



The Daily Bulletin: Tuesday, May 20, 2014

PUBLIC/HOUSE BILLS

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.*

House amendments make the following changes to the 2nd edition:

Amendment #1

Amends GS 105-134.6A and 105-134.6 to add in the word "corporation" into the definition for the term *transferor*, providing that a corporation can be described as a transferor if it does not fully distribute income to its beneficiaries.

Amends newly enacted GS 105-164.11A, Refund of tax paid on rescinded sale or cancellation of service, making clarifying changes that the refund due on a rescinded sale is a pro rata refund of the amount of sales tax based on the taxable amount of the sales price refunded for the item or cancelled service contract and not a full refund of all the sales tax imposed. Makes technical and conforming changes.

Amends GS 105-187.5(a), concerning the alternate tax for those who rent or lease motor vehicles, providing clarifying language on how the tax on gross receipts of the lease or rental of the vehicle is to be calculated and what portions of a lease or rental payment is subject to the tax imposed by this section.

Amends GS 105-164.3(45a), definition for *streamlined agreement*, updating its definition to reference the Streamlined Sales and Use Tax Agreement as amended as of October 30, 2013 (was, May 24, 2012).

Deletes newly enacted GS 20-79.1B, Additional limited registration plates, and instead amends GS 20-79.1A, Limited registration plates, making technical and organizational changes. Also enacts new GS 20-79.1A(a)(2), providing that a person who has applied for a plate for a vehicle that was previously registered with the DMV but has not had a current registration for at least a year due to plate being surrendered or expiration of the registration for over a year can be issued a limited registration plate.

Amends GS 105-114(b)(4), definitions for Article on franchise taxes, providing that the term "income year" is used in accordance with how it is defined in GS 105-130.2(10) (previously, referred to income year as being defined in GS 105-130.2(4b), which was an incorrect reference).

Amendment #3

Enacts new Part XVI, titled "Reinstate Hospital Setoff Debt Collection," which amends GS 105A-2(9), the definition for *state agency* in the Setoff Debt Collection Act, deleting language which provided that any school of medicine, clinical program, facility, or practice affiliated with one of the institutions of UNC that provides medical care to the general public or the UNC Health Care System and other entities affiliated with or under the control of the UNC Health Care System could not be considered a state agency. Changes now allow these entities to participate and benefit from setoff debt collection. Part XVI becomes effective when it becomes law and applies to tax refunds determined by the Department of Revenue on or after that date.

Makes organizational changes.

Amendment #4

Amends GS 105-113.4, definitions for the Tobacco Products Act, providing that the term and definition for *tobacco*

product does include vapor products (previously, vapor products were not included in the definition for a tobacco product).

Makes conforming changes.

Amends GS 148-23.1(d), regarding tobacco products and prison regulations, providing that the term "tobacco products" for use in this Article does include vapor products. Also adds a definition for vapor products to GS 148-23.1(d). Effective July 1, 2014.

Amends GS 14-258.1 to provide that knowingly giving or selling vapor products to an inmate in the custody of the NC Division of Adult Correction or of a local confinement facility is a crime, specifically a Class 1 misdemeanor. Further provides that any inmate of a local confinement facility who has vapor products other than for approved purposes is guilty of a Class 1 misdemeanor. Makes conforming changes. Effective December 1, 2014, and applies to offenses committed on or after that date.

Amendment #6

Clarifies that the proposed regulations for vapor products or anything in that section will not be construed to circumvent future US FDA regulation of tobacco products or vapor products.

Amendment #7

Amends proposed GS 160A-211.2, Local business tax, providing a city can levy an annual tax on each business located and operating within the city (was, each business operating in the city). Also amends the definition of location in the same section, providing that for the purposes of a business that manages rental property or engages in real estate brokering, the location of rental property or brokered real estate does not constitute a separate business location.

Intro. by Howard, W. Brawley, Lewis, Setzer.

GS 105

[View summary](#)

Government, Tax

H 1130 (2013-2014) **HONOR VETERANS**. Filed May 20 2014, *A HOUSE RESOLUTION EXPRESSING GRATITUDE AND APPRECIATION TO OUR VETERANS*.

As title indicates.

Intro. by Horn, G. Martin, Szoka, West.

HOUSE RES

[View summary](#)

Military and Veteran's Affairs

H 1132 (2013-2014) **STRATEGIES FOR IMPROVING MH-DD-SAS**. Filed May 20 2014, *A BILL TO BE ENTITLED AN ACT REQUIRING THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO DEVELOP AND REPORT ON STRATEGIES AND RECOMMENDATIONS FOR IMPROVING THE DELIVERY OF MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON HEALTH AND HUMAN SERVICES*.

Identical to [S 804](#), filed 5/19/14.

Requires the Department of Health and Human Services (DHHS) to report to the Joint Legislative Oversight Committee on Health and Human Services and the Fiscal Research Division by November 1, 2014, on eight specified components, including a strategy for improving communication and coordination among all divisions administering funds or programs related to the delivery of behavioral health services, a plan ensuring that a comprehensive array of outpatient treatment and crisis prevention and intervention services are available and accessible to children, adolescents, and adults in every LME/MCO catchment area, and a status update on the implementation of each component of the 2008 Mental Health Commission Workforce Development Plan.

Requires DHHS to report to the House of Representatives Appropriations Subcommittee on Health and Human Services, Senate Appropriations Committee on Health and Human Services, the Joint Legislative Oversight Committee on Health and Human Services, and the Fiscal Research Division by March 1, 2015, on (1) a comprehensive strategy to address the dearth of licensed child and adolescent inpatient psychiatric beds and (2) recommendations for meaningful outcome measures for implementation by state-operated alcohol and drug abuse treatment centers to assess the impact of inpatient treatment on substance use following discharge.

Intro. by S. Martin, Burr, Lambeth.

STUDY

[View summary](#)

Government, State Agencies, Department of Health and Human Services, Health and Human Services, Health, Mental Health

H 1133 (2013-2014) [TECHNICAL AND OTHER CORRECTIONS](#). Filed May 20 2014, *A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AND CLARIFYING AMENDMENTS TO THE GENERAL STATUTES.*

Amends GS 90D-5(b)(6), changing a reference to the Self Help for Hard of Hearing to refer to the Hearing Loss Association of America - North Carolina State Association (HLAA-NC), reflecting the name change of the organization in 2005.

Enacts new GS 65-47(e) in the NC Cemetery Act, providing that a columbarium that was built in compliance with the requirements of former GS 65-47(d) is not subject to the provisions of Article 9 of Chapter 65 as long as it continues (i) to exist on the grounds of a private self-contained retirement community and (ii) to be reserved exclusively for the residents of that community. Effective January 23, 2015.

Intro. by T. Moore.

GS 65, GS 90D

[View summary](#)

Health and Human Services, Health, Public Health

H 1135 (2013-2014) [BUSINESS FACILITIES DEVELOPMENT](#). Filed May 20 2014, *A BILL TO BE ENTITLED AN ACT TO CREATE A FUND TO PROVIDE LOANS TO LOCAL GOVERNMENT UNITS FOR THE DEVELOPMENT OF SITES AND BUILDINGS, AS RECOMMENDED BY THE NORTH CAROLINA ECONOMIC DEVELOPMENT BOARD.*

Amends GS 143B-437.02 to create the Site and Building Development Fund (was, Site Infrastructure Development Fund) as a restricted reserve in the Department of Commerce (Department). Provides that the Fund can be used only for the acquisition and development of sites and buildings, in accordance with GS 143B-437.02 (previously, funds could also be used to acquire options and hold options for the purchase of land in accordance with GS 143B-

437.02(m)). Amends GS 143B-437.02(c) (Definitions), providing a new definition for the term *site or building development*. Sets out and defines the term *subsidized loan* as a loan from the state to one or more local government units for site or building development having an interest rate of 0 percent for tier one counties, 1 percent for tier two counties, and 2 percent for tier three counties, for a term determined by the Department.

Amends GS 143B-437.02(d) (Eligibility), providing that in order to be eligible for consideration for site or building development for a project, a local government unit must execute a written agreement with the Department which includes:

- (1) A requirement that the unit obtain from a business leasing or purchasing property acquired or improved by a subsidized loan an agreement to meet performance criteria that protects the state's investment and secures the benefits anticipated by the lease or sale to the business.
- (2) A requirement that any performance criteria used by the unit include, at a minimum, the creation and maintenance, for at least 5 years, of an appropriate level of employment and capital investment by the business leasing or purchasing property acquired or improved by a subsidized loan and any other criteria the Department of Commerce (Department) considers appropriate.
- (3) A requirement that the unit repay any portion of a subsidized loan reduced for job creation if the business leasing or purchasing property acquired or improved by a subsidized loan fails to meet the performance criteria.
- (4) A requirement that the unit enter into an agreement with a business leasing or purchasing property acquired or improved by a subsidized loan, whereby the business agrees to reimburse the unit for any amount of repayment required by subdivision (3) of this subsection and agrees to structure the lease or sale as a conditional grant, revocable lease, or otherwise include terms permitting liquidated damages.
- (5) A requirement that the unit enter into an agreement with a business leasing or purchasing property acquired or improved by a subsidized loan, whereby the business agrees to meet the requirements of subsections (f) and (g) of this section.
- (6) A requirement that the property acquired or improved by a subsidized loan will not primarily be used for entertainment, retail, professional offices, sporting events, or a museum.

(Previously, to be eligible for consideration, the only requirements were that a business had to invest at least \$100 million of private funds in the project and employ at least 100 new employees.)

Amends subsection (f) to provide that in order for a business to be eligible to purchase or lease site or building development property under this section, the business must not have any citations under the Occupational Safety and Health Act that have become a final order within the past three years for willful serious violations or for failing to abate serious violations with respect to the location for which the grant is made. Provides that for the purposes of this subsection, *serious violation* has the same meaning as in GS 95-127.

Amends subsection (g) to provide that a business is eligible to purchase or lease site or develop property under this section only if the business certifies that at the time of the purchase or lease, the business satisfies the environmental impact standard under GS 105-129.83.

Amends subsection (h) to require the Department to obtain a strategic business facilities development analysis of potential sites for development, shell building needs, special use building needs, and buildings to be renovated, in evaluating each application. Requires the analysis to be updated every four years.

Requires subsidized loans to be evidenced by a promissory note and secured by a deed of trust on the property acquired or improved. Includes provisions for the repayment of the loan. Allows one or more financial institutions to hold a security interest on the property with priority equal to the security interest for the loan if there is a written intercreditor agreement that (1) has been approved by the Department and (2) provides that any loss, in the event of default, is shared proportionately among the creditors. Requires the Department to remit loan repayments to the Fund.

Requires the Department, as part of the monitoring and reporting of the Infrastructure Development Program, to report to the Joint Legislative Commission on Governmental Operations on the status of any property sold or leased to a business

Requires the Department to develop guidelines related to the administration of the site infrastructure development, as authorized by this section, and to the selection of projects.

Requires the Department to publish the guidelines at least 20 days before the effective date of any guidelines or nontechnical amendments to guidelines. Directs that the guidelines be published on the Department's Web site and notice be provided to persons who have requested it.

Makes conforming changes to the statute.

Amends GS 150B-1(d), adding a new subdivision to provide that Article 2A of GS Chapter 150B does not apply to the Department of Commerce in developing criteria and guidelines under GS 143B-437.02.

Appropriates \$400,000 for the 2014-15 fiscal year from the General Fund to the Department of Commerce to be used to contract for the preparation of the strategic business facilities development analysis required by Section 1 of this act.

Provides that the provisions of this act are not subject to the terms of GS 160A-20; also provides that the subsidized loans undertaken by units of local government are not subject to review and approval by the Local Government Commission under Article 8 of GS Chapter 159.

Effective July 1, 2014, and applies to site development agreements entered into on or after that date.

Intro. by Stam, Murry.

APPROP, GS 143B, GS 150B

[View summary](#)

Business and Commerce, Development, Land Use and Housing, Community and Economic Development, Government, Budget/Appropriations

H 1136 (2013-2014) **AUTHORITY TO ADOPT CERTAIN ORDINANCES**. Filed May 20 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.*

Identical to [S 734](#), filed 5/14/14.

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 McGrady.

GS 106

Agriculture, Environment, Government, State Agencies, Department of Agriculture and Consumer Services,

[View summary](#)**Department of Environment and Natural Resources,
Local Government**

H 1137 (2013-2014) **REPORTING AND NOTICE OF WASTEWATER SPILLS**. Filed May 20 2014, *A BILL TO BE ENTITLED AN ACT TO AMEND THE REPORTING AND PUBLIC NOTICE REQUIREMENTS APPLICABLE TO DISCHARGES OF WASTEWATER TO WATERS OF THE STATE, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.*

Amends GS 143-215C to require that an owner or operator of a wastewater collection or treatment works, which have been issued a specified permit for operation, must report a discharge of 1,000 gallons or more of untreated wastewater to the surface waters of North Carolina to the Department of Environment and Natural Resources within 24 hours of determining that the wastewater did in fact reach surface waters of the state. Also requires a press release detailing the incident to be released within 48 hours of the above determination (previously, required within 24 hours of determination). Makes technical and conforming changes.

Intro. by McGrady, Samuelson, Hager, Catlin.

GS 143

[View summary](#)**Environment, Health and Human Services, Health,
Public Health, Public Enterprises and Utilities**

H 1138 (2013-2014) **ABC PERMITS/PUBS**. Filed May 20 2014, *A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ALCOHOLIC BEVERAGE CONTROL COMMISSION TO ISSUE CERTAIN PERMITS TO PUBS.*

Amends GS 18B-1000, definitions concerning retail establishments where alcohol is sold, to add and define *pub*.

Amends GS 18B-1001, kinds of ABC permits; places eligible, adding "pub" to the list of establishments that can receive various alcohol permits, including an On-Premise Malt Beverage Permit, On-Premises Unfortified Wine Permit, On-Premises Fortified Wine Permit, Brown-Bagging Permit, Special Occasion Permit, and Mixed Beverages Permit.

Amends GS 18B-602(h), regarding alcoholic beverage elections, adding "pubs" to the language used in an election ballot for mixed beverage elections.

Amends GS 18B-603 making conforming changes and providing that the NC Alcoholic Beverage Control Commission (Commission) can issue brown-bagging permit for pubs without approval at an election.

Directs the Commission to adopt rules to implement this act. Also provides that any private club that has an ABC permit when this act becomes law, but the establishment meets the definition of pub as provided in this act, will not be subject to the rules governing private clubs for the duration of the permit.

Intro. by Hamilton.

GS 18B

[View summary](#)**Alcoholic Beverage Control**

H 1139 (2013-2014) **STATE NAT. & HIST. PRESERVE DELETIONS**. Filed May 20 2014, *A BILL TO BE ENTITLED AN ACT TO REMOVE CERTAIN LANDS FROM THE STATE NATURE AND HISTORIC PRESERVE, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.*

Amends GS 143-260.10 to remove specified portions of Gorges State Park, Lower Haw River State Natural Area, and Lumber River State Park from the State Nature and Historic Preserve (Preserve). Adds two specified portions of parcels of land at Crowders Mountain State Park, and portions of a parcel of land at Jockey's Ridge State Park to those that are also excluded from the Preserve. Makes a clarifying change.

Intro. by Samuelson.

GS 143

[View summary](#)

Environment, Environment/Natural Resources

H 1140 (2013-2014) **AMEND HOTEL CARBON MONOXIDE ALARM REQUIREMENT**. Filed May 20 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.*

Identical to [S 739](#), filed 5/14/14.

Repeals Section 19(c) of SL 2013-413, which was to become effective October 1, 2014, and was to require that carbon monoxide detectors receive primary power from the building's wiring where the wiring is served from a commercial source and receive power from a battery when the primary power source is interrupted. Makes conforming changes to defunct effective dates in SL 2013-413.

Amends GS 143-138(b2), concerning carbon monoxide alarms (CMA), providing updates to the requirements for CMAs in hotels, allowing, in lieu of requiring a CMA in a lodging establishment a carbon monoxide detection system, with detectors and audible notification appliances installed and properly maintained. Requires CMAs in every dwelling unit having a combustion (was, fossil fuel) heater. Makes the rules for lodging establishments also applicable to tourist homes providing accommodations for seven or more days, and bed and breakfast inns, and homes.

Defines *combustion heater, appliance, or fireplace* for use in this section.

Directs the Building Code Council (BCC) to modify the NC State Building Code (Code) to reflect and regulate the provisions of GS 143-138(b2) in new and existing lodging establishments. Provides that the BCC can establish more stringent rules regulating CMAs and detectors if so desired. Directs the BCC to modify the Code to include an annual inspection for the purpose of verifying compliance with GS 143-138(b2).

Outlines procedure for when a violation that poses an imminent hazard is discovered and is not corrected upon inspection. Procedures include the code official immediately contacting the local health director/designee for the county where the violation was discovered by verbal contact and also submitting a written report documenting the violation to said director. The local health director is then obligated to investigate and take appropriate action regarding the permit of the lodging establishment within one working day of the receipt of the written report.

Violations that are discovered but do not pose imminent hazard, but are not corrected during an inspection, are subject to a correction period of three working days during which the owner or operator can submit a notice, verbal or written, that the violation has been corrected. If the code official receives such notice, a re-inspection can be performed. If no such notice is received, the code official will submit a report to the local health director within three working days. The local health director is then obligated to investigate and take appropriate action regarding the permit of the lodging establishment.

Makes technical and conforming changes, updating language of GS 143-138(b2).

Amends GS 130A-248(g), deleting language that required all hotels, motels, tourist homes, and other establishments that provide lodging for pay to install either a battery-operated or electric carbon monoxide detector in every enclosed space meeting specified conditions. Provides new language that requires those establishments to comply with requirements of GS 143-138(b2)(2). Provides that after receiving notification of a violation of GS 143-138(b2)(2) by specified code official, the local health department can suspend permits issued pursuant to GS 130A-248.

Intro. by Samuelson, Hanes, Hager, Catlin.

GS 130A, GS 143

[View summary](#)**Business and Commerce, Environment, Health and Human Services, Health**

H 1141 (2013-2014) **AMEND ISOLATED WETLAND REGULATION**. Filed May 20 2014, *A BILL TO BE ENTITLED AN ACT TO AMEND THE REGULATORY REQUIREMENTS FOR ISOLATED WETLANDS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.*

Identical to [S 737](#), filed 5/14/14.

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 Samuelson, Hager.

STUDY

[View summary](#)**Environment, Environment/Natural Resources**

H 1142 (2013-2014) **MODIFY FILM/HISTORIC REHAB TAX CREDITS**. Filed May 20 2014, *A BILL TO BE ENTITLED AN ACT TO MODIFY THE HISTORIC REHABILITATION TAX CREDIT AND THE FILM CREDIT.*

Repeals GS 105-129.39, sunset clause for the Historic Rehabilitation Tax Credits.

Amends GS 105-130.47 and 105-151.29, concerning tax credits for qualifying expenses of a production company, providing that a production company must have qualifying expenses of at least \$300,000 (was, \$250,000) to receive tax credit of 25 percent of the company's qualifying expenses. Deletes GS 105-130.47(k), the sunset provision for the qualifying expenses tax credits.

Intro. by Hamilton, Iler, Davis, Carney.

GS 105

[View summary](#)**Government, Tax**

H 1143 (2013-2014) **BURDEN OF PROOF IN CERTAIN CONTESTED CASES**. Filed May 20 2014, *A BILL TO BE ENTITLED AN ACT TO ESTABLISH THAT THE STATE AGENCY HAS THE BURDEN OF PROOF IN CERTAIN CONTESTED CASES, AS RECOMMENDED BY THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT*

COMMITTEE.

Identical to [S 774](#), filed on May 15, 2014.

Enacts new GS 150B-25.1, in the Administrative Procedure Act, concerning the burden of proof in certain contested administrative hearings, clarifying that in most contested cases the petitioner has the burden of proof. However, in a contested case involving a civil fine or penalty by a state agency the burden of proof rests with the state agency. Further clarifies that in cases where a career state employee subject to GS Chapter 126 (State Personnel System) was discharged, suspended, or demoted for just cause, the burden of proof rests with the agency employer.

Directs the Joint Legislative Administrative Procedure Oversight Committee to study whether there are other contested cases where the burden of proof should rest with the agency.

Bill effective when it becomes law, applying to contested cases commenced on or after that date.

Intro. by Moffitt, Glazier.

GS 150B

[View summary](#)

Government, State Agencies

H 1144 (2013-2014) [EXPAND 1%/\\$80 RATE FOR MILL MACHINERY](#). Filed May 20 2014, *A BILL TO BE ENTITLED AN ACT TO CLARIFY THE SCOPE OF TAX IMPOSED ON MILL MACHINERY.*

Enacts new GS 105-187.51B(a)(6) and (7), establishing new privilege taxes for specified metal fabrication companies and secondary metals recyclers when those companies purchase equipment, attachments, or repair parts for equipment that is (i) capitalized by the company for tax purposes, (ii) used by the company at the establishment in the fabrication of metal work or used in secondary metals recycling activities, and (iii) would be considered mill machinery or parts or accessories under GS 105-187.51 if purchased by a manufacturing industry or plant and used to manufacture tangible personal property. Provides that the tax is 1 percent of the sales price of the equipment or other tangible personal property, with the maximum amount of tax that can be assessed being \$80 per article.

Effective July 1, 2010, applying to purchases made on or after that date.

Intro. by Malone, Lewis, Starnes, Collins.

GS 105

[View summary](#)

Business and Commerce, Government, Tax

H 1145 (2013-2014) [INSURANCE & REGISTRATION REQUIRED FOR MOPEDS](#). Filed May 20 2014, *A BILL TO BE ENTITLED AN ACT TO REQUIRE MOPEDS TO BE REGISTERED WITH THE DIVISION OF MOTOR VEHICLES AND FOR OPERATORS OF MOPEDS TO HAVE IN FULL FORCE AND EFFECT A POLICY OF FINANCIAL RESPONSIBILITY.*

Amends GS 20-10.1, regarding mopeds, providing that mopeds are now required to be registered with the Division of Motor Vehicles (DMV). Fees and registration card and plate requirements are to mirror those for motorcycles. Additionally, to be registered and operated on a highway or other public road, the moped must have a manufacturer's certificate of origin and be designed and manufactured for use on highways and other public roads.

Requires mopeds that are to be operated on highways or other public roads to have full force and effect financial responsibility as required in the financial responsibility laws of GS Chapter 20, specifically Article 9A and Article 13. Provides that mopeds are to be treated in the same way as any other motor vehicle for purposes of financial responsibility compliance in Articles 9A and 13.

Repeals GS 20-51(9), which previously exempted mopeds from registration requirements.

Enacts new GS 20-76(c), which provides the process for when a person desires to register a moped but cannot produce a manufacturer's certificate of origin, allowing the applicant to submit an affidavit stating the reason for not being able to produce a certificate and that the applicant is entitled to registration. Exempts moped applicants from bond posting requirements found in GS 20-76(b). Provides that the DMV is exempt from liability for any person damaged by the issuance of a registration card.

Amends GS 58-36-3, concerning the NC Rate Bureau, providing that the bureau has no jurisdiction over liability or theft or physical damage insurance on mopeds. Allows member companies writing moped liability insurance or theft or physical insurance to incorporate either or both types of insurance as an endorsement to liability and physical damage policies. Makes conforming changes.

Amends GS 58-37-1(6) and GS 58-40-10(1), adding language to the definitions of *motor vehicle* and *private passenger motor vehicle*, excluding mopeds from being included in either of these definitions or categorizing them as such.

Amends GS 58-40-15, concerning the regulations of insurance rates and the scope of application, making technical changes and clarifying that the provisions of GS Chapter 58, Article 40, do apply to motor vehicle liability insurance, automobile medical payments insurance, uninsured motorists' coverage, and theft or physical damage insurance on mopeds.

Effective December 1, 2014, applying to offenses committed on or after that date.

Intro. by Shepard, R. Brown, Millis.

[GS 20, GS 58](#)

[View summary](#)

[Courts/Judiciary, Motor Vehicle, Transportation](#)

H 1146 (2013-2014) [SET DATE FOR COMMUNITY COLLEGE ELECTION](#). Filed May 20 2014, *A HOUSE RESOLUTION SETTING THE DATE FOR THE HOUSE OF REPRESENTATIVES TO ELECT A MEMBER TO FILL AN UNEXPIRED TERM ON THE STATE BOARD OF COMMUNITY COLLEGES*.

Requires the House of Representatives to elect, on June 17, 2014, a member to the State Board of Community Colleges to fill a vacancy for the remainder of the unexpired term that will end June 30, 2019.

Intro. by Johnson, Langdon.

[HOUSE RES](#)

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[Education, Higher Education](#)

H1148 (2013-2014) [911 BOARD/BACK-UP PSAP](#). Filed May 20 2014, *A BILL TO BE ENTITLED AN ACT AMENDING THE DUTIES OF THE 911 BOARD RELATING TO PUBLIC SAFETY ANSWERING POINTS, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON INFORMATION TECHNOLOGY*.

Identical to [S 797](#).

Amends several sections of GS Chapter 62A, Article 3, concerning emergency telephone service and back-up public safety answering points (PSAPs). Amends GS 62A-42 to define back-up PSAP as a facility prepared to operate as part of a 911 system and all other features of its associated primary PSAP. Amends the powers and duties of the 911 Board to include ensuring that individual PSAP plans incorporate a back up-PSAP as well as establishing operating

standards for back-up PSAPs. Amends GS 62A-46 to provide that PSAPs that receive an allocation from the 911 Fund for PSAPs must have plans and means to serve as a back-up PSAP and must maintain a plan and means for 911 call taking in the event 911 calls cannot be received or processed in the primary PSAP. Provides that the 911 Board can reduce, suspend, or terminate distributions from the 911 Fund if a PSAP does not comply with these new requirements as well as those previously established. Makes technical and conforming changes.

Intro. by Saine, J. Bell, Tolson.

[GS 62A](#)

[View summary](#)

[Government, Public Safety](#)

H1148 (2013-2014) [911 BOARD/BACK-UP PSAP](#). Filed May 20 2014, *A BILL TO BE ENTITLED AN ACT AMENDING THE DUTIES OF THE 911 BOARD RELATING TO PUBLIC SAFETY ANSWERING POINTS, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON INFORMATION TECHNOLOGY.*

Identical to S797.

Intro. by Saine, J. Bell, Tolson.

[GS 62A](#)

[View summary](#)

[Government, Public Safety](#)

H 1149 (2013-2014) [STATE CIO/MOBILE COMMUNICATIONS DEVICES](#). Filed May 20 2014, *A BILL TO BE ENTITLED AN ACT RELATING TO THE AUTHORITY OF THE STATE CHIEF INFORMATION OFFICER TO MONITOR STATE AGENCY USE OF MOBILE ELECTRONIC COMMUNICATIONS DEVICES AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON INFORMATION TECHNOLOGY.*

Identical to [S 798](#), filed 5/19/14.

Amends GS 147-33.91 to require the State Chief Information Officer (SCIO) to exercise general coordinating authority for all mobile electronic communications matters related to the internal management and operations of state agencies. Allows the SCIO, in cooperation with agency heads, to monitor the use of mobile devices within state agencies and maintain information on (1) the total number of devices used by each agency, (2) the total cost of mobile devices issued by each agency, (3) the number and cost of new devices issued, and (4) the contracts used to obtain the devices. Repeals SL 2013-360, Section 7.18, concerning state agency reporting on mobile device use and policies, as well as a plan for consolidating device contracts.

Intro. by Saine, J. Bell, Cleveland, Tolson.

[GS 147](#)

[View summary](#)

[Government, State Agencies, Office of Information Technology Services](#)

H 1150 (2013-2014) [EDUCATION LONGITUDINAL DATA SYSTEM CHANGES](#). Filed May 20 2014, *A BILL TO BE ENTITLED AN ACT AMENDING THE LAW PERTAINING TO THE EDUCATION LONGITUDINAL DATA SYSTEM, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON INFORMATION TECHNOLOGY.*

Identical to [S 806](#), filed 5/19/14.

Amends GS Chapter 116E, Educational Longitudinal Data System (ELDS), as the title indicates. Amends GS 116E-

1(7) to clarify that the term workforce data refers to data relating to employment status, wage information, geographic location of employment, and employer information for individuals. Also amends GS 116E-2(a) to clarify that North Carolina's ELDS is a statewide data system that contains individual student data as well. Amends the purpose of ELDS to include facilitating and enabling the exchange of student data and workforce data among state agencies and institutions.

Amends GS 116E-3, adding new subsection (f) which locates the North Carolina Longitudinal Data System Board (Board) administratively within the Department of Public Instruction (DPI), but directs the Board to exercise its powers and duties independently of the DPI and the State Board of Education (SBE). Authorizes the Board to employ professional and clerical staff, including an executive director. Also amends GS 116E-5 to provide that the North Carolina Longitudinal Data System (the System) is an information technology asset of the state and although located administratively within DPI, it is to be operated independently of DPI and the SBE. Removes provision designating the System as an authorized representative of DPI, the University of North Carolina (UNC), and the North Carolina System of Community Colleges (NCSCC) for the purposes of accessing and compiling student record data for research purposes. Instead makes the Board the authorized representative of DPI, UNC, and the NCSCC. Provides that the Board may receive funding from specified sources that were previously identified as funding sources for the System.

Makes additional conforming, and technical changes including amending the Board's powers.

Intro. by Saine, J. Bell, Cleveland, Tolson.

GS 116E

[View summary](#)

Education, Employment and Retirement

H 1152 (2013-2014) **ELIMINATE OBSOLETE BOARDS AND COMMISSIONS**. Filed May 20 2014, *A BILL TO BE ENTITLED AN ACT TO ELIMINATE OBSOLETE BOARDS AND COMMISSIONS, AS RECOMMENDED BY THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE.*

Repeals Part 20 of GS Chapter 143B, Article 10, to eliminate the Small Business Contractor Act and the Small Business Contractor Authority.

Terminates the Committee on Dropout Prevention as of July 1, 2014.

Eliminates the State Education Commission established in GS Chapter 143, Article 26. Repeals GS 116C-2 and makes a conforming change to GS 116C-1.

Terminates the National Heritage Area Designation Commission as of July 1, 2014.

Repeals Part 24 of GS Chapter 143B, Article 9, to eliminate the Governor's Management Council.

Repeals GS 90-171.7 to eliminate the Board of Directors of the North Carolina Center for Nursing.

Amends GS 143B-711 to eliminate the Board of Correction. Makes a conforming change, repealing GS 143B-715 (designating duties and responsibilities of the Board of Correction).

Encourages the Chief Justice of the NC Supreme Court to abolish the NC Actual Innocence Commission.

Intro. by Moffitt, Murry, Millis, Jackson.

GS 90, GS 116C, GS 143B

[View summary](#)

Business and Commerce, Courts/Judiciary, Criminal Justice, Corrections (Sentencing/Probation), Education, Government, State Government, Health and Human Services, Health

H1153 (2013-2014) [OAH ELECTRONIC FILING](#). Filed May 20 2014, *A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE OFFICE OF ADMINISTRATIVE HEARINGS TO ALLOW DOCUMENTS IN A CONTESTED CASE TO BE FILED ELECTRONICALLY, AS RECOMMENDED BY THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE.*

Identical to [S775](#).

Enacts new GS 150B-23.3 providing that the Office of Administrative Hearings is authorized to electronically file and serve documents in a contested case by using an Electronic Filing Service Provider (EFSP).

Sets out and defines the following terms for use in this new subsection:electronic filing,EFSP, and electronic service.

Bill is effective when it becomes law, applying to contested cases filed on or after that date.

Intro. by Moffitt, Glazier, Murry, Jordan.

[GS 150](#)

[View summary](#)

[Government, APA/Rule Making](#)

H 1157 (2013-2014) [ELECTRONIC DRIVERS LICENSE AMENDMENT](#). Filed May 20 2014, *A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR REMOTE RENEWAL OF DRIVERS LICENSES.*

Adds new subdivision (6) to GS 20-7(f) as the title indicates. Authorizes the Division of Motor Vehicles (DMV) to offer remote renewal of a driver's license issued by the DMV. Provides that for the purposes of this subdivision, "remote renewal" means renewal of a driver's license by mail, telephone, electronic device, or other secure means approved by the Commissioner. Indicates requirements that must be met for a person to be eligible for remote renewal under subdivision (6). Allows the DMV to waive the examination and the photograph that would otherwise be required for the renewal when renewing a driver's license under this subdivision. Provides that regardless of any other provision of this subsection, a renewed driver's license issued via remote renewal under this subdivision expires four years after the expiration date of the license that is renewed.

Authorizes the DMV to adopt rules to implement this subdivision.

Declares that nothing in this new subdivision is to be construed as superseding any more restrictive provisions for renewal of driver's licenses under federal law or regulation.

Effective when the act becomes law and applies to driver's licenses renewed on or after the DMV adopts rules under GS 20-7(f)(6)d., as enacted by Section 1 of this act.

Intro. by Saine, Torbett.

[GS 20](#)

[View summary](#)

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

H 1160 (2013-2014) [CISNC FUNDS](#). Filed May 20 2014, *A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR PROGRAMS AND SERVICES PROVIDED BY COMMUNITIES IN SCHOOLS OF NORTH CAROLINA TO SUPPORT THE PUBLIC SCHOOLS OF THIS STATE.*

Appropriates \$3,731,927 from the General Fund to the Department of Public Instruction (DPI) for fiscal year 2014-

15, recurring thereafter, to support and expand intervention programs and services provided by the Communities In Schools of NC, Inc. (CISNC).

Directs CISNC to use the recurring funds to do at least the following: (1) leverage additional funding and resources in support of local CISNC programs, (2) support and supplement the Read to Achieve program by assisting local school administrative units with compliance and student support services, and (3) placing at least 50 student support specialists in high poverty elementary and secondary schools across North Carolina (sets out criteria to determine which schools should receive priority from CISNC).

Appropriates \$1,035,000 from the General Fund to CISNC for fiscal year 2014-15 nonrecurring, to provide planning and support to open three schools across North Carolina during the next three years by either opening additional Performance Learning Centers or jointly establishing cooperative innovative high schools as an education partner, in accordance with Part 9 of Article 16 of GS Chapter 115C.

Requires DPI and CISNC to report to the Joint Legislative Education Oversight Committee by October 15, 2015, and annually after that, on the use of funds and progress of the priorities in this act.

Effective July 1, 2014.

Intro. by Holloway, Johnson.

APPROP

[View summary](#)

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

H 1161 (2013-2014) [LEGALIZE MEDICAL MARIJUANA/CONST AMENDMENT](#). Filed May 20 2014, *A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA CONSTITUTION TO LEGALIZE THE MEDICAL USE OF CANNABIS.*

To be summarized.

Intro. by Alexander.

CONST, GS 90, GS 105, GS 106

[View summary](#)

Constitution, Government, Tax, Health and Human Services, Health

H 1162 (2013-2014) [FLEXIBILITY FOR NCGN CAPITAL PROJECTS](#). Filed May 20 2014, *A BILL TO BE ENTITLED AN ACT TO ALLOW THE NORTH CAROLINA NATIONAL GUARD TO AUTHORIZE CERTAIN CAPITAL EXPENDITURES FOR PROJECTS THAT WILL BE ENTIRELY FUNDED WITH FEDERAL FUNDS AND TO PROVIDE THE NATIONAL GUARD WITH GREATER FLEXIBILITY TO RESPOND TO FEDERAL CHANGES WITH RESPECT TO ARMORY PROJECT FUNDING PRIORITIES.*

Amends GS 143C-8-12, changing title to Capital improvement projects from sources other than the General Fund, making organizational changes. Also enacts new GS 143C-8-12(b), which allows the NC National Guard the authority to approve expenditures for capital projects if the project, including operating costs, will be entirely funded with federal funds. Enacts new GS 143C-8-12(c), a reporting requirement for the UNC Board of Governors and the National Guard to report any expenditure made pursuant to this section to the Office of State Budget and Management and to the Joint Legislative Commission on Governmental Operations.

Amends SL 2013-360, concerning projects funded by federal and matching state funds, providing that funds for projects that are delayed or cancelled can be used for armory and facilities projects approved by the US Congress that

require matching state funds but are not listed in SL 2013-360.

Enacts new GS 143-129.6, Exemption for certain training projects of the North Carolina National Guard, providing that expenditures by the NC National Guard for a capital project that is for a training purpose and for a single exercise or undertaking at a National Guard facility has a total cost that does not exceed \$100,000, and will be funded entirely with federal funds are not subject to the provisions of GS Chapter 143, Article 8, for public contracts.

Intro. by Burr.

[GS 143, GS 143C](#)

[View summary](#)

[Military and Veteran's Affairs](#)

H 1163 (2013-2014) [STREAMLINE RULE-MAKING PROCESS](#). Filed May 20 2014, *A BILL TO BE ENTITLED AN ACT TO STREAMLINE THE RULE-MAKING PROCESS BY ELIMINATING THE REQUIREMENT THAT AN AGENCY OBTAIN A CERTIFICATION OF ADHERENCE TO RULE-MAKING PRINCIPLES PRIOR TO SUBMITTING THE PROPOSED TEXT OF A RULE FOR PUBLICATION, AS RECOMMENDED BY THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE.*

Identical to [S 776](#), filed on May 15, 2014.

Repeals GS 150B-19.1(h), which required agencies to obtain a certification of adherence to rulemaking principles before submitting the proposed text of a rule for publication.

Amends GS 150B-21.4(b1) adding language to provide that when an agency's proposed rule change would have a substantial impact, they must also obtain a certification from the Office of State Budget and Management that they adhered to regulatory principles as set out in GS 150B-19.1(a)(2), (5), and (6).

Bill is effective when it becomes law, applying to proposed rules published on or after that date.

Intro. by Moffitt.

[GS 150B](#)

[View summary](#)

[Government, APA/Rule Making](#)

H 1164 (2013-2014) [SBOE RULEMAKING CLARIFICATION](#). Filed May 20 2014, *A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT THE STATE BOARD OF EDUCATION IS SUBJECT TO RULE MAKING UNDER THE ADMINISTRATIVE PROCEDURE ACT AND TO PROVIDE A REMEDY WHEN AN AGENCY FAILS TO ACT AS DIRECTED BY STATUTE, AS RECOMMENDED BY THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE.*

Identical to [S 781](#), filed on May 15, 2014.

Amends GS 115C-12 to provide that the State Board of Education (State Board) is subject to Article 2A of GS Chapter 150B, and may not implement or enforce a policy that meets the definition of a rule if the policy has not been adopted as a rule according to Article 2A.

Amends GS 150B-23 to provide that if an agency fails to take any required action within the specified time period, any person whose rights are substantially prejudiced by the failure to act may commence a contested case seeking an order that the agency act. If the judge finds that the agency failed to act as required, the agency may be ordered to take the required action within a specified time period. Makes conforming changes to GS 150B-44.

Intro. by Moffitt.

GS 115C, GS 150B

[View summary](#)**Government, APA/Rule Making, State Agencies, State Board of Education**

H 1165 (2013-2014) **AMEND OLB REPORTING REQUIREMENTS**. Filed May 20 2014, *A BILL TO BE ENTITLED AN ACT TO AMEND THE REPORTING REQUIREMENTS FOR OCCUPATIONAL LICENSING BOARDS, AS RECOMMENDED BY THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE.*

Identical to [S 780](#), filed on May 15, 2014.

Amends GS 93B-2, concerning required annual reports of occupational licensing boards (OLB), adding reporting requirements that (1) each OLB must file electronically (previously, did not provide for electronic filing) their required annual reports, (2) required reports must also be filed with the Joint Legislative Administrative Procedure Oversight Committee (was, the Joint Regulatory Reform Committee), and (3) the annual reports must also now include the total number of licensees supervised by the board as well as the number who failed the licensing examination. Makes similar changes to the requirements for financial reports.

Adds language that requires the Joint Legislative Administrative Procedure Oversight Committee to notify any board that fails to file the reports as required.

Intro. by Moffitt.

GS 93B

[View summary](#)**Business and Commerce**

H 1166 (2013-2014) **CLARIFY GRAVEL UNDER STORMWATER LAWS**. Filed May 20 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.*

Identical to [S 738](#), filed on May 14, 2014.

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 Samuelson.

GS 143

[View summary](#)**Development, Land Use and Housing, Building and
Construction, Environment****PUBLIC/SENATE BILLS**

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.*

The Senate committee substitute to the 1st edition is to be summarized.

Intro. by Wade, B. Jackson, Brock.

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S 786 (2013-2014) [ENERGY MODERNIZATION ACT](#). Filed May 15 2014, *A BILL TO BE ENTITLED AN ACT TO (1) EXTEND THE DEADLINE FOR DEVELOPMENT OF A MODERN REGULATORY PROGRAM FOR THE MANAGEMENT OF OIL AND GAS EXPLORATION, DEVELOPMENT, AND PRODUCTION IN THE STATE AND THE USE OF HORIZONTAL DRILLING AND HYDRAULIC FRACTURING TREATMENTS FOR THAT PURPOSE; (2) ENACT OR MODIFY CERTAIN EXEMPTIONS FROM REQUIREMENTS OF THE ADMINISTRATIVE PROCEDURE ACT APPLICABLE TO RULES FOR THE MANAGEMENT OF OIL AND GAS EXPLORATION, DEVELOPMENT, AND PRODUCTION IN THE STATE AND THE USE OF HORIZONTAL DRILLING AND HYDRAULIC FRACTURING TREATMENTS FOR THAT PURPOSE; (3) CREATE THE NORTH CAROLINA OIL AND GAS COMMISSION AND RECONSTITUTE THE NORTH CAROLINA MINING COMMISSION; (4) AMEND MISCELLANEOUS STATUTES GOVERNING OIL AND GAS EXPLORATION, DEVELOPMENT, AND PRODUCTION ACTIVITIES; (5) ESTABLISH A SEVERANCE TAX APPLICABLE TO OIL AND GAS EXPLORATION, DEVELOPMENT, AND PRODUCTION ACTIVITIES; (6) AMEND MISCELLANEOUS STATUTES UNRELATED TO OIL AND GAS EXPLORATION, DEVELOPMENT, AND PRODUCTION ACTIVITIES; AND (7) DIRECT STUDIES ON VARIOUS ISSUES, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMISSION ON ENERGY POLICY.*

Committee substitute to the 1st edition to be summarized.

Intro. by Rucho, Newton, Brock.

[View summary](#)

S 807 (2013-2014) [HONOR LEO MERCER, FORMER MEMBER](#). Filed May 20 2014, *A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF LEO MERCER, FORMER MEMBER OF THE GENERAL ASSEMBLY.*

Identical to [H 1121](#), filed on May 19, 2014.

As title indicates.

Intro. by Walters.

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

S 808 (2013-2014) [OYSTER INDUSTRY RESTORATION ACT](#). Filed May 20 2014, *A BILL TO BE ENTITLED AN ACT TO SUPPORT THE MARICULTURE INDUSTRY IN NORTH CAROLINA.*

Repeals GS 113-210(l) and (m), concerning the \$100 Under Dock Oyster Culture Permit fee and the advance sales of those permits. Effective July 1, 2014.

Requires the Division of Marine Fisheries (DMF) of the Department of Environment and Natural Resources (DENR) to designate a contiguous area of approximately 10,000 acres in the Pamlico Sound as a recommendation to the Environmental Review Commission (ERC) for establishing the "Senator Jean Preston Marine Shellfish Sanctuary." Also requires DMF to create a plan for managing the sanctuary that includes components concerning specified issues related to the location and duration of the sanctuary, administration of the sanctuary, funding, commercial fisherman relief including free or discounted leases to fishermen meeting specified conditions, and recommendations for statutory or regulatory changes needed to expedite the expansion of shellfish restoration and harvesting. Requires DENR to report to the ERC on implementation no later than October 1, 2014, and quarterly thereafter until the final plan is submitted.

Requires the Joint Legislative Program Evaluation Oversight Committee to consider including in the 2015 Work Plan for the Program Evaluation Division a study of the state's shellfish lease and franchise program, including three specified issues.

Intro. by Cook, Sanderson, Brown.

[STUDY, UNCODIFIED](#)

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[Environment, Aquaculture and Fisheries](#)

S 809 (2013-2014) [HONOR VETERANS](#). Filed May 20 2014, *A SENATE RESOLUTION EXPRESSING GRATITUDE AND APPRECIATION TO OUR VETERANS.*

As title indicates.

Intro. by Pate, Meredith, Tucker.

[SENATE RES](#)

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[Military and Veteran's Affairs](#)

S 811 (2013-2014) [NORTH CAROLINA ANGUS WEEKEND](#). Filed May 20 2014, *A SENATE RESOLUTION DECLARING THE WEEKEND OF JUNE 13, 2014, THROUGH JUNE 15, 2014, "NORTH CAROLINA ANGUS" WEEKEND.*

As title indicates.

Intro. by Bingham, Brock, B. Jackson.

[SENATE RES](#)

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[Government, Cultural Resources and Museums](#)

S 812 (2013-2014) [REPLACE COMMON CORE TO MEET NC'S NEEDS](#). Filed May 20 2014, *A BILL TO BE ENTITLED AN ACT TO REPLACE THE COMMON CORE BY EXERCISING NORTH CAROLINA'S PROPER CONSTITUTIONAL AUTHORITY OVER ALL ACADEMIC STANDARDS AND TO ENSURE THAT STANDARDS ARE ROBUST AND*

APPROPRIATE AND THAT THEY ENABLE STUDENTS TO SUCCEED ACADEMICALLY AND PROFESSIONALLY, AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION STUDY COMMITTEE ON THE COMMON CORE STATE STANDARDS.

Identical to [H 1061](#), filed 5/14/14.

Requires the State Board of Education (State Board) to (1) continue exercising authority over academic standards for public schools and (2) review all English, language arts, and math standards and propose modifications to ensure that they are rigorous, reflect NC's priorities, are age and developmentally appropriate, and understandable to parents and teachers; requires consultation with the Academic Standards Review Commission before making changes to the standards. Provides that standards adopted by the State Board will continue to be named the "North Carolina Standard Course of Study."

Establishes the 17-member Academic Standards Review Commission (Commission) located in the Department of Administration (DOA), but exercising powers independently of the DOA. Establishes Commission membership and duties, including reviewing academic standards for English and math, and considering the impacts on educators when making recommendations. Requires the Commission to hold its first meeting by September 1, 2014. Requires the Commission to make a final report to the State Board, the Joint Legislative Education Oversight Committee, and the 2016 Regular Session of the 2015 General Assembly. Terminates the Commission on the earlier of December 31, 2015, or the filing of the final report.

Repeals GS 115C-174.11(c)(3), which required the State Board to participate in Common Core Standards development and implementation.

Amends GS 115C-12 to make conforming changes, requiring the State Board to adopt academic standards that take into consideration the academic standards adopted under specified existing authority, instead of the Common Core Standards.

Requires the State Board to report to the Joint Legislative Education Oversight Committee before implementing a new assessment instrument to assess student achievement. Prohibits the State Board from acquiring or implementing an assessment instrument without legislation authorizing the purchase.

Appropriates \$250,000 for 2014-15 from the General Fund to the Department of Administration to implement the Commission requirements.

Effective July 1, 2014.

Intro. by Soucek, Tillman.

[APPROP, GS 115C](#)

[View summary](#)

[Education, Elementary and Secondary Education, Government, Budget/Appropriations](#)

S 813 (2013-2014) [IMPROVE OVERSIGHT OF PUBLIC GUARDIANSHIP](#). Filed May 20 2014, *A BILL TO BE ENTITLED AN ACT REQUIRING THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO EXAMINE WAYS TO IMPROVE THE INTEGRITY, EFFICIENCY, AND OVERSIGHT OF THE PUBLIC GUARDIANSHIP SYSTEM, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON HEALTH AND HUMAN SERVICES.*

Identical to [H 1110](#), filed 5/15/14.

Requires the Department of Health and Human Services (DHHS), Division of Aging and Adult Services, to work with the Administrative Office of the Courts to develop a plan for evaluating complaints concerning wards under the care of publicly funded guardians to ensure that the process also incorporates a face-to-face observation of the ward, and interview with the ward, or both.

Requires the Division of Social Services to study conflicts of interest in child welfare cases as related to public guardianship. Specifies issues that must be considered.

Requires DHHS to continue using existing safeguards regarding guardians as paid service providers. Requires the Division of Aging and Adult Services to consult with named parties and other interested groups to develop a model plan for transitioning a ward to an alternative guardianship arrangement when a guardian is no longer willing or able to serve.

Requires DHHS to continue to study whether utilization of care coordination services would provide needed oversight.

Requires DHHS to submit a final report on each of the above issues to the Joint Legislative Oversight Committee on Health and Human Services and the Fiscal Research Division by October 1, 2014.

Intro. by Hise, Barringer, Randleman.

UNCODIFIED

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Government, State Agencies, Department of Health and Human Services, Health and Human Services, Social Services, Adult Services

S 814 (2013-2014) **PREQUALIFICATION UPDATE**. Filed May 20 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.*

Identical to [H 1043](#), filed 5/14/14.

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 Hunt.

GS 143

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Development, Land Use and Housing, Building and Construction

S 815 (2013-2014) **ENSURING PRIVACY OF STUDENT RECORDS**. Filed May 20 2014, *A BILL TO BE ENTITLED AN ACT TO ENSURE THE PRIVACY AND SECURITY OF STUDENT EDUCATIONAL RECORDS, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON INFORMATION TECHNOLOGY.*

Enacts new GS 115C-402.5., *Student Data System Security*, as the title indicates. Includes definition for the following terms: (1) Aggregate student data, (2) de-identified-student data, (3) FERPA-the Federal Family Educational Rights and Privacy, (4) Personally identifiable student data, and (5) student data system.

Tasks the State Board of Education with the security of the student data system; specifies actions and policies to implement and rules to be developed to ensure the security of the student data system. Requires the SBE to develop a detailed data security plan for the student data system. Restricts the student data collection, prohibiting collecting or reporting the following information as part of the student data system: (1) student biometric information, (2) student political affiliation, and (3) student religion.

Enacts new GS 115C-402.15., *Parental Notification Regarding Rights to Student Records and Opt-Out Opportunities*. Requires that local boards of education annually provide parents information on parental rights under federal and state law. Specifies what information on parental rights under state and federal law should be contained in the notice content. Requires that the parental notifications contain information on parental rights under state and federal law to receive notice and the opportunity to opt out prior to the participation of the student in a protected information survey.

Recommends that local boards of education consider using model notices developed by the U.S. Department of Education provide the annual information as required by this section.

Effective when it becomes law with the annual notice to parents requirement in Section 2 applied beginning with the 2014-2015 school year.

Intro. by Barefoot, Brock, Soucek.

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S 815 (2013-2014) **ENSURING PRIVACY OF STUDENT RECORDS**. Filed May 20 2014, *A BILL TO BE ENTITLED AN ACT TO ENSURE THE PRIVACY AND SECURITY OF STUDENT EDUCATIONAL RECORDS, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON INFORMATION TECHNOLOGY.*

Enacts new GS 115C-402.5, *Student Data System Security*, as the title indicates. Includes definitions for the following terms: (1) *aggregate student data*, (2) *de-identified-student data*, (3) *FERPA-the Federal Family Educational Rights and Privacy Act*, (4) *personally identifiable student data*, and (5) *student data system*.

Tasks the State Board of Education with the security of the student data system; specifies actions and policies to implement and rules to be developed to ensure the security of the student data system. Requires the SBE to develop a detailed data security plan for the student data system. Restricts the student data collection, prohibiting collecting or reporting the following information as part of the student data system: (1) student biometric information, (2) student

political affiliation, and (3) student religion.

Enacts new GS 115C-402.15, *Parental Notification Regarding Rights to Student Records and Opt-Out Opportunities*. Requires that local boards of education annually provide parents information on parental rights concerning student records under federal and state law. Specifies what information on parental rights under state and federal law should be contained in the notice content. Requires that the parental notifications contain information on parental rights under state and federal law to receive notice and the opportunity to opt out prior to the participation of the student in a protected information survey.

Recommends that local boards of education consider using model notices developed by the US Department of Education to provide the annual information as required by this section.

Effective when the act becomes law with the annual notice to parents requirement in Section 2 applied beginning with the 2014-15 school year.

Intro. by Barefoot, Brock, Soucek.

[GS 115C](#)

[View summary](#)

[Education](#)

S 816 (2013-2014) [EXTEND LOW-INCOME HOUSING TAX CREDIT](#). Filed May 20 2014, *A JOINT RESOLUTION AUTHORIZING THE 2013 GENERAL ASSEMBLY TO CONSIDER A BILL TO BE ENTITLED AN ACT TO EXTEND THE CREDIT FOR LOW-INCOME HOUSING AWARDED A FEDERAL CREDIT ALLOCATION*.

As title indicates.

Intro. by Clark, Ford.

[JOINT RES](#)

[View summary](#)

[Development, Land Use and Housing, Property and Housing](#)

S 817 (2013-2014) [4-YEAR TERMS FOR GA/LIMIT CONSECUTIVE TERMS](#). Filed May 20 2014, *A BILL TO BE ENTITLED AN ACT AMENDING THE NORTH CAROLINA CONSTITUTION TO PROVIDE FOUR-YEAR TERMS FOR MEMBERS OF THE GENERAL ASSEMBLY AND TO LIMIT MEMBERS OF THE GENERAL ASSEMBLY TO FOUR CONSECUTIVE TERMS IN A HOUSE*.

Amends Section 2 of Article II of the NC Constitution to provide that the NC Senate will be composed of 50 Senators elected by ballot every four years. Also provides in Section 4 that the NC House will be comprised of 120 Representatives elected by ballot every four years.

Amends Section 8 of Article II of the NC Constitution to provide that the election for respective districts will occur in 2016 and after that every four years.

Amends Section 7(3) of Article III of the NC Constitution to provide that office vacancies by any of the officers specified in this Section will be filled by election at the first statewide election for members of the US House of Representatives (was, when members of the General Assembly are elected).

Amends Section 9(3) of Article IV of the NC Constitution to provide that elections for the office of the Clerk of the Superior Court for each county will be at the same time and places as statewide elections for the US House of Representatives (was, when members of the General Assembly are elected).

Amends Section 18(1) of Article IV of the NC Constitution to provide elections for the office of District Attorney for each district across North Carolina will be at the same time and places as statewide elections for the US House of Representatives (was, when members of the General Assembly are elected).

Amends Section 19 of Article IV of the NC Constitution to provide that vacancies in the NC Judicial Branch will be filled by appointment by the Governor and those appointed will hold their offices until the next statewide election for members of the US House of Representatives (was, until the next election for members of the General Assembly).

Amends Section 2 of Article VII of the NC Constitution to provide that in each county a sheriff will be elected at the same time and place as members of the US House of Representatives (was, when members of the General Assembly are elected).

Enacts new Section 25 in Article II of the NC Constitution, Limitation of consecutive terms, providing that no one can serve, in the NC House or Senate, for more than four consecutive terms. Person filling a vacancy within the first two years of the term will be considered to have been elected to a term for the purposes of consecutive terms. Applies to terms that begin after January 1, 2017. Persons that have served four consecutive terms are not eligible to fill vacancies in the body they are disqualified from.

Provides for the changes presented here to be voted on by the people of NC in the November 2014 general election. Presents the language that will be placed on the ballot to be considered.

If amendments are approved, changes in Part I (four year terms) of this act become effective with members elected in 2016 and changes in Part II (term limits) of the act become effective January 1, 2017.

Intro. by Daniel, Tarte, Rabin.

CONST

[View summary](#)

[Constitution, Government, General Assembly](#)

S 818 (2013-2014) [ESTABLISH EDUCATION ENDOWMENT FUND](#). Filed May 20 2014, *A BILL TO BE ENTITLED AN ACT TO ESTABLISH AND DEDICATE FUNDS FOR THE NORTH CAROLINA EDUCATION ENDOWMENT FUND TO PROVIDE ADDITIONAL SUPPORT AND FUNDING FOR K-12 PUBLIC SCHOOLS.*

Amends GS Chapter 115C, adding a new Article 32E, to establish the North Carolina Education Endowment Fund (Fund). Describes the Fund as a special fund that consists of (1) money credited to it under GS 20-81.12, as amended in this act, from the sale of special registration plates to support public school teachers; (2) proceeds from any gifts, grants, or contributions to the state that are specifically designated for inclusion in the Fund; (3) appropriations made to the Fund by the General Assembly; and (4) interest that accrues to the Fund. Provides that money in the Fund is to be made available only via an appropriation by the General Assembly. Requires that the General Assembly can only appropriate money from the Fund for teacher compensation directly related to improving student academic outcomes in the public schools of the state.

Amends GS 20-79.4(b) with a new subdivision (251) to provide that the Division of Motor Vehicles (DMV) is to issue a special registration plate with the logo, "I SUPPORT TEACHERS" written in white chalk on a gray chalkboard background and an image of a red apple with the letters "ABC" appearing in white chalk over the apple.

Amends GS 20-81.12(b12) to require that the DMV receive more than 300 applications for the I Support Teachers plate before the plate may be developed. Directs the DMV to make a quarterly transfer of the money in the Collegiate and Cultural Attraction Plate account derived from the sale of the I Support Teachers plates to the Fund established under new GS 115C-472.16.

Repeals Article 32C of GS Chapter 115C, which previously established the fund for reduction in class size of public

schools.

Amends GS 105-153.5(b) to add a new subdivision (10) allowing a taxpayer, in calculating North Carolina taxable income, to make a deduction from the taxpayer's adjusted gross income the amount of a contribution during the taxable year to the Fund. Prohibits making a deduction under this subdivision for amounts deducted as an itemized charitable deduction under this section.

Amends GS 105-130.9 to make contributions by any corporation allowed under subdivision (2) of this section as a deduction applicable to the Fund created under GS 115C-472.16.

Enacts GS 105-269.7 to permit any taxpayer entitled to a refund of taxes under Article 4 of GS Chapter 105 or any taxpayer who wants to make a contribution to elect to contribute all or part of the refund or make a contribution to the Fund established under GS 115C-472.16. Directs the Secretary to provide appropriate language and space on the state income tax form in which to make the election or contribution. Effective for taxable years beginning on or after January 1, 2014.

Except as otherwise indicated, this act becomes effective July 1, 2014.

Intro. by Tillman.

[GS 20, GS 105, GS 115C](#)

[View summary](#)

[Education, Elementary and Secondary Education](#)

LOCAL/HOUSE BILLS

H 1131 (2013-2014) [CLAY COUNTY OPOSSUM EXCLUSION/WILDLIFE LAWS](#). Filed May 20 2014, *A BILL TO BE ENTITLED AN ACT TO EXEMPT CLAY COUNTY FROM STATE WILDLIFE LAWS WITH RESPECT TO OPOSSUMS BETWEEN THE DATES OF DECEMBER 26 AND JANUARY 2.*

Exempts Clay County from any State statute, rule, or regulation that would apply to the capture, treatment, or release of the Virginia Opossum from December 26 to January 2 of each year.

Applies only to Clay County.

Intro. by West.

[Clay](#)

[View summary](#)

[Animals](#)

H 1134 (2013-2014) [CLEVELAND COUNTY/ROAD ASSESSMENT CRITERIA](#). Filed May 20 2014, *A BILL TO BE ENTITLED AN ACT TO REVISE THE REQUIREMENTS FOR A PETITION SUBMITTED TO CLEVELAND COUNTY BY PROPERTY OWNERS SEEKING COUNTY FINANCING OF ROAD IMPROVEMENTS.*

Amends GS 153A-205(c), *Improvements to subdivision and residential streets*. Requires a county to receive a petition signed by at least 75 percent of the owners of the property to be assessed for the cost of improvements to a subdivision or residential street, who represent at least 70 percent (was, 75 percent) of all the lineal feet of frontage of the lands abutting on the street or portion of the street to be improved before the county may finance all or a portion of the improvement costs. Applies only to Cleveland County.

Intro. by T. Moore, Hastings.

[Cleveland](#)

[View summary](#)**Transportation**

H 1147 (2013-2014) **ZEBULON CHARTER AMENDMENTS**. Filed May 20 2014, *A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE TOWN OF ZEBULON TO REMOVE RESTRICTIONS ON THE USE OF CERTAIN FEES COLLECTED BY THE TOWN.*

Amends Sections 8.30 (Road or drainage projects fees), 8.31 (Open space project fees), and 8.32 (Recreation project fees) of the Town Charter of Zebulon as the title indicates.

Intro. by Malone, Jackson.[Johnston, Wake](#)[View summary](#)

H 1151 (2013-2014) **FAYETTEVILLE RED LIGHT CHANGES**. Filed May 20 2014, *A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE LAW GOVERNING RED LIGHT CAMERAS IN FAYETTEVILLE.*

Amends GS 160A-300.1(c) to allow Fayetteville to enter into a contract for the lease, lease-purchase, or purchase of a red light camera system. Allows entering into only one contract, for no more than 60 months. After the contract period expires, the system either becomes Fayetteville's property, or must be removed and returned to the contractor. Specifies that the clear proceeds from citations mean the funds remaining after paying for the lease, lease-purchase, or purchase of the red light camera system; paying for the system's operation; and paying related administrative costs. Effective July 1, 2014.

Amends GS 160A-300.1(c)(2), as amended, to increase the penalty for violations detected by a red light camera from \$75 to \$100. Effective July 1, 2015.

Intro. by Floyd, Szoka, Lucas, Glazier.[Cumberland](#)[View summary](#)[Courts/Judiciary, Motor Vehicle, Government, State Agencies, Department of Transportation, Transportation](#)

H 1154 (2013-2014) **MOORE CO. SCHOOLS TRANSFER OF PROPERTY**. Filed May 20 2014, *A BILL TO BE ENTITLED AN ACT AUTHORIZING THE MOORE COUNTY BOARD OF EDUCATION TO CONVEY CERTAIN REAL PROPERTY.*

Allows the Moore County Board of Education to convey its right, title, and interest in the Academy Heights Elementary School site to Taylortown. Allows for the conveyance to be made with or without monetary consideration.

Intro. by Boles.[Moore](#)[View summary](#)**Education**

H 1155 (2013-2014) **PINEHURST ANNEXATION**. Filed May 20 2014, *A BILL TO BE ENTITLED AN ACT ADDING CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE VILLAGE OF PINEHURST AND AUTHORIZING THE VILLAGE TO LEVY SPECIAL ASSESSMENTS TO MEET THE COST OF CONSTRUCTION OF A*

STORMWATER MANAGEMENT SYSTEM TO SERVE THE PROPERTY ADDED.

Adds described property to the Village of Pinehurst's corporate limits.

Allows the Village Council, after annexing the described property and dedicating the existing roads in the property, to levy special assessments on the property owners to meet the cost of a stormwater management system. Limits the amount levied to 66 percent of the full cost of constructing the system. Specifies further information concerning the effective date of the assessment, levy of the assessment, and notice of the assessment. Allows the Village Council to give owners of assessed property the option of paying either in cash or in installments, but limits the installment period to five years from the date that the assessment roll is confirmed. Provides that installment payments must be interest free.

Effective June 30, 2014.

Intro. by Boles.

[Moore](#)

[View summary](#)

H 1156 (2013-2014) [SPIRITUOUS LIQUOR TASTINGS/CITY OF ASHEVILLE](#). Filed May 20 2014, *A BILL TO BE ENTITLED AN ACT TO ALLOW SPIRITUOUS LIQUOR TASTINGS AT ABC STORES IN THE CITY OF ASHEVILLE.*

Allows the local board to allow holders of a distillery permit, a distiller broker representative permit, or a distiller representative permit, to conduct a consumer tasting event at any ABC store in Asheville subject to 16 specified conditions. Those conditions include: requiring the permit holder to conduct the tasting event and holding the permit holder solely responsible for any violations of GS Chapter 18B, limiting sample sizes, and providing the samples for free. Prohibits permit holders conducting a tasting event from providing any consideration to the local board, its members, or its employees for any purposed related to the event.

Amends GS 18B-301 and GS 18B-1105(a) to make conforming changes. Applies to Asheville only.

Intro. by Moffitt, Ramsey, Fisher, McGrady.

[Buncombe](#)

[View summary](#)

[Alcoholic Beverage Control](#)

H 1158 (2013-2014) [MORGANTON CHARTER AMENDMENT](#). Filed May 20 2014, *A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF MORGANTON CONCERNING THE PROCEDURE FOR REMOVING THE MAYOR AND MEMBERS OF THE CITY COUNCIL FROM OFFICE AND MAKING CHANGES RELATED TO THE METHOD AND TIME OF MUNICIPAL ELECTIONS.*

Identical to [S 801](#), filed 5/19/14.

Amends Article III of the Charter for the City of Morganton, (SL 1975-180) as the title indicates. Changes include providing that the Mayor or Council members are elected by the nonpartisan plurality method.

Intro. by Blackwell.

[Burke](#)

[View summary](#)

H 1159 (2013-2014) [CITY OF GREENVILLE/PRIVATE SALE](#). Filed May 20 2014, *A BILL TO BE ENTITLED AN ACT AUTHORIZING THE CITY OF GREENVILLE TO CONVEY BY PRIVATE NEGOTIATION AND SALE CERTAIN REAL PROPERTY OWNED BY THE CITY THAT DOES NOT MEET THE MINIMUM LOT SIZE REQUIREMENTS PRESCRIBED BY THE CITY'S ZONING ORDINANCE.*

As the title indicates. Limits the sale of the property so it may be sold only to an adjacent property owner. Requires that any sale or conveyance under this act must be approved by the City Council, by resolution, on 10 days' public notice. Prescribes how notice is to be given. Defines a single-family residential zoning district for the purposes of this act.

Intro. by B. Brown, S. Martin.

[Pitt](#)

[View summary](#)

LOCAL/SENATE BILLS

S 810 (2013-2014) [FAYETTEVILLE RED LIGHT CHANGES](#). Filed May 20 2014, *A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE LAW GOVERNING RED LIGHT CAMERAS IN FAYETTEVILLE.*

Identical to [H 1151](#), filed 5/20/14.

Amends GS 160A-300.1(c) to allow Fayetteville to enter into a contract for the lease, lease-purchase, or purchase of a red light camera system. Allows entering into only one contract, for no more than 60 months. After the contract period expires, the system either becomes Fayetteville's property, or must be removed and returned to the contractor. Specifies that the clear proceeds from citations mean the funds remaining after paying for the lease, lease-purchase, or purchase of the red light camera system, paying for the system's operation, and paying related administrative costs. Effective July 1, 2014.

Amends GS 160A-300.1(c)(2), as amended, to increase the penalty for violations detected by a red light camera from \$75 to \$100. Effective July 1, 2015.

Intro. by Meredith, Clark.

[Cumberland](#)

[View summary](#)

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

ACTIONS ON BILLS

PUBLIC BILLS

H 688: AMEND CONTINUING ED REQ'S/CERT. WELL K'ORS.

Senate: Conf Report Adopted

H 725: YOUNG OFFENDERS REHABILITATION ACT.

House: Postponed To 05/21/2014

H 1050: OMNIBUS TAX LAW CHANGES.

House: Amend Adopted A1

House: Amend Adopted A3

House: Amend Failed A5

House: Amend Adopted A4

House: Amend Adopted A6

House: Amend Adopted A7

House: Passed 2nd Reading

H 1119: CREDIT FOR SCHOOL SUPPLIES.

House: Passed 1st Reading

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

H 1121: HONOR LEO MERCER, FORMER MEMBER.

House: Ref To Com On Rules, Calendar, and Operations of the House

House: Passed 1st Reading

H 1122: DRIVERS LICENSE MATERIAL TECHNICAL STANDARD.

House: Passed 1st Reading

House: Ref To Com On Transportation

H 1123: EXCLUDE FEDERAL LANDS ACCESS FUNDS FROM STI.

House: Passed 1st Reading

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

H 1124: DOT MINORITY/WOMEN BUSINESS PROGRAM.

House: Passed 1st Reading

House: Ref to the Com on Transportation, if favorable, Appropriations

H 1125: ALT. CRITERIA UNDER STI FOR EMERGENCY REPAIR.

House: Passed 1st Reading

House: Ref To Com On Transportation

H 1126: DOT PARTNERSHIPS WITH PRIVATE DEVELOPERS.

House: Passed 1st Reading

House: Ref To Com On Transportation

H 1128: BAN PUBLICATION OF MUG SHOTS FOR PROFIT.

House: Passed 1st Reading

House: Ref to the Com on Rules, Calendar, and Operations of the House, if favorable, Judiciary

H 1129: MILITARY APPRECIATION DAY.

House: Passed 1st Reading

House: Ref To Com On Rules, Calendar, and Operations of the House

H 1130: HONOR VETERANS.

House: Filed

H 1132: STRATEGIES FOR IMPROVING MH-DD-SAS.

House: Filed

H 1133: TECHNICAL AND OTHER CORRECTIONS.

House: Filed

H 1135: BUSINESS FACILITIES DEVELOPMENT.

House: Filed

H 1136: AUTHORITY TO ADOPT CERTAIN ORDINANCES.

House: Filed

H 1137: REPORTING AND NOTICE OF WASTEWATER SPILLS.

House: Filed

H 1138: ABC PERMITS/PUBS.

House: Filed

H 1139: STATE NAT. & HIST. PRESERVE DELETIONS.

House: Filed

H 1140: AMEND HOTEL CARBON MONOXIDE ALARM REQUIREMENT.

House: Filed

H 1141: AMEND ISOLATED WETLAND REGULATION.

House: Filed

H 1142: MODIFY FILM/HISTORIC REHAB TAX CREDITS.

House: Filed

H 1143: BURDEN OF PROOF IN CERTAIN CONTESTED CASES.

House: Filed

H 1144: EXPAND 1%/\$80 RATE FOR MILL MACHINERY.

House: Filed

H 1145: INSURANCE & REGISTRATION REQUIRED FOR MOPEDS.

House: Filed

H 1146: SET DATE FOR COMMUNITY COLLEGE ELECTION.

House: Filed

H 1148: 911 BOARD/BACK-UP PSAP.

House: Filed

H 1149: STATE CIO/MOBILE COMMUNICATIONS DEVICES.

House: Filed

H 1150: EDUCATION LONGITUDINAL DATA SYSTEM CHANGES.

House: Filed

H 1152: ELIMINATE OBSOLETE BOARDS AND COMMISSIONS.

House: Filed

H 1153: OAH ELECTRONIC FILING.

House: Filed

H 1157: ELECTRONIC DRIVERS LICENSE AMENDMENT.

House: Filed

H 1160: CISNC FUNDS.

House: Filed

H 1161: LEGALIZE MEDICAL MARIJUANA/CONST AMENDMENT.

House: Filed

H 1162: FLEXIBILITY FOR NCNG CAPITAL PROJECTS.

House: Filed

H 1163: STREAMLINE RULE-MAKING PROCESS.

House: Filed

H 1164: SBOE RULEMAKING CLARIFICATION.

House: Filed

H 1165: AMEND OLB REPORTING REQUIREMENTS.

House: Filed

H 1166: CLARIFY GRAVEL UNDER S TORMWATER LAWS.

House: Filed

H 1167: MODIFY 2013 APPROPRIATIONS ACT.

House: Filed

S 734: AUTHORITY TO ADOPT CERTAIN ORDINANCES.

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

Senate: Re-ref Com On Finance

S 786: ENERGY MODERNIZATION ACT.

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

Senate: Re-ref Com On Finance

Senate: Reptd Fav

S 792: FERRY TOLLING/REPLACEMENT FUNDS.

Senate: Passed 1st Reading

Senate: Ref to Transportation. If fav, re-ref to Appropriations/Base Budget

S 793: CHARTER SCHOOL MODIFICATIONS.

Senate: Passed 1st Reading

Senate: Ref To Com On Education/Higher Education

S 794: DIS APPROVE INDUSTRIAL COMMISSION RULES.

Senate: Passed 1st Reading

Senate: Ref To Com On Commerce

S 796: MILITARY APPRECIATION DAY.

House: Special Message Received From Senate

House: Passed 1st Reading

House: Added to Calendar

House: Passed 2nd Reading

House: Passed 3rd Reading

House: Ordered Enrolled

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

S 797: 911 BOARD/BACK-UP PSAP.

Senate: Passed 1st Reading

Senate: Ref To Com On Finance

S 798: STATE CIO/MOBILE COMMUNICATIONS DEVICES.

Senate: Passed 1st Reading

Senate: Ref To Com On Commerce

S 800: APPROPRIATIONS ACT OF 2014.

Senate: Passed 1st Reading

Senate: Ref To Com On Appropriations/Base Budget

S 802: APPROPRIATIONS ACT OF 2014.

Senate: Passed 1st Reading

Senate: Ref To Com On Appropriations/Base Budget

S 803: STATUS REPORTS FILED BY GUARDIANS.

Senate: Passed 1st Reading

Senate: Ref To Com On Health Care

S 804: STRATEGIES FOR IMPROVING MH-DD-SAS.

Senate: Ref To Com On Health Care

Senate: Passed 1st Reading

S 805: STUDY ESTABLISHMENT OF NEW OPTOMETRY SCHOOLS.

Senate: Passed 1st Reading

Senate: Ref To Com On Education/Higher Education

S 806: EDUCATION LONGITUDINAL DATA SYSTEM CHANGES.

Senate: Passed 1st Reading

Senate: Ref To Com On Education/Higher Education

S 807: HONOR LEO MERCER, FORMER MEMBER.

Senate: Filed

S 808: OYSTER INDUSTRY RESTORATION ACT.

Senate: Filed

S 809: HONOR VETERANS.

Senate: Placed On Cal For 05/21/2014

Senate: Filed

Senate: Passed 1st Reading

S 811: NORTH CAROLINA ANGUS WEEKEND.*Senate: Filed***S 812: REPLACE COMMON CORE TO MEET NC'S NEEDS.***Senate: Filed***S 813: IMPROVE OVERSIGHT OF PUBLIC GUARDIANSHIP.***Senate: Filed***S 814: PREQUALIFICATION UPDATE.***Senate: Filed***S 815: ENSURING PRIVACY OF STUDENT RECORDS.***Senate: Filed***S 816: EXTEND LOW-INCOME HOUSING TAX CREDIT.***Senate: Filed***S 817: 4-YEAR TERMS FOR GA/LIMIT CONSECUTIVE TERMS.***Senate: Filed***S 818: ESTABLISH EDUCATION ENDOWMENT FUND.***Senate: Filed***LOCAL BILLS****H 1120: 2 CO. COMM./DURHAM TECH. BD.***House: Passed 1st Reading**House: Ref To Com On Rules, Calendar, and Operations of the House***H 1127: MAGGIE VALLEY DEANNEXATION.***House: Passed 1st Reading**House: Ref to the Com on Government, if favorable, Finance***H 1131: CLAY COUNTY OPOSSUM EXCLUSION/WILDLIFE LAWS.***House: Filed***H 1134: CLEVELAND COUNTY/ROAD ASSESSMENT CRITERIA.***House: Filed***H 1147: ZEBULON CHARTER AMENDMENTS.***House: Filed***H 1151: FAYETTEVILLE RED LIGHT CHANGES.***House: Filed***H 1154: MOORE CO. SCHOOLS TRANSFER OF PROPERTY.***House: Filed***H 1155: PINEHURST ANNEXATION.***House: Filed*

H 1156: SPIRITUOUS LIQUOR TASTINGS/CITY OF ASHEVILLE.

House: Filed

H 1158: MORGANTON CHARTER AMENDMENT.

House: Filed

H 1159: CITY OF GREENVILLE/PRIVATE SALE.

House: Filed

S 795: LOCAL OPTION SALES TAX.

Senate: Passed 1st Reading

Senate: Ref to State and Local Government. If fav, re-ref to Finance

S 799: CARRBORO BUILDING CODES.

Senate: Passed 1st Reading

Senate: Ref To Com On State and Local Government

S 801: MORGANTON CHARTER AMENDMENT.

Senate: Passed 1st Reading

Senate: Ref To Com On State and Local Government

S 810: FAYETTEVILLE RED LIGHT CHANGES.

Senate: Filed

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