of any member elected in 2008 for a six-year term. Provides that Section 1 of SL 1987-193, as amended by this act, is rewritten to provide that beginning in December 2014, the Pitt County Board of Education consists of nine members elected from single-member districts as described in Section 5 of SL 1987-193, as amended in this act to create nine single-member districts (was, six single-member districts). Only allows voters residing in the district (was, county) to vote for the member from that district. Effective the first Monday in December 2016. Provides that in the 2016 election, all nine members of the board are to be elected, with the five members receiving the lowest total number of votes each serving a term of four years and the four members receiving the highest total number of votes each serving a term of two years. Provides that all members elected in 2020 and thereafter are to serve a term of four years.

Except as otherwise provided, this act is effective when it becomes law.

Makes conforming changes to the act's title.

Intro. by B. Brown, Martin.

[Pitt](#)[View summary](#)[Education, Local Government](#)

H 512 (SL 2013-263) (2013-2014) [CENTRAL CAROLINA COM. COLL. TRUSTEE ELECTIONS \(NEW\)](#). Filed Apr 2 2013, *AN ACT TO CORRECT ELECTIONS MADE OUTSIDE OF STATUTORY AUTHORITY TO THE BOARD OF TRUSTEES OF CENTRAL CAROLINA COMMUNITY COLLEGE.*

AN ACT TO CORRECT ELECTIONS MADE OUTSIDE OF STATUTORY AUTHORITY TO THE BOARD OF TRUSTEES OF CENTRAL CAROLINA COMMUNITY COLLEGE. Enacted July 17, 2013. Effective July 17, 2013.

Intro. by Stone.

[Lee](#)[View summary](#)[Higher Education](#)

H 538 (SL 2013-264) (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.*

AN ACT TO ALLOW THE TOWN OF APEX TO CONTINUE COMMUNICATIONS WITH RESIDENTS AND OTHERS ON OTHER MATTERS PENDING A QUASI-JUDICIAL DECISION. Enacted July 17, 2013. Effective October 1, 2013.

Intro. by Dollar.

[Wake, GS 160A](#)

[View summary](#)

ACTIONS ON BILLS

PUBLIC BILLS

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

Senate: Amend Adopted A1

Senate: Passed 3rd Reading

Engrossed

House: Rec From Senate

House: Rec To Concur S Com Sub

House: Ruled Material

H 15: VARIOUS EMERGENCY MANAGEMENT CHANGES.

House: Cal Pursuant 36(b)

H 74: REGULATORY REFORM ACT OF 2013 (NEW).

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

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

Signed by Gov. 7/18/2013

Ch. SL 2013-276

H 161: MANDATORY RETIREMENT AGE FOR MAGISTRATES.

Signed by Gov. 7/18/2013

Ch. SL 2013-277

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

Signed by Gov. 7/18/2013

Ch. SL 2013-278

H 176: CHARTER SCHOOL ELECTION.

Signed by Gov. 7/18/2013

Ch. SL 2013-279

H 194: ALLOW PAVE CERTIFICATION/VETERINARY LICENSE.

Ratified

H 214: AMEND REAL ESTATE LICENSE LAW/RECORDS.

Signed by Gov. 7/18/2013

Ch. SL 2013-280

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

Ratified

H 241: BLUE MONDAY SHAD FRY.

Signed by Gov. 7/18/2013

Ch. SL 2013-282

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

Pres. To Gov. 7/18/2013

H 257: UNCLAIMED PROPERTY PROGRAM IMPROVEMENTS.

Signed by Gov. 7/18/2013

Ch. SL 2013-281

H 269: CHILDREN W/DISABILITIES SCHOLARSHIP GRANTS.

Senate: Passed 3rd Reading

Senate: Passed 2nd Reading

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

Signed by Gov. 7/18/2013

Ch. SL 2013-283

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

Signed by Gov. 7/18/2013

Ch. SL 2013-284

H 340: LIMITED LINES TRAVEL INSURANCE.

Signed by Gov. 7/18/2013

Ch. SL 2013-285

H 345: INCREASE PENALTIES FOR MISUSE OF 911 SYSTEM.

Signed by Gov. 7/18/2013

Ch. SL 2013-286

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

Signed by Gov. 7/18/2013

Ch. SL 2013-287

H 358: RETIREMENT TECHNICAL CORRECTIONS.-AB

Signed by Gov. 7/18/2013

Ch. SL 2013-288

H 359: RETIREMENT ADMINISTRATIVE CHANGES ACT OF 2013.

House: Rec From Senate

House: Rec To Concur S Com Sub

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

Signed by Gov. 7/18/2013

Ch. SL 2013-289

H 371: CHIROPRACTIC ASSISTANT CERTIFICATION/FEE.-AB

Ch. SL 2013-290

Signed by Gov. 7/18/2013

H 391: VOLUNTEER SERVICE IN RETIREMENT.

Signed by Gov. 7/18/2013

Ch. SL 2013-291

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

House: Postponed To 07/22/2013

H 399: AMEND LAWS PERTAINING TO DHHS.-AB

House: Rec From Senate

House: Rec To Concur S Com Sub

H 402: TRICARE SUPPLEMENT FOR FLEX ACCOUNTS.

Signed by Gov. 7/18/2013

Ch. SL 2013-292

H 428: NORTH CAROLINA SCHOOL BUS SAFETY ACT.

Signed by Gov. 7/18/2013

Ch. SL 2013-293

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

Signed by Gov. 7/18/2013

Ch. SL 2013-303

H 462: INCREASE FAMILY COURT FEE.

Signed by Gov. 7/18/2013

Ch. SL 2013-304

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

Signed by Gov. 7/18/2013

Ch. SL 2013-305

H 476: REWRITE UNDERGROUND DAMAGE PREVENTION ACT.

House: Rec From Senate

House: Rec To Concur S Com Sub

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

Signed by Gov. 7/18/2013

Ch. SL 2013-306

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

Pres. To Gov. 7/18/2013

H 522: FOREIGN LAWS/PROTECT CONSTITUTIONAL RIGHTS (NEW).

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

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

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

H 614: NC AGRICULTURE AND FORESTRY ACT.

Signed by Gov. 7/18/2013

Ch. SL 2013-314

H 635: INVOLUNTARY COMMITMENT CUSTODY ORDERS.

Signed by Gov. 7/18/2013

Ch. SL 2013-308

H 636: CREEK NAME CHANGE.

Ratified

H 646: AIRPORTS EXEMPT FROM LOCAL TREE ORDINANCES.

Ratified

H 652: MODIFY JUDICIAL DISCIPLINE (NEW).

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

H 683: COMMONSENSE CONSUMPTION ACT.

Signed by Gov. 7/18/2013

Ch. SL 2013-309

H 692: AMEND PREDATORY LENDING LAW.

Senate: Passed 3rd Reading

Engrossed

Senate: Amend Adopted A1

Senate: Passed 2nd Reading

H 700: OMNIBUS STATE IT GOVERNANCE CHANGES.

Pres. To Gov. 7/18/2013

H 701: IT PURCHASING/CONVENIENCE CONTRACTS.

Ratified

H 725: YOUNG OFFENDERS REHABILITATION ACT.

House: Withdrawn From Com

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

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

Signed by Gov. 7/18/2013

Ch. SL 2013-310

H 783: PYROTECHNICS TECHNICAL AND CONFORMING CHANGES.

Signed by Gov. 7/18/2013

Ch. SL 2013-275

H 786: RECLAIM NC ACT.

Senate: Rec From House

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

H 816: TOBACCO GROWERS ASSESSMENT ACT (NEW).

Signed by Gov. 7/18/2013

Ch. SL 2013-311

H 828: UPDATE PHYSICAL THERAPY PRACTICE ACT.

Ch. SL 2013-312

Signed by Gov. 7/18/2013

H 831: ED. SERVICES FOR CHILDREN IN PRTEFS.

House: Withdrawn From Cal

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

H 857: PUBLIC CONTRACTS/CONSTRUCTION METHODS/DB/P3.

Senate: Withdrawn From Cal

Senate: Placed On Cal For 07/23/2013

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

Signed by Gov. 7/18/2013

Ch. SL 2013-273

Signed by Gov. 7/18/2013

Ch. SL 2013-273

Signed by Gov. 7/18/2013

Ch. SL 2013-273

H 917: ADOPT DUBLIN PEANUT FESTIVAL.

Signed by Gov. 7/18/2013

Ch. SL 2013-313

H 936: WILDLIFE POACHER REWARD FUND.

House: Rec From Senate

House: Rec To Concur In S Amend 1

H 982: MODIFY MEDICAID SUBROGATION STATUTE.

Signed by Gov. 7/18/2013

Ch. SL 2013-274

H 1020: HONOR TONEY CLAYTON SUMMEY.

House: Adopted

S 18: AMEND LOCKSMITH LICENSE ACT/RAISE FEE CEILING.

House: Reptd Fav

House: Cal Pursuant Rule 36(b)

House: Placed On Cal For 07/22/2013

S 73: LOCAL WORKFORCE DEV/DISLOCATED WORKERS.

Ratified

S 103: AMEND ASSESSMENTS FOR INFRASTRUCTURE NEEDS (NEW).

Senate: Withdrawn From Cal

Senate: Placed On Cal For 07/23/2013

S 132: HEALTH CURRICULUM/PRETERM BIRTH.

Signed by Gov. 7/18/2013

Ch. SL 2013-307

S 140: FINANCIAL EXPLOITATION OF OLDER ADULTS.

Pres. To Gov. 07/18/2013

S 151: COASTAL POLICY REFORM ACT OF 2013.

House: Passed 3rd Reading

House: Ordered Engrossed

Senate: Rec To Concur H Com Sub

Senate: Placed On Cal For 07/19/2013

S 159: REQUIRE CERTAIN GENERAL REAPPRAISALS.

Senate: Concurred On 3rd Reading

Senate: Ordered Enrolled

Ratified

S 174: DISAPPROVE INDUSTRIAL COMMISSION RULES.

Signed by Gov. 7/18/2013

Ch. SL 2013-294

S 182: LIMIT APPEALS TO SUPERIOR COURT.

House: Reptd Fav Com Substitute

House: Cal Pursuant Rule 36(b)

House: Placed On Cal For 07/22/2013

S 223: SEVERANCE & RELOCATION FOR AREA DIRECTORS.

Ratified

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

Signed by Gov. 7/18/2013

Ch. SL 2013-295

S 248: CHOICE OF HEARING AID SPECIALIST.

Signed by Gov. 7/18/2013

Ch. SL 2013-296

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

Signed by Gov. 7/18/2013

Ch. SL 2013-297

S 305: DMV COMMISSION CONTRACT CHANGES.

House: Amendment Withdrawn A1

House: Amend Failed A2

House: Amend Failed A3

House: Amend Adopted A4

House: Passed 3rd Reading

Senate: Rec To Concur In H Amend

Senate: Placed on Today's Calendar

Senate: Concurred In H Amend S305v4

Senate: Ordered Enrolled

S 316: PRETRIAL RELEASE/REBUTTABLE PRESUMPTION.

Signed by Gov. 7/18/2013

Ch. SL 2013-298

S 321: INMATE COSTS/CT.APPT./NOTARIES.

House: Ordered Engrossed

House: Placed On Cal For 07/22/2013

House: Amend Adopted A3

House: Amend Failed A4

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

Senate: Withdrawn From Cal

Senate: Placed On Cal For 07/23/2013

House: Postponed To 07/22/2013

S 341: AMEND INTERBASIN TRANSFER LAW.

Senate: Rec To Concur H Com Sub

Senate: Placed On Cal For 07/19/2013

S 378: ASSESS PROPANE DEALERS/DISTRIBUTORS.

Ch. SL 2013-299

Signed by Gov. 7/18/2013

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

Senate: Rec To Concur H Com Sub

Senate: Placed On Cal For 07/19/2013

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

House: Rec From Senate

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

Pres. To Gov. 07/18/2013

S 399: CRIMINAL DEFENDANT MAY WAIVE JURY TRIAL.

Signed by Gov. 7/18/2013

Ch. SL 2013-300

S 402: APPROPRIATIONS ACT OF 2013.

House: Conf Com Dismissed

House: Conf Com Appointed

S 420: UI LAWS ADMINISTRATIVE CHANGES (NEW).

Senate: Rec To Concur H Com Sub

Senate: Placed On Cal For 07/19/2013

House: Reptd Fav Com Substitute

House: Cal Pursuant Rule 36(b)

House: Added to Calendar

House: Passed 2nd Reading

House: Passed 3rd Reading

S 444: UNC/CHEROKEE LANGUAGE.

Ratified

S 454: REGISTRATION OF PETROLEUM DEVICE TECHNICIANS.-AB

Ratified

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

Pres. To Gov. 07/18/2013

S 465: PROHIBIT USE OF TAX ZAPPER SOFTWARE.

Signed by Gov. 7/18/2013

Ch. SL 2013-301

S 480: UNC CAPITAL IMPROVEMENT PROJECTS.

House: Amend Adopted AI

House: Ordered Engrossed

House: Placed On Cal For 07/22/2013

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

Ratified

S 488: AMEND NURSING HOME ADMINISTRATOR ACT/FEEES.

Ratified

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

Senate: Withdrawn From Cal

Senate: Placed On Cal For 07/23/2013

S 515: JORDAN LAKE WATER QUALITY ACT (NEW).

House: Reptd Fav Com Substitute

House: Cal Pursuant Rule 36(b)

House: Placed On Cal For 07/22/2013

S 538: RESULT FROM DOR INACTION ON REVIEW REQUESTS.

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

S 547: ENERGY SAVINGS CONTRACTING AMENDMENTS.

House: Passed 2nd Reading

House: Placed On Cal For 07/22/2013

S 558: TREASURER'S INVESTMENTS.

House: Reptd Fav Com Substitute

House: Cal Pursuant Rule 36(b)

House: Placed On Cal For 07/23/2013

S 581: ESTABLISH HISTORICAL BOILERS LICENSING ACT

Senate: Com Substitute Adopted

Senate: Reptd Fav Com Substitute

S 626: RECODIFY ANIMAL SHELTER LAW.

House: Passed 3rd Reading

House: Ordered Engrossed

Senate: Rec To Concur H Com Sub

Senate: Placed On Cal For 07/19/2013

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

Signed by Gov. 7/18/2013

Ch. SL 2013-302

LOCAL BILLS

H 186: TOWNS ENFORCE NOISE ORDINANCES/LAKE NORMAN (NEW).

House: Rec From Senate

House: Rec To Concur S Com Sub

H 191: GRIFTON/DEANNEXATION.

Senate: Passed 3rd Reading

Senate: Ordered Enrolled

H 493: ROBBINSVILLE/GRAHAM OCCUPANCY TAX (NEW).

Senate: Passed 3rd Reading

House: Ruled Material

H 523: PITT CO. BD. OF EDUCATION.

Senate: Amend Adopted A1
Senate: Passed 2nd Reading
Senate: Passed 3rd Reading
House: Rec From Senate
House: Rec To Concur In S Amend 1
House: Placed On Cal For 07/22/2013

H 530: BUNCOMBE MPO MEMBERSHIP.

House: Rec From Senate
House: Rec To Concur S Com Sub

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

Ratified
Ch. SL 2013-271

H 726: WAKE COUNTY COMM. RESP. FOR SCHOOL CONSTR. (NEW).

Senate: Reptd Fav Com Substitute
Senate: Com Substitute Adopted

H 870: DUPLIN COUNTY BOARDS OF COMMS. AND EDUC. (NEW).

Senate: Passed 3rd Reading
Senate: Passed 2nd Reading

S 81: CHARLOTTE DOUGLAS INTERNATIONAL AIRPORT (NEW).

Senate: Concurred On 3rd Reading
Senate: Ordered Enrolled
Ratified
Ch. SL 2013-272

S 229: OCEAN ISLE BEACH/SEA TURTLE SANCTUARY.

Ratified
Ch. SL 2013-269

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

Ratified
Ch. SL 2013-270

S 315: MUNICIPAL SERVICES (NEW).

Senate: Withdrawn From Cal
Senate: Placed On Cal For 07/23/2013

[Print Version](#)