



The Daily Bulletin: Wednesday, May 14, 2014

PUBLIC/HOUSE BILLS

H 1025 (2013-2014) [DMV INSPECTION STATION CASE CONTINUANCES](#). Filed May 14 2014, *A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CONTINUANCES OF DIVISION OF MOTOR VEHICLES INSPECTION STATION VIOLATION CASES, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE.*

Amends GS 20-183.8G, concerning administrative and judicial reviews for violations of the Safety and Emissions Inspection Program, authorizing the DMV to continue a hearing for good cause (previously, DMV was required to hold a hearing within 30 days for hearings requested when the violation could result in license suspension or revocation, and 90 days for all others after receiving the hearing request).

Effective October 1, 2014.

Intro. by Torbett.

GS 20

[View summary](#)

Government, State Agencies, Department of Transportation, Transportation

H 1026 (2013-2014) [MAP-21 UPDATE/RAIL SAFETY](#). Filed May 14 2014, *A BILL TO BE ENTITLED AN ACT TO UPDATE A FEDERAL STATUTORY REFERENCE IN STATE LAW CONCERNING STATE OVERSIGHT OF FIXED GUIDEWAY TRANSIT SYSTEM SAFETY, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE.*

Amends GS 136-18(36) updating existing state law authorizing the DOT to oversee the safety of fixed guideway transit systems by correcting a federal statutory reference. Subsection now refers to the Map 21 (The Moving Ahead for Progress in the 21st Century Act), previously referred to the Intermodal Surface Transportation Efficiency Act of 1991.

Intro. by Torbett.

GS 136

[View summary](#)

Transportation

H 1027 (2013-2014) [DWI INTERLOCK VIOLATION/DMV HEARING SITE](#). Filed May 14 2014, *A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE DIVISION OF MOTOR VEHICLES HEARING ON A LICENSE REVOCATION AS A RESULT OF A DRIVING WHILE IMPAIRED IGNITION INTERLOCK VIOLATION BE HELD IN THE LICENSEE'S COUNTY OF RESIDENCE, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE.*

Amends GS 20-17.8(j) to provide as the title indicates. Applies to hearings requested on or after October 1, 2014.

Intro. by Torbett.

GS 20

[View summary](#)

Courts/Judiciary, Motor Vehicle, Transportation

H 1028 (2013-2014) [SINGLE LICENSE PLATE RENEWAL STICKER](#). Filed May 14 2014, *A BILL TO BE ENTITLED AN ACT TO DIRECT THE DIVISION OF MOTOR VEHICLES TO ISSUE A SINGLE ANNUAL REGISTRATION RENEWAL STICKER FOR EACH VEHICLE REGISTRATION PLATE, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE.*

Amends GS 20-66(c) to direct the DMV to issue a single registration renewal sticker for each vehicle registration plate. Makes technical changes.

Effective January 1, 2015.

Intro. by Torbett.

GS 20

[View summary](#)

[Courts/Judiciary, Motor Vehicle, Government, State Agencies, Department of Transportation, Transportation](#)

H 1029 (2013-2014) [DMV CONVERSION OF PAPER TITLES](#). Filed May 14 2014, *A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO CONVERT PAPER TITLES TO ELECTRONIC LIENS AND TO CHARGE A FEE FOR EACH CONVERSION, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE.*

Enacts new GS 20-58.4A(l), providing that the Division of Motor Vehicles (DMV) can convert an existing paper title to an electronic lien when requested by the primary lienholder. Authorizes the DMV to collect fee not to exceed \$3 for each conversion.

Intro. by Torbett.

GS 20

[View summary](#)

[Courts/Judiciary, Motor Vehicle, Government, State Agencies, Department of Transportation, Transportation](#)

H 1030 (2013-2014) [HONOR NASCAR HALL OF FAME INDUCTEES](#). Filed May 14 2014, *A JOINT RESOLUTION HONORING NASCAR AND THE INDUCTEES OF THE NASCAR HALL OF FAME.*

As title indicates.

Intro. by Johnson, T. Moore.

JOINT RES

[View summary](#)

[Government, Cultural Resources and Museums](#)

H 1031 (2013-2014) [NC ECON. DEV. PARTNERSHIP MODIFICATIONS](#). Filed May 14 2014, *A BILL TO BE ENTITLED AN ACT TO FACILITATE ECONOMIC DEVELOPMENT WITHIN THE STATE.*

To be summarized.

Intro. by Murry.

GS 143B

[View summary](#)

[Development, Land Use and Housing, Community and Economic Development](#)

H 1032 (2013-2014) **PATENT ABUSE BILL**. Filed May 14 2014, *A BILL TO BE ENTITLED AN ACT TO PREVENT THE ABUSIVE USE OF PATENTS.*

Enacts new GS Chapter 75, Article 8, Abusive Patent Assertions, with the purpose of curbing bad-faith assertions of patent infringement. Provides nine findings regarding patents in North Carolina, including that abusive patent litigation and bad-faith infringement claims can harm NC companies and that North Carolina has a strong interest in protecting its citizens and businesses against abusive patent assertions. Provides that the General Assembly seeks to strike a balance between (1) the interest of efficient and prompt resolution of patent infringement claims, the protection of NC businesses from abusive and bad-faith assertions of patent infringement, and building the NC economy and (2) the intent to respect federal law and not interfere with legitimate patent enforcement claims.

Sets out definitions to be used in this Article, including demand, target, and interested party.

Sets out twelve factors that the court can consider as evidence that a person has made a bad-faith assertion of patent infringement, including the person demands payment of a license fee or response within an unreasonably short period of time, the person making the claim or assertion sent the same demand to multiple recipients, as well as any other factors the court finds relevant.

Also sets out seven factors the court can consider as evidence that a person has not made a bad-faith assertion of patent infringement, including that the person engages in a good-faith effort to establish that the target has infringed the patent and to negotiate an appropriate remedy, the person has demonstrated good-faith business practices in previous efforts to enforce the patent, as well as any other factors the court finds relevant.

Provides that activities relating to advising others of ownership or right of license, communicating that the patent is available for license or sale, notifying others of the infringement of the patent, or seeking compensation on account for past or present infringement/ license to a patent will not be deemed unlawful when not carried out in bad faith.

Requires a bond to be posted in an amount equal to a good-faith estimate of the target's fees and costs to litigate the claim and reasonable recoverable amounts, when the court has found a reasonable likelihood that a person has made a bad-faith assertion of patent infringement. A hearing on the bond requirement can be requested by either party. No bond issued can exceed \$500,000. Court is authorized to waive the bond requirement upon a finding that the person has available assets equal to the proposed bond amount or waive it for any other good cause.

Sets out regulations for enforcement, remedies, and damages, providing that the Attorney General has the same authority to make rules, conduct investigations, and bring civil actions under these new provisions as provided in the Chapter. Provides that a target or person aggrieved by a violation of these regulations can bring an action in Superior Court. Remedies include equitable relief, damages, costs, and fees (including reasonable attorneys' fees), and exemplary damages in an amount of \$50,000 or three times the total of damages, costs, and fees, whichever is greater.

Provides for joinder of interested parties as well as establishing that any person making demands on a target has purposefully availed themselves of doing business in North Carolina and thus is subject to suit and jurisdiction in North Carolina, regardless of other business conducted in the state. Provides that interested parties that joined the action through the joinder clause can be held jointly and severally liable for any amount awarded. States that the rights or authority of North Carolina or the Attorney General are not limited in regards to conduct involving assertions of patent infringement.

All of the above is effective when bill becomes law, applying to actions commenced on or after that date and demands made on or after that date.

Amends GS 14-118.4, Extortion, providing that a person is guilty of extortion when intentionally obtaining or attempting to obtain property of another by making or threatening to make an abusive patent assertion. Effective December 1, 2014, applying to offenses committed on or after that date.

Intro. by Murry.

GS 14, GS 75

[View summary](#)

Courts/Judiciary, Civil, Civil Law, Criminal Justice, Criminal Law and Procedure

H 1034 (2013-2014) **VOLUNTEER FIRE AND RESCUE FINANCES (PED)**. Filed May 14 2014, *A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS RELATED TO (1) LOCAL FIREFIGHTERS' RELIEF FUNDS, THE STATEWIDE*

FIREFIGHTERS' RELIEF FUND, AND THE RESCUE SQUAD WORKERS' RELIEF FUND, (2) WORKERS' COMPENSATION FOR FIREFIGHTERS AND RESCUE SQUAD WORKERS, (3) SUPPLEMENTAL PENSIONS FOR FIREFIGHTERS AND RESCUE SQUAD WORKERS, AND (4) THE VOLUNTEER FIRE DEPARTMENT FUND AND VOLUNTEER RESCUE/EMS FUND, AS RECOMMENDED BY THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE.

To be summarized.

Intro. by Howard, Moffitt, Lucas.

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

[View summary](#)

[Employment and Retirement, Public Safety](#)

H 1035 (2013-2014) [FUNDS TO NON-STATE ENTITIES/AMEND LAWS](#). Filed May 14 2014, *A BILL TO BE ENTITLED AN ACT TO MODIFY STATE BUDGET ACT PROVISIONS RELATING TO GRANTS AND APPROPRIATIONS TO NON-STATE ENTITIES, AS RECOMMENDED BY THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE.*

Enacts new GS 143C-6-24 regarding state-funded grants and appropriations to non-state entities. Requires any non-state entity receiving state funds of more than \$100,000 in any fiscal year to deposit the funds into an interest-bearing account, and declares that any interest earned on those state funds held by the non-state entity are state funds. Additionally, provides that a non-state entity that receives state funds of \$100,000 or less in any fiscal year may deposit the funds in an interest-bearing account, and any interest earned on the deposited funds are state funds. Regardless of the amount received by the non-state entity via a grant or an appropriation, limits the non-state entity's use of the interest earned on state funds to providing services consistent with the terms of the grant or the purposes of the appropriation, unless specified exceptions in this act are met or use of the funds is otherwise indicated in the grant or appropriation. Provides that regardless of the preceding provisions, a non-state entity may annually use up to \$250 of any interest earned on held State funds to pay administrative costs directly related to holding the funds. Makes this section applicable to subgrantees just as it applies to grantees and recipients of appropriations. Specifies payments to which this section does not apply. Effective July 1, 2014.

Amends GS 143C-6-23(d), which directs the Office of State Budget and Management (OSBM) to adopt rules to ensure uniform administration of state grants by all grantor state agencies and grantees or subgrantees. Amends the policies and procedures to require that grants include a duration after which unspent funds are returned to the state. Directs that all grants have a duration of two years unless otherwise specified in the grant agreement by the agency administering the grant. Specifies that grant recipients are to utilize current and generally accepted accounting principles in making use of their grant, and if grantees are not doing so, the rules adopted by the OSBM should provide guidance and standards for meeting the rules requirements to grantees and subgrantees. Makes additional conforming change.

Provides that the rules adopted under GS 143C-6-23 as amended by this section are to be adopted before January 1, 2015; are exempt from the provisions of GS 143C-6-23(e), which declares that the rules are subject to the Administrative Procedure Act; and are to be effective for grants to be distributed on or after July 1, 2015.

Amends GS 143C-6-22(b), effective July 1, 2014, to provide that the Director of the Budget is to take all of the specified actions when a non-state entity is found to have spent or encumbered state funds for an unauthorized purpose, or if the non-state entity knowingly fails to submit or willfully falsifies the information required by GS 143C-6-23 or any other provision of law. Makes additional clarifying and conforming changes.

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

Intro. by Howard, Hurley, Lucas, Moffitt.

[GS 143C](#)

[View summary](#)

[Government, Budget/Appropriations](#)

H 1036 (2013-2014) [NO REVOLVING DOOR EMPLOYMENT \(PED\)](#). Filed May 14 2014, *A BILL TO BE ENTITLED AN ACT TO REQUIRE A SIX-MONTH WAITING PERIOD FOR CERTAIN STATE EMPLOYEES AND OFFICERS PRIOR TO*

ACCEPTING EMPLOYMENT WITH, OR COMPENSATION FROM, CERTAIN STATE CONTRACTORS, AS RECOMMENDED BY THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE.

Enacts new GS Chapter 143, Article 31, Limitations on Certain Private Employment After Serving State, specifying that individuals and immediate family members of those individuals whom, in the six months leading up to termination, (1) were state employees who substantially participated in the award or management of a State contract or (2) were state employees that substantially participated in making a regulatory or licensing decision, cannot knowingly accept employment with, begin employment with, or receive compensation from a person, parent, or subsidiary that was a recipient of the contract or regulatory or licensing decision.

Sets out additional individuals that are subject to the six-month wait period for certain employment, including individuals and immediate family members of individuals that served as officers; members of a commission or board with contract, regulatory, or licensing authority; heads of a state agency; or chief procurement officers, state purchasing officers, or designees with duties directly related to procurement.

Directs each state agency to adopt policies that delineate which positions would be subject to the above regulations. Provides that state agencies can also designate positions that are subject to a notification requirement, which requires written notice and explanation to certain employees that are in positions that could become subject to the above regulations and wait period. Provides that persons that violate these regulations, or that solicit or conspire to violate these regulations are guilty of a Class 3 misdemeanor and will be fined between \$1,000 and \$5,000.

Requires agencies to make the above required designations no later than three months after the effective date of this act.

Effective July 1, 2014, not applying to individuals who have accepted or started employment or received compensation prior to that date.

Intro. by Howard, Hurley, Moffitt, Lucas.

GS 143

[View summary](#)

Employment and Retirement, Government, State Government

H 1037 (2013-2014) **STRENGTHEN CONTROLLED SUBSTANCES MONITORING**. Filed May 14 2014, *A BILL TO BE ENTITLED AN ACT TO STRENGTHEN THE MONITORING OF CONTROLLED SUBSTANCES, AS RECOMMENDED BY THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE.*

Requires the following entities to develop opioid prescribing guidelines for adoption by the health care provider licensing boards: (1) State Health Director; (2) Director of Medical Assistance; (3) Director of the Division of Mental Health, Developmental Disabilities, and Substance Abuse Services; (4) directors of medical, dental, and mental health services within the Department of Public Safety; (5) NC Board of Dental Examiners; (6) NC Board of Nursing; (7) NC Board of Podiatry Examiners; and (8) NC Medical Board. Sets forth requirements for developing the guidelines. Requires that the guidelines be completed by December 31, 2014 and that the licensing boards adopt the guidelines by July 1, 2015.

Requires the following to require continuing education on the abuse of controlled substances as a condition of license renewal for providers prescribing controlled substances: (1) NC Board of Dental Examiners, (2) NC Board of Nursing, (3) NC Board of Podiatry Examiners, and (4) NC Medical Board. Requires that at least one hour be a course specifically addressing prescribing practices.

Amends GS 90-113.74 to expand upon the permitted uses of prescription information to include informing medical records and clinical care. Allows the release of data in the controlled substances reporting system to the federal Drug Enforcement Administration's Office of Diversion Control and the NC Health Information Exchange. Requires the Department of Health and Human Services (DHHS) to adopt policies and procedures documenting and supporting the additional functionality and expanded access for the NC Controlled Substances Reporting System (System) and for the added entities, and amend its contract with the vendor operating the System to support the added functionality and expanded access.

Requires DHHS to modify the contract for the System to improve performance, establish user access controls, establish data security protocols, and ensure availability of data for advanced analytics. Specifies modifications to be made. The contract modifications must be complete by December 31, 2014, and DHHS must report by November 15, 2014, to the Joint

Legislative Program Evaluation Oversight Committee and the Joint Legislative Oversight Committee on Health and Human Services on progress in modifying the contract. Requires DHHS to use \$40,035 of existing grant funding from the Harold Rogers Prescription Drug Monitoring Program for 2014-15 to create a connection to the RxCheck Hub to create connectivity for the drug monitoring program. Makes additional appropriations from the General Fund in the amounts of \$5,100, \$15,000, and \$10,000 for activities related to the System and drug monitoring program. Requires DHHS to seek grant funding to offset the cost of providing interstate connectivity for the System.

Requires the System to expand its monitoring capacity by establishing data use agreements with the Prescription Behavior Surveillance System. Requires the System to establish data use agreement with the Center of Excellence at Brandeis University by January 1, 2015.

Requires the Division of Mental Health, Developmental Disabilities, and Substance Abuse Services to report every two years, beginning September 1, 2015, on its participation with the Prescription Behavior Surveillance System to the Joint Legislative Oversight Committee on Health and Human Services and the Joint Legislative Oversight Committee on Justice and Public Safety.

Requires the Division of Medical Assistance to take six specified steps to improve the effectiveness and efficiency of the Medicaid lock-in program, including establishing written procedures for the operation of the program, and increasing program capacity. Requires a report to the Joint Legislative Program Evaluation Oversight Committee by September 30, 2014, on its progress.

Creates the Prescription Drug Abuse Advisory Committee (Committee), and requires it to implement a statewide strategic plan to combat the problem of prescription drug abuse. Requires that the Committee include representatives from specified entities as well as others designated by the Secretary of Health and Human Services. After developing the plan, the Committee will be the state's steering committee to monitor achievement and receive regular progress reports. Specifies steps that must be completed in developing the plan. Requires the plan to include three to five strategic goals that are outcome-oriented and measurable. The goals must be connected with objectives supported by four specified system mechanisms. Requires DHHS, in consultation with the Committee, to implement a performance management system that connects the goals and objectives identified in the plan to operations of the Controlled Substances Reporting System and Medicaid lock-in program, law enforcement activities, and oversight of prescribers and dispensers. Requires DHHS to submit an annual report, beginning December 1, 2015, on the performance of the system for monitoring prescription drug abuse to the Joint Legislative Oversight Committee on Health and Human Services and the Joint Legislative Oversight Committee on Justice and Public Safety.

Intro. by Howard, Moffitt, Lucas.

APPROP, GS 90

Government, Budget/Appropriations, State Agencies, Department of Health and Human Services, Health and Human Services, Health, Health Care Facilities and Providers

[View summary](#)

H 1038 (2013-2014) **DRIVER ED PERFORMANCE INDICATORS (PED)**. Filed May 14 2014, *A BILL TO BE ENTITLED AN ACT TO REQUIRE THE STATE BOARD OF EDUCATION TO ESTABLISH AND UTILIZE PERFORMANCE INDICATORS TO MEASURE THE EFFICIENCY AND EFFECTIVENESS OF THE DRIVER EDUCATION PROGRAM; TO REQUIRE THE DEPARTMENT OF PUBLIC INSTRUCTION, IN COLLABORATION WITH THE DIVISION OF MOTOR VEHICLES, TO ESTABLISH A FOLLOW-UP INFORMATION MANAGEMENT SYSTEM TO MONITOR THE PERFORMANCE OF CURRENT AND CERTAIN PAST PARTICIPANTS IN THE DRIVER EDUCATION PROGRAM; TO REQUIRE THE DEPARTMENT OF TRANSPORTATION, IN CONSULTATION WITH THE DEPARTMENT OF PUBLIC INSTRUCTION, TO STUDY THE FEASIBILITY OF DELIVERING DRIVER EDUCATION THROUGH ELECTRONIC MEANS; AND TO REQUIRE THE SCHOOL OF GOVERNMENT AT THE UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL TO ESTABLISH STANDARDS FOR USE BY ALL DEPARTMENTS, AGENCIES, BUREAUS, DIVISIONS, AND INSTITUTIONS OF THE STATE WHEN CONDUCTING AND COMPLETING PILOT PROJECTS REQUESTED BY THE GENERAL ASSEMBLY, AS RECOMMENDED BY THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE.*

Amends GS 115C-215 regarding the administration of the driver education program by the Department of Public Instruction (DPI). Directs the State Board of Education (SBE) to develop and implement a follow-up information management system in accordance with GS 115C-217 for monitoring the performance of current and past driver education program participants, and to establish and utilize performance indicators to measure the efficiency and effectiveness of the driver education program. Directs the SBE to collect data from local school administrative units and to use data from the Division of Motor Vehicles (1) to establish the performance indicators and (2) to determine whether the performance indicators have been met. Specifies that this subsection is not to be construed so as to allow disclosing information otherwise deemed confidential by state or federal law.

Directs the SBE to consult with the Highway Safety Research Center Institute of the University of North Carolina at Chapel Hill, and the Division of Motor Vehicles (DMV) to establish performance indicator design, data collection procedure, and reporting methodologies. Specifies what the performance indicators must be designed to do at minimum. Requires the SBE to provide an interim report on its progress in establishing performance indicators to the Joint Legislative Program Evaluation Oversight Committee on or before October 1, 2014, and to submit a final report by March 15, 2015. Directs the SBE to establish the performance indicators required under this act no later than March 1, 2015.

Enacts a new GS 115C-217, *Driver education follow-up information management system*. Defines "program participants" to mean current and former participants up to 22 years of age in the driver education program administered by DPI under GS 115C-215. Provides that under the strategic plan established and implemented by the SBE for the driver education program, DPI in collaboration with the DMV, is to develop, implement, and maintain a follow-up automated management system for monitoring the performance of program participants. Stresses that DPI is to ensure that the data collected about program participants is maintained as confidential, not open to general public inspection, and maintained and disseminated in a manner that protects the individual's identity from general public disclosure. Specifies what the data is to include, procedures and guidelines to be adopted by DPI to establish the information management system, guidelines governing local school administrative units and submission of information as requested by DPI, and reporting and evaluation guidelines. Authorizes DPI to withhold up to 10% of state driver education funds allotted to a local school administrative unit that does not submit data requested by DPI. Provides that any withheld funds are to revert and remain unexpended and unencumbered until appropriated by the General Assembly in a subsequent fiscal year. Requires DPI to ensure that funding and staff resources for the follow-up management system are not diverted into other programs or systems administered by DPI.

Amends GS 20-88.1 to direct the DMV to provide data on participants in the driver education program as required under GS 115C-215 and GS 115C-217.

GS 20-166.1(k) provides that the DMV may periodically publish statistical data on motor vehicle accidents derived from information in accident reports. Requires that any annual report made under this subsection is to include data gathered through the follow-up management system established under GS 115C-217. Specifies additional data comparisons and content to be included in the annual report.

Requires DPI to develop and implement the follow-up information management system as required by GS 115C-217 no later than March 1, 2015.

Directs the Department of Transportation (DOT) in consultation with DPI, and any other state agency DOT deems necessary, to study the feasibility of delivering driver education through electronic means. Specifies what the study must minimally examine. Includes requirements that the study examine the cost and feasibility of delivering the classroom component of driver education through electronic means.

Includes additional details governing the study. Requires DOT to issue a Request for Qualifications to individuals and organizations identified by DOT as potential providers of the classroom component of the driver education program via electronic means. Directs DOT to submit an interim report on its progress to the Joint Legislative Program Evaluation Oversight Committee on or before December 1, 2014, and a final report by March 15, 2015.

Enacts new GS 143-162.3 to direct the UNC School of Government, in cooperation with other state universities, to generate, by March 1, 2015, standards for establishing and completing pilot projects requested by the General Assembly. Requires that all departments, agencies, bureaus, divisions, and institutions of the state conduct and complete pilot projects requested by the General Assembly after March 1, 2015 under the standards established by the School of Government unless specifically exempted by law. Authorizes the School of Government to update the standards for pilot projects as it deems necessary but requires 90 days written notice to all departments, institutions, bureaus, and divisions of the state prior to any updates to the standards for pilot projects.

Directs the School of Government not to finalize the standards for pilot projects until after it consults with the Joint Legislative Program Evaluation Oversight Committee. Requires that the School of Government submit a detailed report of the pilot projects standards by January 1, 2015 to the Chairs of the Committee and to the Director of Program Evaluation Division at the General Assembly. Provides that if the Committee does not meet to hear the consultation within 90 days of submission of the report then the consultation requirement is satisfied.

Intro. by Howard, Hurley, Moffitt.

[GS 20, GS 115C, GS 143](#)

[View summary](#)

Courts/Judiciary, Motor Vehicle, Education, Elementary and Secondary Education, Government, State Agencies, Department of Transportation, State Board of Education

H 1039 (2013-2014) [NCVPS COURSES/NONPUBLIC SCHOOL STUDENTS](#). Filed May 14 2014, *A BILL TO BE ENTITLED AN ACT TO CODIFY THE NORTH CAROLINA VIRTUAL PUBLIC SCHOOL PROGRAM; TO PROVIDE A TUITION WAIVER FOR NONPUBLIC SCHOOL STUDENTS FOR A MAXIMUM OF TWO NORTH CAROLINA VIRTUAL PUBLIC SCHOOL COURSES PER SCHOOL YEAR; AND TO APPROPRIATE FUNDS TO IMPLEMENT THIS ACT, AS RECOMMENDED BY THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE.*

To be summarized.

Intro. by Howard.

[APPROP, GS 115C](#)

[View summary](#)

Education, Elementary and Secondary Education, Government, Budget/Appropriations, State Agencies, Department of Public Instruction

H 1040 (2013-2014) [IMPROVE ADMIN PROG MONITORING AT DPI](#). Filed May 14 2014, *A BILL TO BE ENTITLED AN ACT TO IMPROVE ADMINISTRATIVE PROGRAM MONITORING BY THE DEPARTMENT OF PUBLIC INSTRUCTION, AS RECOMMENDED BY THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE.*

Requires the Department of Public Instruction to (1) reduce the budget rating formula for school bus operations by 1% annually beginning in 2014-15 until fiscal year 2018-19, when the buffer reaches 5%; (2) limit the statewide inventory of spare school buses that meet the replacement criteria to 10% of the total inventory; and (3) implement a replacement part inventory management policy to ensure inventories are reduced to sufficient levels. Requires a report to the Joint Legislative Education Oversight Committee and the Fiscal Research Division by December 31, 2014.

Amends GS 115C-522 to require DPI, in consultation with the Department of Administration, to establish term contracts for school bus replacement parts with statewide annual sales exceeding \$100,000. Requires local boards of education to purchase replacement parts from these contracts unless the price from noncertified sources is less than the cost under the state term contract and the parts are the same or substantially similar. Effective January 1, 2015.

Requires DPI to revise the inspection process for county school bus maintenance operations to ensure school bus safety and reliability by incorporating inspection, maintenance, and utilization information from the fleet management system to identify noncompliant bus maintenance facilities and improve oversight of local school bus operations. Requires a report on the process and implementation schedule to the Joint Legislative Education Oversight Committee by December 31, 2014.

Requires DPI to eliminate six specified positions to reduce the operational requirements of the Textbook Services program, effective June 30, 2014. Requires DPI to work with the Department of Administration to develop a plan to reallocate unneeded textbook warehouse space to other agencies. The plan must be submitted to the Joint Legislative Education Oversight Committee and to the Fiscal Research Division by December 31, 2014.

Requires DPI to implement a process for monitoring time and resources required for the services provided by the Plant

Operation and School Planning sections and compile information during 2014-15 to measure the benefits of the services to the local boards. Requires a report to the Joint Legislative Education Oversight Committee and the Fiscal Research Division by September 1, 2015.

Requires DPI to develop model loss prevention and return-to-work programs for adoption by the State Board of Education (State Board) for use by local school boards, designed to reduce the number of injuries resulting in workers' compensation claims and ensure those with claims return to work in accordance with current State Board policy. Effective January 1, 2015, makes conforming changes to GS 115C-47 (Powers and duties of local boards of education).

Amends GS 115C-12 to add to the State Board's powers and duties the power to create an effective performance management system. Amends GS 115C-21 to require the Superintendent of Public Instruction to report to the Joint Legislative Education Oversight Committee by December 31, 2014, and annually thereafter, on the performance of each administrative support program in the performance management system.

Enacts new GS 115C-23 to require DPI to report to the Joint Legislative Education Oversight Committee by December 31, 2014, and annually thereafter on the performance of each strategic objective identified by the State Board. Specifies information to be included in the report. Requires DPI to develop a performance management system for administrative support programs to include processes for identifying and monitoring specified objectives and outcomes, program outputs, and procedures.

Intro. by Howard.

[GS 115C](#)

[View summary](#)

[Education, Government, State Agencies, Department of Public Instruction](#)

H 1041 (2013-2014) [CHARTER SCHOOL PRELIMINARY APPROVAL PROCESS](#). Filed May 14 2014, *A BILL TO BE ENTITLED AN ACT TO REESTABLISH A PROCESS FOR PRELIMINARY APPROVAL OF CHARTER SCHOOLS BY LOCAL BOARDS OF EDUCATION AND BOARDS OF TRUSTEES OF THE CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA, AS RECOMMENDED BY THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE.*

To be summarized.

Intro. by Howard.

[GS 115C](#)

[View summary](#)

[Education, Elementary and Secondary Education](#)

H 1042 (2013-2014) [CLARIFY CHARTER SCHOOL APPLICATION PROCESS](#). Filed May 14 2014, *A BILL TO BE ENTITLED AN ACT TO CLARIFY THE PROCESS FOR REVIEW OF CHARTER APPLICATIONS BY THE NORTH CAROLINA CHARTER SCHOOLS ADVISORY BOARD, TO REQUIRE ADOPTION OF RULES FOR THE CHARTER APPLICATION PROCESS, AND TO CLARIFY THE APPEALS PROCESS FOR DENIALS OF CHARTER APPLICATIONS, AS RECOMMENDED BY THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE.*

Amends GS 115C-238.29A(b) to set out minimum standards for the review and recommendation process for charter applications by the NC Charter Schools Advisory Board, including requiring specific factual support for the final recommendation of approval or denial. Amends GS 115C-238.29B to require the State Board of Education (State Board) to adopt rules according to Article 2A of GS Chapter 150B regarding all aspects of charter school operation. Amends GS 115C-238.29D to require the State Board to make final decisions on the approval or denial of applications by June 15 of a calendar year on all applications received before a date established by the Office of Charter Schools for the receipt of applications in the prior calendar year (was, required the State Board to act by January 15 of a calendar year on all applications and appeals received prior to a date set by the Office of Charter Schools for receipt of applications in the prior calendar year). Allows the State Board to make a final decision for approval contingent on successful completion of a planning year. Allows final

decisions denying an application to be appealed by commencing a contested case in the Office of Administrative Hearings. Applies beginning with the 2014-15 school year.

Intro. by Howard.

GS 115C

[View summary](#)

Education, Elementary and Secondary Education

H 1043 (2013-2014) **PREQUALIFICATION UPDATE**. Filed May 14 2014, *A BILL TO BE ENTITLED AN ACT TO CLARIFY THE STATUTES RELATED TO THE USE OF PREQUALIFICATION IN PUBLIC CONSTRUCTION CONTRACTING, AS RECOMMENDED BY THE JOINT PURCHASE AND CONTRACT STUDY COMMITTEE.*

Section 1 of the bill amends GS 143-135.8 to define prequalification and to clarify the circumstances under which units of government may prequalify contractors for purposes of bidding on public construction or repair contracts. New subsection (a) prohibits the use of prequalification except under specific circumstances enumerated in new subsection (b) as follows: (1) the unit is bidding the project under the separate-prime, multi-prime, or dual bidding methods and (2) the governing board has adopted an objective prequalification policy. New subsection (c) requires the prequalification policy to be uniform, consistent, and transparent; allow all bidders who meet the prequalification criteria to be prequalified; clearly state the prequalification criteria and assessment process; establish a protest process for bidders denied prequalification; and outline a process for communicating the basis for denial of prequalification to a bidder. New subsection (d) clarifies that a bid submitted by a bidder denied prequalification shall be deemed nonresponsive. New subsection (e) prohibits the use of prequalification in selecting architects, engineers, or surveyors under Article 3D of Chapter 143, design-builders under GS 143-128.1A, preliminary designers on a design-build bridging project under GS 143-128.1B, a public-private partnership developer under GS 143-128.1C, or a construction manager at-risk under GS 143-128.1. New subsection (f) defines prequalification.

Section 2 of the bill amends GS 143-128.1 to require construction managers at-risk to use prequalify first-tier subcontractors in accordance with the new prequalification provisions; requires a unit of government to compare the cost and benefit of using construction management at-risk for a particular project in lieu of traditional construction delivery methods and determine that construction management at-risk is in the best interest of the project.

Section 3 of the bill recodifies the reporting requirements related to using alternative construction delivery methods under GS 143-64.31(b),(c), and (d) as GS 143-133.1(a), (b), and (c), which is detailed in Section 5 of the bill.

Section 4 of the bill amends GS 143-64.31 by adding a new subsection (f) prohibiting the solicitation, submission, or consideration of work product or design, or costs or fees other than unit price, when procuring professional services subject to this statute (architects, engineers, surveyors, and alternative construction delivery method services). Examples of prior work may be solicited, submitted, and considered.

Effective October 1, 2014, and applies to all contracts awarded on or after that date.

Intro. by Arp.

GS 143

[View summary](#)

Development, Land Use and Housing, Building and Construction, Government, Local Government

H 1046 (2013-2014) **STATE PLAN AMENDMENTS/SUBMISSION AND NOTICE**. Filed May 14 2014, *A BILL TO BE ENTITLED AN ACT TO REQUIRE ADDITIONAL PUBLIC POSTING AND NOTICE OF STATE PLAN AMENDMENTS AND TO REQUIRE SUBMISSION OF A STATE PLAN AMENDMENT TO THE FEDERAL GOVERNMENT PRIOR TO THE EFFECTIVE DATE OF THE STATE PLAN AMENDMENT, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON HEALTH AND HUMAN SERVICES.*

To be summarized.

Intro. by Burr, Hollo.

GS 108A

[View summary](#)**Health and Human Services, Social Services, Public Assistance**

H 1047 (2013-2014) **CREDIT FOR MILITARY TRAINING**. Filed May 14 2014, *A BILL TO BE ENTITLED AN ACT TO ENHANCE THE EFFECTIVENESS OF THE OCCUPATIONAL LICENSING OF MILITARY SERVICE MEMBERS AND VETERANS, AND TO DIRECT THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA AND THE STATE BOARD OF COMMUNITY COLLEGES TO SUBMIT A PLAN THAT WILL ENSURE THAT COLLEGE CREDITS ARE UNIFORMLY GRANTED TO STUDENTS WITH MILITARY TRAINING, AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION COMMITTEE ON CIVILIAN CREDIT FOR MILITARY TRAINING AND STATE ADJUTANT GENERAL SELECTION CRITERIA.*

Amends GS 93B-15.1 to require an occupational licensing board to notify an applicant, within 30 days following application, when the applicant's military training or experience does not satisfy requirements for licensure, certification, or registration and specify the criteria or requirement that was not met as well as the basis for the determination. Requires each occupational licensing board to publish criteria for licensure, registration, or certification, along with a description of the criteria that are satisfied by military training or experience and documentaton needed to obtain the credit or meet the requirement. Requires that the information be published on the board's website and the NC Division of Veterans Affairs website. Effective January 1, 2015.

Requires each occupational licensing board to contact training offices at military installations or federal offices providing information on military occupational specialties and training to (1) acquire necessary information for understanding military training and job requirements and (2) assist in determining applicability of military training and experience. Requires a report by each licensing board by September 1, 2014, to the cochairs of the Legislative Research Commission Study Committee on Civilian Credit for Military Training.

Requires the UNC Board of Governors and the State Board of Community Collegs to develop a plan for implementing a uniform system of granting course credit to enrolled students based on military training or experience. Specifies issues to be addressed by the plan. Requires a report by September 1, 2014, to several specified legislative committees. Requires that the plan be submitted by January 1, 2015, to specified legislative committees.

Requires the State Board of Community Colleges to consult with the NC National Guard Education and Employment Center, the Department of Commerce, the Department of Labor, and other appropriate state and federal agencies to complete five specified tasks including identifying job development programs requiring the same Military Occupation Skills or sharing the same aptitude skills requiried to complete the program and detemine the ability of state community colleges or other training centers to conduct nondegree programs conducted in other states that have a high employment demand in North Carolina. Requires a report to specified legislative committees by October 1, 2014.

Intro. by Hastings, Whitmire.

GS 93B

[View summary](#)**Education, Higher Education, Military and Veteran's Affairs**

H 1048 (2013-2014) **AG SELECTION CRITERIA/AMENDMENTS**. Filed May 14 2014, *A BILL TO BE ENTITLED AN ACT TO AMEND THE SELECTION CRITERIA FOR ADJUTANT GENERAL OF THE NORTH CAROLINA NATIONAL GUARD, AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION COMMITTEE ON CIVILIAN CREDIT FOR MILITARY TRAINING AND STATE ADJUTANT GENERAL SELECTION CRITERIA.*

Amends GS 127A-19, concerning selection criteria for the Adjutant General (AG), requiring that the AG, who heads all NC militia, must hold the rank of major general with federal recognition at time of appointment, or attain said rank within a

reasonable period of time from the date of appointment. If the rank is not attained, the Governor must replace the AG with an appointee that meets required criteria. Provides that "a reasonable time period" takes into account time in grade requirements for promotion and administrative period needed to complete promotion process.

Sets out five eligibility requirements for appointment as AG, including having a minimum of 10 years commissioned service in the Armed Forces, the Reserve Armed Forces, or a combination of the two, and a minimum of three years commissioned service in the NC Army or Air National Guard within the six-year period before the appointment date. Also requires the appointee to either be a major general, brigadier general, or a colonel, with federal recognition or eligibility for federal recognition and promotion to major general (previously there were no requirements for federal recognition and an appointee was not allowed a reasonable time to achieve the rank of major general).

Deletes language requiring appointees to have only five years' active commissioned service in the armed forces of the US in lieu of new service criteria requirements.

Makes technical and organizational changes.

Effective July 1, 2014, and applies to appointments on or after that date.

Intro. by Hastings.

GS 127

[View summary](#)

Military and Veteran's Affairs

H 1049 (2013-2014) **RESTORE SCHOOL CALENDAR EDUC. PURPOSE WAIVER**. Filed May 14 2014, *A BILL TO BE ENTITLED AN ACT TO RESTORE THE SCHOOL CALENDAR EDUCATIONAL PURPOSE WAIVER TO PROVIDE FLEXIBILITY TO LOCAL BOARDS OF EDUCATION FOR CALENDAR MODIFICATIONS NECESSARY TO ACCOMMODATE SPECIFIC PROGRAMS FOR A REASONABLE EDUCATIONAL PURPOSE, AS RECOMMENDED BY THE HOUSE STUDY COMMITTEE ON EDUCATION INNOVATION.*

Current law requires local boards of education to set the opening date for public schools (except for year-round schools) no earlier than the Monday closest to August 26, and the closing date no later than the Friday closest to June 11. However, upon a showing of good cause, as defined by statute, the State Board of Education (State Board) is authorized to waive the previously stated opening and closing date requirements and allow local boards to make statutorily specified modifications to the opening and closing dates.

Amends GS 115C-84.2(d) to also allow the State Board to waive the opening and closing date requirements for public schools for an educational purpose. Defines *educational purpose* to mean that a local school administrative unit establishes a need to adopt a different calendar for (1) a specific school to accommodate a special program offered generally to the student body of that school, (2) a school that primarily serves a special population of students, or (3) a defined program within a school.

Authorizes the State Board to grant the educational purpose waiver provided that the State Board finds that the (1) educational purpose is reasonable, (2) the accommodation is necessary to achieve the educational purpose, and (3) the request is not an attempt to circumvent the opening and closing dates set out in this subsection [GS 115C-84.2(d)]. Prohibits using a waiver request for educational purposes to accommodate system-wide class scheduling preferences.

Effective when the act becomes law and applies beginning with the 2015-16 school year.

Intro. by Horn, S. Martin, Lucas, Langdon.

GS 115C

[View summary](#)

**Education, Elementary and Secondary Education,
Government, State Agencies, State Board of Education**

H 1050 (2013-2014) **OMNIBUS TAX LAW CHANGES**. Filed May 14 2014, *A BILL TO BE ENTITLED AN ACT TO AMEND THE REVENUE LAWS, AS RECOMMENDED BY THE REVENUE LAWS STUDY COMMITTEE.*

To be summarized.

Intro. by Howard, W. Brawley, Lewis, Setzer.[GS 14, GS 18B, GS 20, GS 105, GS 113, GS 148, GS 153A, GS 160A](#)[View summary](#)[Government, Tax](#)

H 1051 (2013-2014) [AUTHORIZE DHHS/COOPERATIVE EXTENSION CONTRACT](#). Filed May 14 2014, *A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO ENTER A CONTRACT TO IMPLEMENT SNAP-ED WITH NORTH CAROLINA COOPERATIVE EXTENSION AND TO REQUIRE REPORTING TO THE HOUSE OF REPRESENTATIVES AGRICULTURE COMMITTEE.*

Directs the Department of Health and Human Services (DHHS) to enter into a contract(s), if approved by the US Department of Agriculture, to implement the Supplemental Nutrition Assistance Program Education (SNAP-Ed). The entities that DHHS must seek to contract with are prioritized as follows:

- (1) A sole source, multiyear contract with the NC Cooperative Extension, a program operated jointly by North Carolina Cooperative Extension Service of North Carolina State University and North Carolina Cooperative Extension Program of North Carolina Agricultural and Technical State University, for a maximum term of three years.
- (2) A sole source, multiyear contract with the NC State University, in coordination with NC Agricultural and Technical State University, for a maximum term of three years.
- (3) Contracts with one or more entities approved by the US Department of Agriculture.

Does not limit the authority of the above entities to subcontract with other entities.

Requires any entity entering a sole source contract with DHHS to implement SNAP-Ed to file a report with the House of Representatives Agriculture Committee no later than July 1, 2015. Lists four minimum requirements of the report, including a summary of the terms of contracts entered into and an explanation of efforts to expand outreach in the SNAP-Ed program.

Intro. by Whitmire, Starnes, Holley, Fulghum.[UNCODIFIED](#)[View summary](#)[Agriculture, Government, State Agencies, Department of Health and Human Services, Health and Human Services, Social Services, Public Assistance](#)

H 1052 (2013-2014) [ADJUST THE UTILITY REGULATORY FEE](#). Filed May 14 2014, *A BILL TO BE ENTITLED AN ACT TO ADJUST THE UTILITY REGULATORY FEE TO REFLECT THE CHANGING REGULATORY CLIMATE FOR THE TELECOMMUNICATIONS INDUSTRY, AS RECOMMENDED BY THE LRC COMMITTEE ON THE ASSESSMENT OF REGULATED AND NON-REGULATED INDUSTRY UTILITY FEES.*

To be summarized.

Intro. by Hager.[GS 62](#)[View summary](#)[Public Enterprises and Utilities](#)

H 1053 (2013-2014) [HONOR ROBYNN SPENCE](#). Filed May 14 2014, *A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF ROBYNN LOWE SPENCE.*

As title indicates.

Intro. by Hager.[JOINT RES](#)

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

H 1055 (2013-2014) **UNCC & NCSU/FUNDS FOR RENEWABLE ENERGY**. Filed May 14 2014, *A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE UNIVERSITY OF NORTH CAROLINA AT CHARLOTTE AND NORTH CAROLINA STATE UNIVERSITY TO USE FOR RESEARCH ON RENEWABLE ENERGY, ENERGY STORAGE, AND COAL ASH REUSE.*

Appropriates \$5 million for 2014-15 from the General Fund to the UNC Board of Governors to be allocated between UNC Charlotte and NC State University to be used as title indicates. Effective July 1, 2014.

Intro. by Hager.

APPROP

[View summary](#)**Education, Higher Education, Environment, Energy,
Government, Budget/Appropriations**

H 1060 (2013-2014) **MILITARY STUDENT IDENTIFIER**. Filed May 14 2014, *A BILL TO BE ENTITLED AN ACT TO REQUIRE THE STATE BOARD OF EDUCATION TO IDENTIFY MILITARY-CONNECTED STUDENTS USING THE UNIFORM EDUCATION REPORTING SYSTEM, AS RECOMMENDED BY THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE.*

Amends GS 115C-12(18) to require the State Board of Education to develop a process for use by local administrative units to annually identify enrolled military connected students using the Uniform Education Reporting System. Provides that the identification of enrolled military connected students cannot be used for determining school achievement, growth, or performance scores as required by GS 115C-12(9)c1. Declares that the identification of military connected students is not a public record within the meaning of GS 132.1 and is not to be made public except as is permitted under the Family Educational and Privacy Rights Act of 1974, 20 U.S.C. 123g. Defines a military connected student as a student enrolled in a local school administrative unit who has a parent, stepparent, sibling, or any other person who resides in the same household and is serving in the active or reserve components of the Army, Navy, Air Force, Marine Corps, Coast Guard, or National Guard. Makes conforming changes to GS 115C-288(m) effective July 1, 2015. Declares that the annual identification for local school administrative units applies beginning with the 2015-16 school year. Permits local school administrative units to begin the annual identification of military connected students using the Uniform Education reporting System beginning with the 2014-15 school year.

Intro. by Holloway, Johnson, Horn, G. Martin.

GS 115C

[View summary](#)**Education, Elementary and Secondary Education,
Government, State Agencies, State Board of Education,
Military and Veteran's Affairs**

H 1062 (2013-2014) **SCHEMATIC DIAGRAMS AND KEYS OF SCHOOLS**. Filed May 14 2014, *A BILL TO BE ENTITLED AN ACT TO REQUIRE LOCAL SCHOOL ADMINISTRATIVE UNITS TO PROVIDE SCHEMATIC DIAGRAMS AND KEYS TO THE MAIN ENTRANCE OF ALL SCHOOL FACILITIES TO LOCAL LAW ENFORCEMENT AGENCIES, AS RECOMMENDED BY THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE.*

Repeals Section 8.39 of SL 2013-360, *Schematic Diagrams of School Facilities*. Instead, enacts new GS 115C-105.53, as the title indicates. Directs the Department of Public Instruction to develop standards and guidelines for the preparation and content of schematic diagrams and necessary updates in consultation with the Department of Public Safety. Declares that schematic diagrams are not a public record as the term is defined under GS 132-1 and are not subject to inspection and

examination under GS 132-6.

Effective when this act becomes law. Directs that the schematic diagrams and keys to the main entrance of all school facilities referenced in Section 2 of this act be provided to local law enforcement before January 1, 2015.

Intro. by Holloway, Johnson, Hanes, Lucas.

GS 115C

[View summary](#)

Education, Elementary and Secondary Education

H 1066 (2013-2014) **STUDY ESTABLISHMENT OF NEW OPTOMETRY SCHOOLS.** Filed May 14 2014, *A BILL TO BE ENTITLED AN ACT REQUIRING THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA, AND ENCOURAGING THE NORTH CAROLINA INDEPENDENT COLLEGES AND UNIVERSITIES, INC., TO STUDY AND REPORT TO THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON HEALTH AND HUMAN SERVICES ON THE FEASIBILITY OF ESTABLISHING AN AFFILIATED SCHOOL OF OPTOMETRY, AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION STUDY COMMITTEE ON HEALTH CARE PROVIDER PRACTICE SUSTAINABILITY AND TRAINING/ADDITIONAL TRANSPARENCY IN HEALTH CARE.*

Requires the UNC Board of Governors to study and report on the feasibility of establishing a school of optometry at one or more the following institutions:

- (1) The University of North Carolina at Chapel Hill
- (2) East Carolina University
- (3) Elizabeth City State University
- (4) Fayetteville State University
- (5) North Carolina Agricultural and Technical State University
- (6) North Carolina Central University
- (7) Winston-Salem State University

The report is to be submitted, by December 1, 2014, to the Joint Legislative Oversight Committee on Health and Human Services and the Fiscal Research Division. The report must include, (1) a breakdown of expenditures for establishing and operating a school of optometry, (2) a breakdown of all funds available to assist the institution with these expenses, and (3) the projected number of applicants for the affiliated school of optometry.

Encourages the NC Independent Colleges and Universities, Inc. to make the same report.

Intro. by Hollo.

STUDY

[View summary](#)

Education, Higher Education, Health and Human Services, Health

H1068 (2013-2014) **UP MINIMUM WAGE.** Filed May 14 2014, *A JOINT RESOLUTION AUTHORIZING THE 2013 GENERAL ASSEMBLY TO CONSIDER A BILL TO BE ENTITLED AN ACT AMENDING THE WAGE AND HOUR ACT TO RAISE THE STATE MINIMUM WAGE AND PROVIDE FOR AUTOMATIC ADJUSTMENT TO REFLECT INCREASES IN THE COST OF LIVING.*

As title indicates.

Intro. by Adams, Harrison, Glazier, Carney.

JOINT RES

[View summary](#)

Employment and Retirement

H1074 (2013-2014) **CONFIRM LINDA COMBS AS STATE CONTROLLER.** Filed May 14 2014, *A JOINT RESOLUTION*

PROVIDING FOR THE CONFIRMATION OF LINDA COMBS AS STATE CONTROLLER.

As title indicates.

Intro. by T. Moore.

JOINT RES

[View summary](#)

Government, State Government

PUBLIC/SENATE BILLS

S 729 (2013-2014) **GOVERNOR'S COAL ASH ACTION PLAN**. Filed May 14 2014, *A BILL TO BE ENTITLED AN ACT TO (1) CHANGE NOTIFICATION REQUIREMENTS APPLICABLE TO DISCHARGES OF WASTEWATER; (2) ESTABLISH COAL COMBUSTION PRODUCTS IMPOUNDMENT WATER MONITORING PROGRAM; (3) IDENTIFY AND ADDRESS UNPERMITTED WASTEWATER DISCHARGES AT COAL COMBUSTION PRODUCTS IMPOUNDMENT SITES; (4) AMEND S.L. 2009-390; (5) REQUIRE EMERGENCY ACTION PLANS FOR HIGH AND INTERMEDIATE HAZARD DAMS; (6) CHANGE NOTIFICATION REQUIREMENTS APPLICABLE TO DAM REPAIRS; (7) INCREASE COAL COMBUSTION PRODUCTS IMPOUNDMENT INSPECTION REQUIREMENTS; (8) MODIFY THE DEFINITION OF SOLID WASTE TO INCLUDE REMOVED COMBUSTION PRODUCTS; (9) PLACE A TEMPORARY MORATORIUM ON THE USE OF COAL COMBUSTION PRODUCTS AS STRUCTURAL FILL; AND (10) ESTABLISH REQUIREMENTS FOR COAL COMBUSTION PRODUCTS IMPOUNDMENT CLOSURE.*

Includes a number of "whereas clauses" regarding adequately addressing the issue of coal ash storage in North Carolina.

Amends GS 143-215.1C to require the owner or operator of any wastewater collection or treatment works to report (1) a discharge of 1,000 gallons or more of untreated wastewater or wastewater containing coal combustion products or (2) a spill of any amount of untreated wastewater or wastewater containing coal combustion products that reaches state waters to the Department of Environment and Natural Resources (DENR) as soon as possible but no later than 24 hours after first knowledge of the discharge. Provides that this reporting requirement is in addition to any other reporting requirements applicable to the owner or operator. Makes additional conforming changes to GS 143-215.C to clarify its notification requirements.

Amends subsection (c) of GS 143-215.1C regarding publishing notice of the discharge of untreated waste. Requires notice of discharges of 15,000 gallons more of untreated wastewater or waste to surface waters. Defines untreated waste as it is defined in GS 143-213(18): (1) sewage, (2) industrial waste, (3) toxic waste, and (4) other waste as specified in the definition. Requires that the owner or operator issue a press release regarding the spill within 24 hours (was, 48 hours) after first knowledge of the spill.

Enacts new GS 143-215.1D, *Coal combustion products impoundment water monitoring program*. Sets the schedule and procedures for owners of coal ash impoundments located at all investor-owned public utilities (owner or owners) to conduct groundwater monitoring. Additionally, requires these owners to conduct and submit a water supply receptor survey to the Division of Water Resources (Division) within 60 days of enactment of this Act. Requires an owner to replace the water supply with a supply of potable drinking water for any well that exceeds the groundwater standards. Requires owners to submit an annual report to the Division no later than January 31 of each year that includes (1) a summary of all monitoring data collected over the year, (2) status of Plans and Final Corrective Action Plans, and (3) a summary of water supply receptor survey results.

Enacts new GS 143-215.1E, *Identify and address unpermitted wastewater discharges at coal combustion products impoundment sites*. Sets out a plan that mandates the schedule and procedures for owners to follow in identifying and addressing unpermitted wastewater discharges.

Makes a conforming change, repealing Section 3.(b) of SL 2009-390, which provided that certain nonnuclear electric generating facilities under the NC Utilities Commission were not required to submit application, certificate, or other materials in connection with the continued normal operation and maintenance of those facilities.

Adds two new subsections to GS 143-215.31. New subsection (f) requires owners of high and immediate hazard dams to develop, at their own expense, an Emergency Action Plan (Plan) for their dam and submit the Plan in triplicate copy to

DENR by January 1, 2015. Specifies what provisions the Plan must minimally contain. Subjects a dam owner who fails to provide DENR with a Plan in triplicate copy by January 1, 2015, to enforcement procedures under GS 143-215.36. Requires that dam owners update their Plan annually and submit the updated Plan to DENR each year subsequent to January 1, 2015. Subsection (g) exempts documents or parts of documents submitted in the Plan that contain sensitive public security information from disclosure under the North Carolina Public Records Act.

Amends GS 143-215.27, *Repair, alteration, or removal of dam*, to require notice to DENR of proposed repairs necessary to safeguard life and property as soon as possible and no later than 24 hours after first knowledge that emergency repairs are necessary. Additionally requires that the repairs be made to conform to DENR's orders.

Amends GS 143-215.32 to require the inspection of each coal combustion products impoundment weekly and after storms for the occurrence of any abnormal conditions. Requires that documentation of any observed abnormalities be provided to a registered professional engineer for further investigation and appropriate action. Requires an annual inspection by an independent registered professional engineer of each coal combustion products impoundment located at investor-owned public utilities. Requires that the inspection report be submitted to DENR within 30 days of completion and that it be placed on a publicly accessible internet site.

Amends the definition of *solid waste* as defined in GS 130A-290(a)(35) to include combustion products removed from impoundments subject to permits under Section 402 of the Water Pollution Control Act, as amended (PL 92-500), and permits granted under GS 143-215.1 by the Environmental Management Commission. Makes a conforming change to GS 143-213(18), which defines *waste*.

Establishes a temporary moratorium on the use of coal combustion products as a structural fill unless the fill is used under an airport runaway or base or sub-base of a concrete or asphalt paved road, constructed under the authority of a public entity. Makes the moratorium under this section in effect until the rules are amended by the Commission for Public Health for the management of coal combustion products. Provides that the moratorium does not apply to structural site fills of less than 5,000 cubic yards. Effective when this act becomes law and applies only to coal combustion products structural fills that have not begun construction or have not received a permit to begin construction on or before that date.

Enacts new GS 143-215.74Q to establish procedures and policies for closure of coal combustion products impoundments to protect groundwater and surface water. Directs DENR to establish the priority for the closure of active and inactive investor-owned coal combustion products impoundments. Directs the owner of the active or inactive coal ash ponds to propose the schedule for beginning closure activities and to submit a schedule that conforms to the time frame established by DENR.

Provides a schedule for submitting a closure plan and specifies the elements that the closure plan must contain. Requires that the owner also provide a post-closure plan for a minimum of 30 years. Specifies the contents of the post-closure plans.

Enacts new GS 143-215.37A delineating procedures for decommissioning a coal combustion products impoundment facility in order to make the decommissioned facility exempt from the North Carolina Dam Safety Law of 1967. Specifies what the decommissioning request must minimally contain. Provides that the Division of Energy, Mineral, and Land Resources must conduct a preliminary review of the decommission request for completeness and approval of the proposed geotechnical investigation plan scope of work. Upon receiving the geotechnical report, the Division of Energy, Mineral, and Land Resources is directed to complete the submittal review.

Includes a schedule for the submission of the closure plan for the following: Riverbend, Asheville, Dan River, and Sutton.

Appropriates \$1.4 million for the 2013-14 fiscal year from the General Fund to DENR to establish nineteen permanent conditions and associated operating costs to implement this act.

Intro. by Apodaca, Berger.

APPROP, GS 130A, GS 143

[View summary](#)

Development, Land Use and Housing, Building and Construction, Environment, Government, Budget/Appropriations

S 730 (2013-2014) **EXPAND MEDICAID TO INCLUDE ALL BELOW 133% FPL**. Filed May 14 2014, *A BILL TO BE ENTITLED AN ACT TO EXPAND ELIGIBILITY FOR THE MEDICAID PROGRAM TO INCLUDE ALL PEOPLE UNDER AGE SIXTY-FIVE WHO HAVE INCOMES EQUAL TO OR BELOW ONE HUNDRED THIRTY-THREE PERCENT OF THE*

FEDERAL POVERTY LEVEL, TO APPROPRIATE FUNDS FOR THE ADMINISTRATIVE COSTS ASSOCIATED WITH THE EXPANSION, TO ACCOUNT FOR THE SAVINGS TO OTHER STATE PROGRAMS FROM THE EXPANSION, AND TO APPROPRIATE THE ADDITIONAL FUNDS GENERATED FROM EXPANSION TO THE MEDICAID REBASE.

Repeals SL 2013-5, provisions that prevented the expansion of Medicaid eligibility in North Carolina.

Amends SL 2013-360, Section 12H.10(b), to add a new subsection 12H.10(b)(8), updating to whom the Department of Health and Human Services (DHHS) will extend Medicaid coverage, providing that, effective January 1, 2015, all people under 65 with incomes equal to or less than 133% of the federal poverty guidelines should receive Medicaid coverage.

Appropriates \$17,081,916 to DHHS, Division of Medical Assistance, for fiscal year 2014-15, recurring, for administrative costs associated with the Medicaid expansion. Appropriation consists of \$5,830,817 from the General Fund and \$11,251,098 from federal Medicaid receipts for the federal share of administrative costs.

Sets out reductions to appropriations that are based on forecasted savings by expanding Medicaid, including, reducing the appropriation to DHHS by \$8,185,997, the appropriation for the AIDS Drug Assistance Program in DHHS by \$14,308,623, and the appropriation for the Inmate Health Care program by \$8.5 million.

Appropriates \$25,163,802 for fiscal year 2014-15, recurring, to the Medicaid program as part of Medicaid Rebase. This amount is in addition to that provided for Medicaid Rebase in SL 2013-360.

Effective July 1, 2014.

Intro. by Clark, Robinson.

APPROP, UNCODIFIED

[View summary](#)

Government, Budget/Appropriations, State Agencies, Department of Health and Human Services, Health and Human Services, Social Services, Public Assistance

S 734 (2013-2014) **AUTHORITY TO ADOPT CERTAIN ORDINANCES**. Filed May 14 2014, *A BILL TO BE ENTITLED AN ACT TO CLARIFY THE AUTHORITY OF LOCAL GOVERNMENTS TO ADOPT CERTAIN AGRICULTURAL AND ENVIRONMENTAL ORDINANCES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.*

Repeals Section 10.2 of SL 2013-413, which placed temporary limitations on the enactment of environmental ordinances by local governments, and required a related study. Requires the Department of Agriculture and Consumer Services and the Department of Environment and Natural Resources (DENR) to report to the Environmental Review Commission by November 1 of 2014 and 2015 on any local government ordinances that impinge or interfere with areas regulated by those departments.

Enacts new GS 106-678 prohibiting local governments from adopting or continuing in effect any ordinance, rule, regulation, or resolution regulating fertilizer in any area subject to regulation by the Board of Agriculture. Provides that the statute does not prevent local governments from exercising planning and zoning authority, for fire prevention or inspection authority, nor does it limit the authority of DENR to enforce water quality standards.

Intro. by Wade, B. Jackson, Brock.

[View summary](#)

Agriculture, Environment, Government, State Agencies, Department of Agriculture and Consumer Services, Department of Environment and Natural Resources, Local Government

S 735 (2013-2014) **HONOR NASCAR HALL OF FAME INDUCTEES**. Filed May 14 2014, *A JOINT RESOLUTION HONORING NASCAR AND THE INDUCTEES OF THE NASCAR HALL OF FAME.*

Identical to [H 1030](#), filed May 14, 2014.

As title indicates.

Intro. by Apodaca, B. Jackson.

[JOINT RES](#)

[View summary](#)

[Government, Cultural Resources and Museums](#)

S 737 (2013-2014) [AMEND ISOLATED WETLAND REGULATION](#). Filed May 14 2014, *A BILL TO BE ENTITLED AN ACT TO AMEND THE REGULATORY REQUIREMENTS FOR ISOLATED WETLANDS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.*

Requires the Environmental Management Commission to adopt a rule to amend 15A NCAC 02H .1305 (Review of Applications) so that when implementing the rule (1) the amount of impacts of isolated wetlands is less than or equal to 1 acre of isolated wetlands east of I-95 for the entire project and less than or equal to 1/3 acre of isolated wetlands west of I-95 for the entire project and (2) the mitigation ratio is 1:1. Identical provisions are in effect when the act becomes law and expire on the date that the required rule is adopted.

Requires the Department of Environment and Natural Resources to study the surface area thresholds for the regulation of mountain bog isolated wetlands and report to the Environmental Review Commission on or before November 1, 2014.

Intro. by B. Jackson.

[STUDY, UNCODIFIED](#)

[View summary](#)

[Environment, Environment/Natural Resources](#)

S 738 (2013-2014) [CLARIFY GRAVEL UNDER STORMWATER LAWS](#). Filed May 14 2014, *A BILL TO BE ENTITLED AN ACT TO CLARIFY THE REGULATION OF GRAVEL UNDER STATE STORMWATER LAWS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.*

Amends GS 143-214.7(b2) to remove gravel from those items excluded from the term *built-upon area*. Also provides that the term does not include a slatted deck (was, a wooden slatted deck). Applies to projects for which permit applications are received on or after the date that the act becomes law. Requires the Environmental Management Commission (EMC) to amend its rules to be consistent with this definition of "built-upon area."

Provides that the EMC and the Department of Environment and Natural Resources (DENR), unless authorized by the General Assembly, do not have the authority to define gravel for purposes of implementing stormwater programs. Any rule adopted by the EMC or DENR defining gravel for purposes of implementing stormwater programs is not and will not become effective.

Requires the Department of Biological and Agricultural Engineering at NC State University to study the extent to which different aggregate surfaces are pervious, impervious, or partially pervious. Specifies issues that must be included in the study. Requires an interim report to DENR and the Environmental Review Commission no later than September 1, 2014, and requires a final report no later than January 1, 2015. Requires DENR to use \$110,000, of the funds available to DENR for 2013-15 to contract with the Department of Biological and Agricultural Engineering at NC State University to conduct the study.

Intro. by B. Jackson.

[GS 143](#)

[View summary](#)

[Development, Land Use and Housing, Building and Construction, Environment](#)

S 739 (2013-2014) [AMEND HOTEL CARBON MONOXIDE ALARM REQUIREMENT](#). Filed May 14 2014, *A BILL TO BE*

ENTITLED AN ACT TO AMEND THE REQUIREMENTS FOR CARBON MONOXIDE ALARMS IN HOTELS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

To be summarized.

Intro. by B. Jackson.

GS 130A, GS 143

[View summary](#)

Business and Commerce, Environment, Health and Human Services, Health

S 740 (2013-2014) [DPS STUDY COMMERCIAL VEHICLE SAFETY ALLIANCE](#). Filed May 14 2014, *A BILL TO BE ENTITLED AN ACT TO STUDY THE STATE'S PARTICIPATION IN THE COMMERCIAL VEHICLE SAFETY ALLIANCE NORTH AMERICAN STANDARD INSPECTION PROGRAM, AS RECOMMENDED BY THE AGRICULTURE AND FORESTRY AWARENESS STUDY COMMISSION.*

Directs the Department of Public Safety to study the state's participation in the Commercial Vehicle Safety Alliance North American Standard Inspection Program for roadside commercial vehicle safety inspections. Requires the study to include (1) an explanation of how the program is implemented, (2) history of when North Carolina began to participate in the program, (3) data on the amount of safety inspection decals that are issued each year, and (4) a geographic analysis of where the decals are issued. The results of the study are to be submitted to the Agriculture and Forestry Awareness Study Commission by November 1, 2014.

Intro. by B. Jackson, Bingham, Brock.

STUDY

[View summary](#)

Agriculture, Government, State Agencies, Department of Public Safety

S744 (2013-2014) [APPROPRIATIONS ACT OF 2014](#). Filed May 14 2014, *A BILL TO BE ENTITLED AN ACT TO MAKE BASE BUDGET APPROPRIATIONS FOR CURRENT OPERATIONS OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES.*

Blank bill.

Intro. by Brown, Harrington, Hunt.

APPROP

[View summary](#)

Government, Budget/Appropriations

S 760 (2013-2014) [AG SELECTION CRITERIA/AMENDMENTS](#). Filed May 14 2014, *A BILL TO BE ENTITLED AN ACT TO AMEND THE SELECTION CRITERIA FOR ADJUTANT GENERAL OF THE NORTH CAROLINA NATIONAL GUARD, AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION COMMITTEE ON CIVILIAN CREDIT FOR MILITARY TRAINING AND STATE ADJUTANT GENERAL SELECTION CRITERIA.*

Identical to [H 1048](#), filed May 14, 2014.

Amends GS 127A-19, concerning selection criteria for the Adjutant General (AG), requiring that the AG, who heads all NC militia, must hold the rank of major general with federal recognition at time of appointment, or attain said rank within a reasonable period of time from the date of appointment. If the rank is not attained, the Governor must replace the AG with an appointee that meets required criteria. Provides that "a reasonable time period" takes into account time in grade requirements for promotion and administrative period needed to complete promotion process.

Sets out five eligibility requirements for appointment as AG, including having a minimum of 10 years commissioned service in

the Armed Forces, the Reserve Armed Forces, or a combination of the two, and a minimum of three years commissioned service in the NC Army or Air National Guard within the six-year period before the appointment date. Also requires the appointee to either be a major general, brigadier general, or a colonel, with federal recognition or eligibility for federal recognition and promotion to major general (previously there were no requirements for federal recognition and an appointee was not allowed a reasonable time to achieve the rank of major general).

Deletes language requiring appointees to have only five years' active commissioned service in the armed forces of the US in lieu of new service criteria requirements.

Makes technical and organizational changes.

Effective July 1, 2014, and applies to appointments on or after that date.

Intro. by Meredith, Rabin.

[GS 127](#)

[View summary](#)

[Military and Veteran's Affairs](#)

S 762 (2013-2014) [FARM GPS COORDINATES/PHOTOS/PUBLIC RECORDS](#). Filed May 14 2014, *A BILL TO BE ENTITLED AN ACT TO PROTECT NORTH CAROLINA FARMERS BY PROVIDING THAT THE GLOBAL POSITIONING SYSTEM COORDINATES OF THEIR AGRICULTURAL OPERATIONS ARE NOT PUBLIC RECORDS, AS RECOMMENDED BY THE AGRICULTURE AND FORESTRY AWARENESS STUDY COMMISSION.*

Includes whereas clauses about NC agriculture and agribusiness.

Enacts new GS 132-1.23 (Agricultural operation GPS coordinates and aerial photographs), providing that records that the state possesses containing GPS coordinates or aerial photographs of an agricultural operation are not public records, as public records are defined in GS 132-1.

Intro. by Brock, Bingham, B. Jackson.

[GS 132](#)

[View summary](#)

[Agriculture](#)

LOCAL/HOUSE BILLS

H 1033 (2013-2014) [AUTHORIZE FEE FOR REPAIRS OF DAM - RICHMOND](#). Filed May 14 2014, *A BILL TO BE ENTITLED AN ACT TO ALLOW RICHMOND COUNTY TO IMPOSE A FEE FOR THE PURPOSE OF REPAIRING DAMS.*

Authorizes Richmond County to create a fee-supported dam repair district, by resolution, for properties contiguous to a lake with a dam that needs repairs. Allows the county to impose an annual fee for dam repairs; fee must be established on or before July 1 of each year. Provides limitations on fees imposed, including that fees cannot exceed the cost of dam repairs and fees can only be imposed on owners of dwellings or parcels that could or do benefit from lake access.

Directs the county to adopt procedures similar to those in GS Chapter 153A, Article 9, for special assessments. Outlines procedures for the billing of fees and provides that fees collected must be deposited in a separate fund used only to pay for costs incurred for dam repairs.

Allows the fee-supported district to be abolished when there is no longer a need for the fee-supported district.

Applies only to Richmond County.

Intro. by Goodman.

[UNCODIFIED, Richmond](#)

[View summary](#)

[Government, Budget/Appropriations](#)

H 1044 (2013-2014) [AVERASBORO TOWNSHIP TDA CHANGES](#). Filed May 14 2014, *A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE AVERASBORO TOWNSHIP TOURISM DEVELOPMENT AUTHORITY.*

Amends SL 1987-142, as amended, to require that the Averagesboro Township remit the proceeds of the occupancy tax on a monthly (was, quarterly) basis to the Averagesboro Township Tourism Development Authority. Also increases the membership of the Averagesboro Township Tourism Development Authority from seven to nine members and changes the membership of that Authority. Deletes the provision setting one-year terms. Requires the Authority (was, the board of commissioners) to designate a member of the Authority as chair and also requires designation of one member to serve as vice-chair. Requires that the Authority meet monthly. Names the finance officer for Dunn (was, for Harnett County) as the ex officio finance officer. Requires the Authority to finance tourist-related capital projects in the Averagesboro Township. Applies to the distribution of the net proceeds of the occupancy tax on or after the earlier of October 1, 2014, or the date specified in a resolution adopted in accordance with the act.

Intro. by Lewis.

[Harnett](#)

[View summary](#)

H 1045 (2013-2014) [TOWN OF ELKIN/REG. MUNICIPAL ELECTIONS SCHED.](#) Filed May 14 2014, *A BILL TO BE ENTITLED AN ACT PROVIDING THAT REGULAR MUNICIPAL ELECTIONS IN THE TOWN OF ELKIN BE CONDUCTED IN EVEN-NUMBERED YEARS AND LENGTHENING THE TERMS OF CURRENT TOWN COMMISSIONERS TO THE NEW ELECTION SCHEDULE.*

Amends SL 1987-740, Section 3.1 of the Town of Elkin Charter, providing that regular municipal elections will be held in even-numbered years (previously, regular municipal elections were held in odd-numbered years).

Provides that no regular election will be conducted in Elkin in 2015. Extends the terms of the mayor and commission members elected in 2011 until after the 2016 municipal election and the three commission members who were elected in 2013 will have their terms extended until after the 2018 regular municipal elections.

Makes technical changes.

Intro. by Stevens.

[Surry, Wilkes](#)

[View summary](#)

[Government, Elections](#)

H 1054 (2013-2014) [SPINDALE SEWER FEE COLLECTION](#). Filed May 14 2014, *A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF SPINDALE TO ATTACH PERSONAL PROPERTY, GARNISH WAGES, AND PLACE LIENS ON CERTAIN REAL PROPERTY TO COLLECT UNPAID FEES FOR SEWER AVAILABILITY.*

Applies only to the Town of Spindale.

Provides that Spindale can enter into an interlocal contract or agreement pursuant to GS 160A-461 in order to have the county collect unpaid sewer availability fees by placing the amount on the tax bill and pursue collection in any manner that delinquent real property taxes can be collected. Provides that unpaid fees can result in a lien on real property. Provides details of having a lien placed on real property, including time when lien becomes valid and requirements of what lien must include in order to be filed. Lien can be discharged as provided in GS 44-48. Fees and associated liens can only be released or refunded by the town pursuant to provisions that apply to property taxes under GS 105-381.

Intro. by Hager.

[Rutherford](#)

[View summary](#)

[Public Enterprises and Utilities](#)

H 1067 (2013-2014) [MURPHY DEANNEXATION](#). Filed May 14 2014, *A BILL TO BE ENTITLED AN ACT TO DEANNEX TWO DESCRIBED TRACTS FROM THE CORPORATE LIMITS OF THE TOWN OF MURPHY.*

Identical to [S 736](#), filed May 14, 2014.

As title indicates. Effective June 30, 2014.

Intro. by West.

[Cherokee](#)

[View summary](#)

LOCAL/SENATE BILLS

S 731 (2013-2014) [SOUTHPORT OCCUPANCY TAX MODIFICATION](#). Filed May 14 2014, *A BILL TO BE ENTITLED AN ACT TO CLARIFY THE TOURISM DEVELOPMENT AUTHORITY REQUIREMENTS PERTAINING TO THE OCCUPANCY TAX AUTHORIZED FOR THE TOWN OF SOUTHPORT.*

Amends SL 1989-639 1(e) to require Southport to use at least two-thirds of the funds from the occupancy tax to promote travel and tourism in Southport and use the remainder for tourism-related expenditures, until the Southport Board of Aldermen adopt a resolution levying a room occupancy tax. When the resolution levying a room occupancy tax is adopted, Southport must quarterly remit the tax proceeds to the Southport Tourism Development Authority, which must use at least two-thirds of the funds to promote travel and tourism and the remainder for tourism-related expenditures. Makes conforming changes.

Intro. by Rabon.

[Brunswick](#)

[View summary](#)

[Government, Tax](#)

S 732 (2013-2014) [ADD BLADEN CTY-TAX CERT BEFORE RECORDATION](#). Filed May 14 2014, *A BILL TO BE ENTITLED AN ACT TO AUTHORIZE BLADEN COUNTY TO REQUIRE THE PAYMENT OF DELINQUENT PROPERTY TAXES BEFORE RECORDING DEEDS CONVEYING PROPERTY.*

As title indicates.

Intro. by Rabon.

[Bladen](#)

[View summary](#)

[Government, Tax](#)

S 733 (2013-2014) [WATHA DEANNEXATION](#). Filed May 14 2014, *A BILL TO BE ENTITLED AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF WATHA.*

Removes property, as described, from Watha's corporate limits. Effective June 30, 2014.

Intro. by Rabon.

[Pender](#)

[View summary](#)

S 736 (2013-2014) [MURPHY DEANNEXATION](#). Filed May 14 2014, *A BILL TO BE ENTITLED AN ACT TO DEANNEX TWO DESCRIBED TRACTS FROM THE CORPORATE LIMITS OF THE TOWN OF MURPHY.*

As title indicates. Effective June 30, 2014.

Intro. by J. Davis.

[Cherokee](#)

[View summary](#)

S 741 (2013-2014) [ADD FRANKLIN CTY-TAX CERT BEFORE RECORDATION](#). Filed May 14 2014, *A BILL TO BE ENTITLED AN ACT TO ALLOW FRANKLIN COUNTY TO NOT ACCEPT THE REGISTRATION OF A DEED TRANSFERRING REAL PROPERTY WHEN TAXES ARE DELINQUENT.*

As title indicates.

Intro. by Barefoot.

[Franklin](#)

[View summary](#)

ACTIONS ON BILLS

PUBLIC BILLS

H 725: YOUNG OFFENDERS REHABILITATION ACT.

House: Postponed To 05/20/2014

H 1025: DMV INSPECTION STATION CASE CONTINUANCES.

House: Filed

H 1026: MAP-21 UPDATE/RAIL SAFETY.

House: Filed

H 1027: DWI INTERLOCK VIOLATION/DMV HEARING SITE.

House: Filed

H 1028: SINGLE LICENSE PLATE RENEWAL STICKER.

House: Filed

H 1029: DMV CONVERSION OF PAPER TITLES.

House: Filed

H 1030: HONOR NASCAR HALL OF FAME INDUCTEES.

Senate: Passed 1st Reading

Senate: Placed on Today's Calendar

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

Senate: Ordered Enrolled

House: Filed

House: Passed 1st Reading

House: Added to Calendar

House: Passed 2nd Reading

House: Passed 3rd Reading

Senate: Special Message Received From House

Senate: Filed

H 1031: NC ECON. DEV. PARTNERSHIP MODIFICATIONS.

House: Filed

Senate: Filed

H 1032: PATENT ABUSE BILL.

House: Filed

H 1034: VOLUNTEER FIRE AND RESCUE FINANCES (PED).

House: Filed

Senate: Filed

H 1035: FUNDS TO NON-STATE ENTITIES/AMEND LAWS.

House: Filed

Senate: Filed

H 1036: NO REVOLVING DOOR EMPLOYMENT (PED).

House: Filed

Senate: Filed

H 1037: STRENGTHEN CONTROLLED SUBSTANCES MONITORING.

House: Filed

Senate: Filed

H 1038: DRIVER ED PERFORMANCE INDICATORS (PED).

House: Filed

Senate: Filed

H 1039: NCVPS COURSES/NONPUBLIC SCHOOL STUDENTS.

House: Filed

Senate: Filed

H 1040: IMPROVE ADMIN PROG MONITORING AT DPL

House: Filed

Senate: Filed

H 1041: CHARTER SCHOOL PRELIMINARY APPROVAL PROCESS.

House: Filed

Senate: Filed

H 1042: CLARIFY CHARTER SCHOOL APPLICATION PROCESS.

House: Filed

Senate: Filed

H 1043: PREQUALIFICATION UPDATE.

House: Filed

H 1046: STATE PLAN AMENDMENTS/SUBMISSION AND NOTICE.

House: Filed

H 1047: CREDIT FOR MILITARY TRAINING.

House: Filed

Senate: Filed

H 1048: AG S SELECTION CRITERIA/AMENDMENTS.

House: Filed

Senate: Filed

H 1049: RESTORE SCHOOL CALENDAR EDUC. PURPOSE WAIVER.

House: Filed

H 1050: OMNIBUS TAX LAW CHANGES.

House: Filed

Senate: Filed

H 1051: AUTHORIZE DHHS/COOPERATIVE EXTENSION CONTRACT.

House: Filed

H 1052: ADJUST THE UTILITY REGULATORY FEE.

House: Filed

Senate: Filed

H 1053: HONOR ROBYNN SPENCE.

House: Filed

H 1055: UNCC & NCSU/FUNDS FOR RENEWABLE ENERGY.

House: Filed

H 1057: DENR STUDY OF IBT LAWS.

House: Filed

Senate: Filed

H 1058: PED STUDY OF WATER AND SEWER SYSTEMS.

House: Filed

Senate: Filed

H 1060: MILITARY STUDENT IDENTIFIER.

House: Filed

H 1061: REPLACE COMMON CORE TO MEET NC'S NEEDS.

House: Filed

H 1062: SCHEMATIC DIAGRAMS AND KEYS OF SCHOOLS.

House: Filed

H 1063: RESTORE TEACHER CADET FUNDS.

House: Filed

H 1064: RESTORE SENIOR CITIZEN CC TUITION WAIVER.

House: Filed

H 1065: STUDY EXPANSION OF HEALTH CARE TRANSPARENCY.

House: Filed

H 1066: STUDY ESTABLISHMENT OF NEW OPTOMETRY SCHOOLS.

House: Filed

H 1068: UP MINIMUM WAGE.

House: Filed

H 1069: UNEMPLOYMENT INSURANCE LAW CHANGES.

House: Filed

Senate: Filed

H 1071: AGRITOURISM SIGN LOCATION/DOT STANDARDS.

House: Filed

H 1072: TURNPIKE AUTHORITY ANNUAL AUDIT DATE CHANGE.

House: Filed

H 1073: REPEAL REPORT/RIGHT TURN ON RED.

House: Filed

H 1074: CONFIRM LINDA COMBS AS STATE CONTROLLER.

House: Filed

H 1075: REPEAL OPP. S SCHOLARSHIPS.

House: Filed

H 1076: REDUCE HARD COPIES/APPELLATE DIV. REPORTS.

House: Filed

H 1077: HIGHWAY PATROL UNIFORMS.

House: Filed

H 1078: BUSINESS CT JUDGES/END SPECIAL SUP CT JUDGES.

House: Filed

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

House: Withdrawn From Cal

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

S 287: NOTICE PUBLICATION--CERTAIN LOCAL GOVS. (NEW).

House: Withdrawn From Cal

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

S 483: DOJ LEASES/SETOFF DEBT (NEW).

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

S 729: GOVERNOR'S COAL ASH ACTION PLAN.*Senate: Filed***S 730: EXPAND MEDICAID TO INCLUDE ALL BELOW 133% FPL.***Senate: Filed***S 734: AUTHORITY TO ADOPT CERTAIN ORDINANCES.***Senate: Filed***S 737: AMEND ISOLATED WETLAND REGULATION.***Senate: Filed***S 738: CLARIFY GRAVEL UNDER STORMWATER LAWS.***Senate: Filed***S 739: AMEND HOTEL CARBON MONOXIDE ALARM REQUIREMENT.***Senate: Filed***S 740: DPS STUDY COMMERCIAL VEHICLE SAFETY ALLIANCE.***Senate: Filed***S 744: APPROPRIATIONS ACT OF 2014.***Senate: Filed***S 745: 2014 TECHNICAL CORRECTIONS.***Senate: Filed***S 746: CONFORM PLEDGE OF JOINT ACCOUNT LAWS.***Senate: Filed***S 758: WESTERN SCHOOL OF SCIENCE & MATH/FUNDS.***Senate: Filed***S 762: FARM GPS COORDINATES/PHOTOS/PUBLIC RECORDS.***Senate: Filed***S 764: MOTOR VEHICLE CIVIL PENALTY/DISTRICT COURT.***Senate: Filed***S 765: REFORM AGENCY REVIEW OF ENGINEERING WORK.***Senate: Filed***LOCAL BILLS****H 1033: AUTHORIZE FEE FOR REPAIRS OF DAM - RICHMOND.***House: Filed***H 1044: AVERASBORO TOWNSHIP TDA CHANGES.***House: Filed***H 1045: TOWN OF ELKIN/REG. MUNICIPAL ELECTIONS SCHED.**

House: Filed

H 1054: SPINDALE SEWER FEE COLLECTION.

House: Filed

H 1056: LAKE LURE OFFICIAL MAP/DEANNEXATION.

House: Filed

H 1059: TAKE VENUS FLYTRAP/CRIME/NEW HANOVER COUNTY.

House: Filed

H 1067: MURPHY DEANNEXATION.

House: Filed

Senate: Filed

H 1070: TOWN OF DUCK/EMINENT DOMAIN.

House: Filed

S 731: SOUTHPORT OCCUPANCY TAX MODIFICATION.

Senate: Filed

S 732: ADD BLADEN CTY-TAX CERT BEFORE RECORDATION.

Senate: Filed

S 733: WATHA DEANNEXATION.

Senate: Filed

S 741: ADD FRANKLIN CTY-TAX CERT BEFORE RECORDATION.

Senate: Filed

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