



## The Daily Bulletin: Tuesday, May 27, 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.*

Senate committee substitute to the 3d edition to be summarized.

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

[View summary](#)

H 1203 (2013-2014) [PRIVATE HOSPITAL TOXICOLOGY FEE](#). Filed May 27 2014, *AN ACT AUTHORIZING THE COURT TO ASSESS A FEE FOR THE COSTS OF THE SERVICES OF A PRIVATE HOSPITAL PERFORMING TOXICOLOGICAL TESTING FOR A PROSECUTORIAL DISTRICT AND TO DIRECT THE ADMINISTRATIVE OFFICE OF THE COURTS TO RECOMMEND COST LIMITATIONS ON CONTRACTS WITH PRIVATE HOSPITALS PERFORMING SUCH TESTING.*

Amends GS 7A-304(a), concerning costs in criminal actions, providing that the court can order fees in the amount of \$600, to be remitted for the reimbursement and support of a prosecutorial district for the services of any private hospital performing toxicological testing under contract with that prosecutorial district. Limits when the cost can be assessed as in cases where the laboratory has performed testing of bodily fluids of the defendant for the presence of alcohol or other controlled substances as part of the investigation leading to the defendant's conviction. Also required for reimbursement is a finding by the court that the work performed by the local hospital is equivalent to the work performed by the NC State Crime Laboratory.

Further provides that costs can be ordered by the court for expert witnesses that are employed by the private hospitals to perform toxicological testing and that also provide testimony about that analysis in a trial in the amount of \$600. This amount is in addition to any costs awarded pursuant to the above section for hospital reimbursement.

Directs the Administrative Office of the Courts (AOC) and the Conference of District Attorneys to evaluate the contracts between prosecutorial districts and private hospitals performing the tests in order to recommend a reasonable limitation for the amount to be paid under the contract per each test performed. Directs the AOC to report its recommendations to the chairs of the Joint Legislative Oversight Committee on Justice and Public Safety, the chairs of the Senate Appropriations Committee on Justice and Public Safety, and to the House Appropriations Subcommittee on Justice and Public Safety by February 1, 2015.

Makes conforming changes.

Effective July 1, 2014, applying to fees assessed or collected on or after that date.

**Intro. by T. Moore.**

[GS 7A](#)

[View summary](#)

[Courts/Judiciary, Evidence, Criminal Justice, Criminal Law and Procedure](#)

H 1204 (2013-2014) **TELEMATICS PILOT PROJECT**. Filed May 27 2014, *AN ACT TO AUTHORIZE THE DIVISION OF MOTOR FLEET MANAGEMENT OF THE DEPARTMENT OF ADMINISTRATION TO DEVELOP AND IMPLEMENT A PILOT PROJECT TO TEST THE EFFECTIVENESS AND EFFICIENCY OF USING TELEMATICS IN STATE-OWNED MOTOR VEHICLES.*

Directs the Division of Motor Fleet Management (DMFM) to implement a pilot project during fiscal year 2014-15 to test the effectiveness and efficiency of using telematics in state-owned motor vehicles. Sets out how the project should be organized and what it must include.

Requires the DMFM to report on the status of the pilot project to the Joint Legislative Committee on Governmental Operations on or before June 1, 2015. Sets out eight categories of information that must be included in the report, including a recommendation on which telematics service package should be implemented, and the estimated cost savings resulting from the use of telematics.

Appropriates \$1 million from the Motor Fleet Management Fund to the DMFM for the development and implementation of the pilot project.

Effective July 1, 2014.

**Intro. by Hager.**

APPROP, STUDY

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**Courts/Judiciary, Motor Vehicle, Government, Budget/Appropriations, State Agencies, Department of Administration, Transportation**

H 1205 (2013-2014) **WOUNDED WARRIOR MOTORSPORT SCHOLARSHIP/FUNDS**. Filed May 27 2014, *AN ACT TO PROVIDE SCHOLARSHIPS FOR WOUNDED WARRIORS TO ATTEND A UNIVERSITY OR COMMUNITY COLLEGE MOTORSPORTS PROGRAM.*

Appropriates \$39,886 in recurring funds starting in fiscal year 2014-15 to provide four scholarships for members of the Wounded Warrior Program in order to complete a motorsports technology, motorsports management, race car technology, or similar program or concentration at a community college in North Carolina or constituent institution of UNC. Allows the State Education Assistance Authority (SEAA) to use up to 3.5 percent to administer the scholarships. Directs the SEAA to select the four recipients of the scholarships.

Sets out five requirements that a student must meet in order to be eligible for the scholarships, including that the student must be seeking to complete a program or concentration in the disciplines described above and that the student must meet specific academic standards and progress.

Provides that \$20,000 of the recurring funds appropriated from the Education Lottery Fund to the SEAA for the 2014-15 fiscal year must be used to market the availability of the new scholarships to the members of the Wounded Warrior Program associated with Fort Bragg and Camp Lejeune.

Effective July 1, 2014.

**Intro. by Jeter, G. Martin, Hanes.**

APPROP

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**Education, Higher Education, Government, Budget/Appropriations, Military and Veteran's Affairs**

H 1206 (2013-2014) [HOUSE SELECT/CONST. CONVENTION OF STATES](#). Filed May 27 2014, *A HOUSE RESOLUTION ESTABLISHING A HOUSE SELECT COMMITTEE TO STUDY WHETHER NORTH CAROLINA SHOULD APPLY TO CONGRESS FOR A CONVENTION OF THE STATES UNDER ARTICLE V OF THE CONSTITUTION OF THE UNITED STATES.*

As the title indicates. Further provides that the House Select Committee (Committee) established under this proposed resolution would be limited to proposing amendments to the US Constitution that (1) impose fiscal restraint on the federal government, (2) limit the power and jurisdiction of the federal government, (3) limit the terms of office for federal government officials and members of Congress, and (4) other related issues at the discretion of the Committee.

This resolution is effective upon adoption.

**Intro. by Jones, Millis, Riddell, Fulghum.**

[CONST, HOUSE RES](#)

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[Government, General Assembly](#)

H 1208 (2013-2014) [GOVERNOR'S BUDGET](#). Filed May 27 2014, *AN ACT TO MAKE BASE BUDGET APPROPRIATIONS FOR CURRENT OPERATIONS OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES.*

Identical to [S 842](#), filed on May 22, 2014.

Due to the fact that Governor McCrory's proposed budget was released in advance of the filing of S 842, we will not be including a summary of the bill version of his budget. For the content of the bill, please follow the link to the bill on the General Assembly's site above. Further information on the Governor's proposed budget can also be found on the Office of State Budget and Management's website at <http://osbm.nc.gov/thebudget>.

**Intro. by Dollar, Burr, Johnson, McElraft.**

[APPROP](#)

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[Government, Budget/Appropriations](#)

H 1209 (2013-2014) [RETIREMENT INVESTMENT ACCOUNTABILITY](#). Filed May 27 2014, *AN ACT TO ENHANCE THE ACCOUNTABILITY AND TRANSPARENCY OF THE STATE RETIREMENT SYSTEMS' INVESTMENT PROGRAMS BY PROVIDING FOR AUDITED FINANCIAL STATEMENTS, PERFORMANCE REVIEWS, EXPANDED AND MODERNIZED REPORTING, A SUNSET ON THE CONFIDENTIALITY OF PROPRIETARY INFORMATION, RESOURCE FLEXIBILITY FOR THE INVESTMENT MANAGEMENT DIVISION, AND OTHER MEASURES.*

Enacts new GS 147-69.9 to require the State Treasurer to issue financial statements, at the end of each fiscal year, regarding the investment programs for the Retirement Systems in GS 147-69.2(b)(8) (Teachers' and State Employees' Retirement System, the Consolidated Judicial Retirement System, the Firefighters' and Rescue Workers' Pension Fund, the Local Governmental Employees' Retirement System, the Legislative Retirement System, the North Carolina National Guard Pension Fund, and the Retiree Health Benefit Fund). Requires the statements to be audited by a commercial independent third party audit firm, who is selected based on criteria developed by the State Auditor in consultation with the State Treasurer. Requires that the audit firm's report and the financial statements be provided to the General Assembly within six months after the reporting period closes. Specifies supplementary information that must accompany the financial statements. Effective for audits and reports relating to the 2014-15 fiscal year. Provides that for 2014-15, the requirements must be met by an independent review of the Retirement Systems' pro forma financial statements. Requires for 2015-16 and thereafter that the audit requirement take the form of an independent

opinion concerning the Retirement System's initial financial statements. Requires that an audit firm be selected by January 1, 2105, and that the Treasurer separately account for any Retirement Systems investment portfolios commingled with the Treasurer's other investment programs by June 30, 2015. The above provisions are effective July 1, 2014.

Enacts new GS 147-69.10 to require the State Treasurer to, at least once every four years, engage a commercial independent expert firm to evaluate the governance, operations, and investment practices of the State Treasurer to develop recommendations for improvement; the firm's report must be provided to the General Assembly.

Enacts new GS 147-69.11 to require the State Treasurer to make public a report on the fees and performance of external investment managers engaged for the Retirement Systems as of the end of each fiscal year. Specifies entities that are to receive a copy of the report within nine months of the end of the fiscal year. Specifies eight items that are to be included in the report, including the value of the State Treasurer's investment as of the end of the fiscal year, the amount of the management fees and incentive fees paid to the external investment manager, and whether any placement agent fees were borne by the Retirement System. Enacts new GS 132-1.14 to specify that those eight items that are to be listed in the State Treasurer's report are also public record for each Treasurer investment. Provides that these records are not public record until 90 days after the transaction has closed, in order to prevent investment traders from using knowledge of potential or pending investment trades for personal gain. Specifies six items that are not public record until 10 years after the termination of an investment vehicle in which the State Treasurer has made an investment, including information regarding the portfolio positions in which the investment vehicle invests, capital call and distribution notices to investors of the investment vehicle, and the investment's contractual documents, to the extent stated in any clauses that place a duty of confidentiality on the State Treasurer. Provides that any information described in these six items is to be available to the General Assembly and State Auditor at any time, even if it is not public record. Effective July 1, 2014, with the reporting requirements applicable to the reports for the 2013-14 fiscal year.

Amends GS 147-69.3(f) to delete the requirement that the costs of administration, management, and operation of investment programs established under the statute be deposited with the State Treasurer as a General Fund nontax revenue. Requires that the costs of investment programs established under the statute be reported to the General Assembly by June 15 of each year, providing the actual incurred costs for the previous fiscal year, the estimated costs for the current fiscal year and next fiscal year. Deletes the provision requiring these costs, if they are not directly paid from the income or assets of the program, be covered by an appropriation. Amends GS 147-69.3 to allow the State Treasurer to appoint employees possessing specialized skills or knowledge necessary for the proper administration of investment programs created under the statute. Amends GS 147-69.3(i2) to authorize the State Treasurer to establish market-oriented compensation plans, including salaries and performance-related bonuses, for employees possessing specialized skills or knowledge, who will be exempt from the classification and compensation rules established by the Office of State Human Resources (was, the State Treasurer may establish compensation, including bonuses for the Chief Investment Officer and Investment Directors). Makes conforming changes. Amends GS 126-5(c1) to make employees of the State Treasurer's Investment Management Division exempt from GS Chapter 126, State Personnel System [except as to Articles 6 (Equal Employment and Compensation Opportunity; Assisting in Obtaining State Employment) and Article 7 (Privacy of State Employee Personnel Records)].

Enacts new GS 147-69.12 to require that a person acting as a placement agent in connection with any Treasurer investment be registered as a lobbyist. Defines *placement agent* as any person or entity directly or indirectly hired, used, engaged, retained, compensated, or otherwise given anything having monetary value or benefit by an external investment manager to assist in securing investment commitments or other ongoing investment management business from any Treasurer investment funds.

Amends GS 147-69.3 to require the State Treasurer to adopt, publish, and regularly review investment policy statements for each investment program. Also amends the statute to require the State Treasurer's report to the Finance Committee to include a summary (was, a statement) of the investment policies for the revenues invested. Amends the definition of *rule* in GS 150B-2(8a) to also exclude investment policy statements. Effective July 1, 2014, for the

Retirement Systems and becomes effective July 1, 2015, for the other investment programs created under GS 147-69.3.

Amends GS 147-69.3(j) to allow the State Treasurer to adopt any rules necessary to establish, operate, conduct, and carry out all activities related to the investment program established under the statute (was, the State Treasurer must adopt rules necessary to carry out the provisions of the statute).

Repeals GS 128-29.1 (Authority of the Board of Trustees to the Counties, Cities, and Towns Retirement System to invest in certain common and preferred stocks). Amends GS 147-69.2(b) to specify that investments made pursuant to (b)(1) through (6) of the statute may be made directly by the State Treasurer, through investment companies registered under the Investment Company Act of 1940, individual, common, or collective trust funds of banks and trust companies, group trusts, and limited partnerships, limited liability companies or other limited liability investment vehicles that invest primarily in investments authorized by subdivisions (1) through (6) of the subsection, or through other specified agreements.

Unless otherwise indicated, effective July 1, 2014.

**Intro. by Dollar, Collins, S. Ross.**

[GS 126](#), [GS 128](#), [GS 132](#), [GS 147](#), [GS 150B](#)

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[Courts/Judiciary](#), [Court System](#), [Employment and Retirement](#), [Government](#), [APA/Rule Making](#), [General Assembly](#), [Public Safety](#), [State Agencies](#), [Department of State Treasurer](#), [State Government](#), [State Personnel](#), [Local Government](#), [Military and Veteran's Affairs](#)

H 1210 (2013-2014) [RESCIND INCOME TAX CUT FOR MILLIONAIRES](#). Filed May 27 2014, *AN ACT TO RESCIND THE INCOME TAX RATE REDUCTION FOR MILLIONAIRES AND OTHER HIGH-INCOME TAXPAYERS*.

GS 105-153.7 currently imposes a tax on the North Carolina taxable income of every individual at a rate of 5.8 percent annually. Effective for taxable years beginning on or after January 1, 2014, amends GS 105-153.7(a) to increase the tax rate to 7.75 percent (was, 5.8 percent) on the North Carolina taxable income of individuals based on filing status as follows: (1) married individuals filing jointly under GS 105-153.8 and for surviving spouses as defined in section 2(a) of the Code with taxable income over \$1 million; (2) heads of households as defined in section 2(b) of the Code with taxable income over \$800,000; (3) unmarried individuals other than surviving spouses and heads of households with taxable income over \$600,000; and (4) married individuals who do not file a joint return under GS 105-153.8 with taxable income over \$500,000. Amends subsection (b) of this statute to provide that the amounts of the tax determined under the table is to be computed based on the rates as prescribed by subsection (a) of this section as amended in this act.

Effective for taxable years beginning on or after January 1, 2015, amends GS 105-153.7(a) as amended in Section 1 of this act to make the tax rate 5.75 percent (was, 5.8 percent) on the North Carolina taxable income of individuals based on filing status as follows: (1) married individuals filing jointly under GS 105-153.8 and for surviving spouses as defined in section 2(a) of the Code with taxable income up to \$1 million; (2) heads of households as defined in section 2(b) of the Code with taxable income up to \$800,000; (3) unmarried individuals other than surviving spouses and heads of households with taxable income up to \$600,000; and (4) married individuals who do not file a joint return under GS 105-153.8 with taxable income up to \$500,000.

Repeals Section 1.2 of SL 2013-316 which imposed a tax rate on North Carolina taxable income of 5.75 percent on individual taxpayers, effective on or after January 1, 2015. Effective when this act becomes law.

**Intro. by Luebke, Earle, Insko, Lucas.**

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

H 1213 (2013-2014) **LOCAL GOVERNMENTS IN STATE HEALTH PLAN**. Filed May 27 2014, *AN ACT TO ALLOW LOCAL GOVERNMENT UNITS TO ENROLL THEIR EMPLOYEES, RETIREES, AND DEPENDENTS IN THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES, SUBJECT TO CERTAIN CONDITIONS*.

Amends GS 135-48.1(11) to expand the definition for *employing unit* as the term is used in GS Chapter 135, Article 3B, State Health Plan for Teachers and State Employees (Plan) to include a local government unit that participates in the Plan under GS 153-48.47 or any other law.

Amends GS 135-48.8 to declare that the state deems it to be in the public interest for local government units to be allowed to join the Plan and to participate in the Plan until January 1, 2018.

Enacts new GS 135-48.47 to provide that local government employees, retirees, and dependents of local government employees and retirees are eligible to participate in the Plan as provided in Part 4 of Article 3B of GS Chapter 135. However, does not guarantee participation in the Plan for employees, retirees, and dependents participating under this section. Provides that participation is contingent on their respective local government units (1) choosing to participate in the Plan and (2) complying with the provisions of this section and this Article, as well as any policies adopted by the Plan. Lists the eight participation requirements that govern a local government unit's participation in the Plan. Provides that eligibility under this section sunsets January 1, 2018, except that local government retirees who retired prior to that date and were covered under this section, and their dependents, will continue to be eligible for coverage under this section.

Makes conforming changes to GS 135-48.55 to provide that its provisions regarding interest charged late premiums due the Plan from employing units apply to local government units.

Permits any local government unit participating in the Plan as of the effective date of this act to elect to be subject to the new requirements in GS 135-48.47, as enacted by this act, regardless of any prior session law, action by the Board of Trustees for the Plan or the predecessor plan to the current Plan, or other law. Directs local government units electing to participate in the Plan under GS 135-48.47 to stop making monthly contributions to the Retirement System for Teachers and State Employees (Retirement System) in the month in which coverage begins under GS 135-48.47. Provides that local government units are not entitled to a refund of any prior contributions of the Retirement System. Declares that nothing in this section nor electing to participate in the Plan under GS 135-48.47 is to have an impact on any existing debt owed by any local government unit to the Retirement System.

**Intro. by Ramsey.**

GS 135

[View summary](#)**Government, Local Government, Health and Human Services, Health, Health Insurance**

H 1215 (2013-2014) **CC WAIVER/NONPROFIT HOSPITAL POLICE DEPTS**. Filed May 27 2014, *AN ACT TO PROVIDE FOR THE WAIVER OF COMMUNITY COLLEGE TUITION AND REGISTRATION FEES FOR LAW ENFORCEMENT ENTITIES SERVING NONPROFIT HEALTH CARE FACILITIES AND TO APPROPRIATE FUNDS TO IMPLEMENT THE REQUIREMENTS OF THIS ACT*.

Amends GS 115D-5(b)(2), providing that tuition and fees for community college courses requested by nonprofit law enforcement entities serving nonprofit agencies operating and maintaining specified health care facilities can be waived.

Appropriates \$35,000 in recurring funds from the General Fund to the Community Colleges System Office for the 2014-15 fiscal year in order to implement the waiver of tuition and fees as noted above.

Effective July 1, 2014, applying to the waiver of tuition and registration fees on or after that date.

**Intro. by Jordan.**

APPROP, GS 115D

[View summary](#)

**Education, Higher Education, Government,  
Budget/Appropriations, Public Safety**

H 1216 (2013-2014) **CEMETERY COMMISSION FUNDS**. Filed May 27 2014, *AN ACT TO APPROPRIATE FUNDS TO THE NORTH CAROLINA CEMETERY COMMISSION FOR THE COMMISSION'S CONSUMER PROTECTION FUND*.

Appropriates \$259,000 for 2014-15 from the General Fund to the Department of Commerce to be allocated to the NC Cemetery Commission's Consumer Protection Fund to be used for a public purpose. Effective July 1, 2014.

**Intro. by Jordan.**

APPROP

[View summary](#)

**Government, Budget/Appropriations, Health and Human  
Services, Health, Public Health**

H 1217 (2013-2014) **TORT CLAIMS ACT CLARIFICATION**. Filed May 27 2014, *AN ACT TO AMEND THE INCREASE IN STATE LIABILITY UNDER THE TORT CLAIMS ACT PASSED BY THE GENERAL ASSEMBLY IN 2007 TO SPECIFY THAT THE INCREASE APPLIES TO CLAIMS PENDING ON THE DATE OF PASSAGE OF THE ACT*.

Amends Section 3 of SL 2007-452, to provide that the increase in the state tort claim limit applies to claims pending on the date the act became law, August 27, 2007, or to claims arising from torts committed on or after that date (previously, the higher claim limit only applied to torts committed on or after August 27, 2007).

**Intro. by Jordan.**

UNCODIFIED

[View summary](#)

**Courts/Judiciary, Civil, Civil Law**

H 1219 (2013-2014) **FUNDS FOR WILSON ACAD. OF INNOV.** Filed May 27 2014, *AN ACT TO APPROPRIATE FUNDS FOR THE WILSON ACADEMY OF APPLIED INNOVATION*.

Appropriates \$150,000 for 2014-15 in nonrecurring funds from the General Fund to the Department of Public Instruction to be allocated to the Wilson County Schools for the planning and support of the Wilson Academy of Applied Innovation. States the intent, beginning with 2015-16, to allocate recurring funds in an amount equal to the amount allocated to each cooperative innovate high school under the cooperative innovative high school allotment. Effective July 1, 2014.

**Intro. by S. Martin, Johnson, Horn.**

APPROP

[View summary](#)

**Government, Budget/Appropriations**

H 1220 (2013-2014) **HOPE 4 HALEY AND FRIENDS**. Filed May 27 2014, *AN ACT TO CREATE A COMPASSIONATE USE*

*REGISTRY FOR THE USE AND ADMINISTRATION OF HEMP OIL EXTRACT FOR PEOPLE SUFFERING FROM INTRACTABLE SEIZURE DISORDERS AND TO PROVIDE THAT COMPASSIONATE USE REGISTRANTS ARE NOT SUBJECT TO CRIMINAL PENALTIES FOR THE POSSESSION AND USE OF HEMP OIL EXTRACT WHEN POSSESSED AND USED TO TREAT INTRACTABLE SEIZURE DISORDERS.*

Enacts new GS 90-94.1 to allow an individual to possess or use hemp extract (as defined in the act) free from criminal penalty if the individual (1) possess or uses the extract only to treat intractable epilepsy; (2) possesses, in close proximity to the extract, a certificate of analysis indicating the hemp extract's ingredients; and (3) has a current hemp extract registration card issued by the Department of Health and Human Services (DHHS). Allows an individual lawfully possessing hemp extract to administer the extract to another person under the individual's care without criminal penalty if (1) the individual is the person's caregiver and (2) the individual is registered with DHHS to administer the extract. Effective October 1, 2014.

Enacts new Article 5G, Compassionate Use Registration Act, in GS Chapter 90, to require DHHS, in coordination with recommendations from the Department of Public Safety, to establish the form and content of compassionate use registration cards (registration card) to be issued to qualified individuals. Requires issuance of a registration card, valid for one year, to an individual who meets the five specified criteria, including providing a statement from a neurologist that says the patient meets specified criteria related to epilepsy, and the individual pays a fee (not to exceed \$50). Provides the conditions under which a registration card may be renewed. Requires DHHS to create a registry for the registration of neurologists, caregivers, and patients that is accessible to law enforcement agencies. Requires that the registry prevent an active registration of a patient by multiple neurologists and sets minimum information that must be included in the database. Requires DHHS to contact the county department of health where the patient resides and provide (1) the registrant's name and address and (2) identifying information contained on the registration card. Allows neurologists, on a case-by-case basis, to approve of dispensation to a registrant hemp oil acquired from another jurisdiction. Provides immunity from arrest or prosecution for a neurologist for approving or recommending the use of hemp oil or providing a written statement or health records to DHHS for the use of hemp oil. Requires a neurologist signing a statement (as needed to obtain a registration card) to (1) keep a record of the evaluation and observation of a patient under the neurologist's care and (2) transmit the record to DHHS upon request. Provides that all medical records received or maintained by DHHS under this Article are confidential. Requires DHHS to adopt rules to implement the Article. Requires DHHS to establish and adopt rules to implement the act by October 1, 2014.

Encourages UNC-Chapel Hill, Duke, and Wake Forest University to research hemp oil development, production, and use for the treatment of seizure disorders and to participate in any ongoing or future clinical studies or trials.

Unless otherwise noted, the act becomes effective June 30, 2014.

**Intro. by McElraft, Avila, Carney, Fulghum.**

**STUDY, GS 90**

[View summary](#)

**Courts/Judiciary, Criminal Justice, Criminal Law and Procedure, Health and Human Services, Health**

H 1221 (2013-2014) **LIMIT E-VERIFY EXEMPTION/AGRICULTURE INDUSTRY**. Filed May 27 2014, *AN ACT TO PROVIDE THAT ONLY TEMPORARY EMPLOYEES IN THE AGRICULTURAL SECTOR DO NOT HAVE TO BE COUNTED FOR PURPOSES OF DETERMINING WHETHER AN EMPLOYER MUST USE E-VERIFY.*

Amends GS 64-25, concerning definitions for use in verification of work authorization and required use of e-verify, providing that the definition of *employee* does not include an individual whose employment is less than nine months in a calendar year and who works in the agriculture, agribusiness, landscaping, or forestry sectors, thus not requiring such an employee to be counted in regards to determining if e-verify is required (previously, exemption for not being considered an employee did not include employment type limitation).



Appropriates \$100,000 from the General Fund to the Department of Labor for the 2014-15 fiscal year to create materials and programs that can be used to train employers on the requirements of GS Chapter 64, Article 2.

Effective October 1, 2014.

**Intro. by Riddell, Whitmire, Brody, Dobson.**

[APPROP, GS 64](#)

[View summary](#)

[Agriculture, Employment and Retirement, Government, Budget/Appropriations](#)

H 1222 (2013-2014) [AMEND EXPUNCTION LAWS](#). Filed May 27 2014, *AN ACT TO AMEND THE EXPUNCTION LAWS TO SHORTEN THE WAITING PERIOD REQUIRED TO OBTAIN SOME EXPUNCTIONS, TO MAKE SOME EXPUNCTIONS MORE AVAILABLE FOR CERTAIN PERSONS DEDICATED TO MOVING BEYOND THEIR CRIMINAL RECORDS, AND TO APPROPRIATE FUNDS TO THE DEPARTMENT OF JUSTICE TO ASSIST WITH THE ADDITIONAL COSTS OF CRIMINAL RECORD CHECKS.*

To be summarized.

**Intro. by Harrison, Adams.**

[APPROP, GS 15A](#)

[View summary](#)

[Courts/Judiciary, Criminal Justice, Criminal Law and Procedure, Government, Budget/Appropriations](#)

H 1223 (2013-2014) [VACANCY/US HOUSE OF REP/EXEC. COMM. NOMINAT'N](#). Filed May 27 2014, *AN ACT TO AMEND ELECTION LAWS TO PROVIDE THAT A SPECIAL ELECTION TO FILL A VACANCY OCCURRING IN THE UNITED STATES HOUSE OF REPRESENTATIVES SHALL BE HELD WITHIN SIX MONTHS FROM THE DATE THE VACANCY OCCURS AND TO FURTHER PROVIDE THAT THE GOVERNOR SHALL FILL A VACANCY IN THE UNITED STATES HOUSE OF REPRESENTATIVES ONLY BY NOMINATION OF THE POLITICAL PARTY CONGRESSIONAL DISTRICT EXECUTIVE COMMITTEE IN THE DISTRICT IN WHICH THE VACANCY OCCURS.*

Amends GS 163-13, concerning filling a vacancy in the US House of Representatives, providing that when a special election is required for such a vacancy, the election must be held within six months from the date the vacancy occurred.

Deletes language which provided for a special primary to nominate candidates to fill a vacancy through special election, depending on when the vacancy occurred. Now the special election established to fill a US House of Representatives vacancy will only be comprised of candidates nominated by political party congressional district executive committees.

**Intro. by Adams, Harrison, Cunningham, Hanes.**

[GS 163](#)

[View summary](#)

[Government, Elections](#)

H 1224 (2013-2014) [JMAC DEVELOPMENT FUND MODIFICATIONS](#). Filed May 27 2014, *AN ACT TO MODIFY THE JOB MAINTENANCE AND CAPITAL DEVELOPMENT FUND PROVISIONS.*

Amends GS 143B-437.012, concerning eligibility for a grant from The Job Maintenance and Capital Development

Fund, adding new conditions for eligibility. New conditions include, that the business be a major employer, with the project for which funds are requested having to be located in a development tier one area at the time the business applies for the grant. Also new, a business can be eligible for a grant if it is a large manufacturing employer that is converting its manufacturing process to become more energy efficient and reduce emissions as well as being certified by the Department of Commerce that the business has invested or plans to invest at least \$50 million of private funds (was, \$65 million) in improvements to real property and additions to tangible personal property within a five-year period (was, three-year). Deletes a requirement that the large manufacturing business must be located in a tier one development area in order to be eligible for a grant. However, sets out that to be eligible certain employment levels must be met and maintained depending on the category of the development area the business is located in. The business can be located in either a tier one or tier two development area, with different employment requirements depending on the tier. Tier one location would roughly require that 320 full-time employees be employed by the project that is subject to the grant with tier two location requiring 800 full-time employees if the tier two area has a population of less than 60,000 as of July 1, 2013.

Establishes that the Department of Commerce cannot enter into more than five agreements/grants, with total aggregate cost not to exceed \$79 million (was, \$69 million).

Effective July 1, 2014.

**Intro. by Presnell.**

GS 143B

[View summary](#)

**Development, Land Use and Housing, Community and Economic Development**

H 1225 (2013-2014) **FUTURE USE OF BROUGHTON HOSPITAL/FUNDS**. Filed May 27 2014, *AN ACT TO PROHIBIT THE SALE OF BROUGHTON HOSPITAL FACILITIES UNTIL AUTHORIZED BY THE GENERAL ASSEMBLY AND TO APPROPRIATE FUNDS FOR A STUDY OF POTENTIAL FUTURE USES FOR THE FACILITIES TO ENHANCE ECONOMIC BENEFITS TO THE STATE AND LOCAL GOVERNMENTS.*

Identical to [S 847](#), filed 5/27/14.

Prohibits, during the 2014-15 fiscal year and subsequent fiscal years, the sell, lease, rental, or gifting of state-owned property comprising the Broughton Hospital campus without General Assembly approval. Requires the Department of Health and Human Services (DHHS) to maintain the Broughton Hospital facilities in the same condition they are in at the time the act becomes law.

Appropriates \$400,000 from the General Fund to the Department of Commerce (DOC) to study, along with DHHS, the Department of Administration, the City of Morganton, Burke County, and Burke Development, Inc., potential uses for the Broughton hospital facilities and potential development of adjoining state-owned properties, to ascertain the economic benefits of use, development, or redevelopment. Sets out four issues to be examined in the study.

Requires DOC to submit an interim report by December 31, 2014, to the specified legislative entities. Requires a final report by June 30, 2015.

Effective July 1, 2014.

**Intro. by Blackwell.**

APPROP

**Government, Budget/Appropriations, State Agencies, Department of Administration, Department of**

[View summary](#)**Commerce, Department of Health and Human Services,  
State Government, State Property, Health and Human  
Services, Health, Health Care Facilities and Providers**

H 1226 (2013-2014) **COAL ASH MANAGEMENT ACT OF 2014**. Filed May 27 2014, *AN ACT TO (1) PROHIBIT RECOVERY OF COSTS RELATED TO THE MANAGEMENT OF COAL COMBUSTION RESIDUALS AND UNLAWFUL DISCHARGES FROM COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (2) PROHIBIT CONSTRUCTION OF NEW OR EXPANSION OF EXISTING COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS EFFECTIVE JULY 1, 2014; (3) PROHIBIT THE DISPOSAL OF COAL COMBUSTION RESIDUALS GENERATED AFTER AUGUST 1, 2014, INTO COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS AND REQUIRE THAT COAL COMBUSTION RESIDUALS GENERATED AFTER THAT DATE BE DISPOSED OF IN SANITARY LANDFILLS OR PUT TO BENEFICIAL USE AS ALLOWED BY LAW; (4) REQUIRE A SURVEY OF DRINKING WATER SUPPLY WELLS AND REPLACEMENT OF CONTAMINATED WATER SUPPLIES; (5) REQUIRE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO, AS SOON AS PRACTICABLE BUT NO LATER THAN DECEMBER 1, 2014, PRIORITIZE FOR THE PURPOSE OF CLOSURE AND REMEDIATION COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS, INCLUDING ACTIVE AND RETIRED SITES, BASED ON THESE SITES' RISKS TO PUBLIC HEALTH, SAFETY, AND WELFARE; THE ENVIRONMENT; AND NATURAL RESOURCES; (6) ESTABLISH A SCHEDULE FOR CLOSURE AND REMEDIATION OF ALL IMPOUNDMENTS BASED UPON THE DEPARTMENT'S RISK ASSESSMENT OF THESE SITES AND ESTABLISH BASELINE CLOSURE REQUIREMENTS; (7) REQUIRE CLOSURE AND REMEDIATION OF CERTAIN COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS AS SOON AS PRACTICABLE BUT NO LATER THAN JANUARY 1, 2017; (8) PROVIDE FOR THE POSSIBILITY OF FEDERAL PREEMPTION; (9) REQUIRE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO REPORT QUARTERLY ON ITS OPERATIONS, ACTIVITIES, PROGRAMS, AND PROGRESS WITH RESPECT TO ITS OBLIGATIONS UNDER THIS ACT FOR COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (10) PLACE A TEMPORARY MORATORIUM ON THE USE OF COAL COMBUSTION RESIDUALS AS STRUCTURAL FILL AND DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES AND THE COMMISSION FOR PUBLIC HEALTH TO STUDY THE ADEQUACY OF CURRENT LAWS GOVERNING USE OF COAL COMBUSTION RESIDUALS FOR STRUCTURAL FILL AND OTHER BENEFICIAL USES; (11) PLACE A TEMPORARY MORATORIUM ON THE DISPOSAL OF COAL COMBUSTION RESIDUALS INTO COMBUSTION PRODUCTS LANDFILLS AND THE CONSTRUCTION OF SUCH LANDFILLS UNTIL AUGUST 1, 2015, AND DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO ASSESS THE RISKS TO PUBLIC HEALTH, SAFETY, AND WELFARE; THE ENVIRONMENT; AND NATURAL RESOURCES, OF COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS LOCATED BENEATH THESE LANDFILLS TO DETERMINE THE ADVISABILITY OF CONTINUED OPERATION OF THESE LANDFILLS; (12) STRENGTHEN THE REPORTING AND NOTIFICATION REQUIREMENTS APPLICABLE TO DISCHARGES OF WASTEWATER TO WATERS OF THE STATE; (13) REQUIRE DEVELOPMENT OF EMERGENCY ACTION PLANS FOR HIGH AND INTERMEDIATE HAZARD DAMS AND AMEND OTHER DAM SAFETY LAW REQUIREMENTS APPLICABLE TO COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (14) REPEAL COMPLIANCE BOUNDARY AMENDMENTS; AND (15) PROVIDE RESOURCES FOR IMPLEMENTATION OF THIS ACT.*

To be summarized.

**Intro. by Harrison, Fisher, Glazier, Luebke.**

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

H 1227 (2013-2014) **HONORING THE HIGHWAY PATROL**. Filed May 27 2014, *A JOINT RESOLUTION HONORING THE EIGHTY-FIFTH ANNIVERSARY OF THE STATE HIGHWAY PATROL AND PAYING TRIBUTE TO THOSE WHO HAVE DIED IN THE LINE OF DUTY.*

As title indicates.

**Intro. by Setzer, Moffitt, Howard, Murry.**

**JOINT RES**

[View summary](#)

**Government, Public Safety**

H 1228 (2013-2014) **GOVERNOR'S COAL ASH ACTION PLAN**. Filed May 27 2014, *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.*

Identical to [S 729](#), filed on May 14, 2014.

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 runway 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.

[View summary](#)

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

H 1229 (2013-2014) **PLATE BACKGROUND/S.T.A.R. PLATE**. Filed May 27 2014, *AN ACT TO REAUTHORIZE THE DIVISION OF MOTOR VEHICLES TO PRODUCE "S.T.A.R." SPECIAL REGISTRATION PLATES AND TO EXPAND THE LIST OF SPECIAL REGISTRATION PLATES THAT ARE NOT REQUIRED TO HAVE A "FIRST IN FLIGHT" BACKGROUND.*

Reenacts GS 20-79.4(b)(215) and 20-81.12(b118) to reauthorize the DMV to produce S.T.A.R. special registration plates.

Also reenacts GS 20-79.7(a1), establishing the fee amount for S.T.A.R. plate, and GS 20-79.7(b), which provides the fee distribution schedule for the S.T.A.R. plate.

Amends GS 20-63(b1) to add the Native Brook Trout, Red Drum, and S.T.A.R. special plates to the list of special registration plates that are not required to have a "First in Flight" background.

**Intro. by Queen, Moffitt, Murry, West.**

GS 20

[View summary](#)

**Government, State Agencies, Department of Transportation, Transportation**

H 1230 (2013-2014) **MODIFY 2013 APPROPRIATIONS ACT**. Filed May 27 2014, *AN ACT TO MODIFY THE CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS ACT OF 2013 AND FOR OTHER PURPOSES.*

Blank bill.

**Intro. by Holloway.**

APPROP

[View summary](#)

**Government, Budget/Appropriations**

H 1231 (2013-2014) **GAS CITY SALES TAX EXEMPTION**. Filed May 27 2014, *AN ACT TO EXEMPT CERTAIN SALES OF NATURAL GAS RELATING TO GAS CITIES.*

Amends GS 105-164.13, concerning exemptions from the retail sales and use tax, providing that piped natural gas received by a gas city for consumption by that city and delivered by a gas city to a sales or transportation customer of the gas city is exempt from the tax imposed by GS Chapter 105, Article 5.

Amends GS 105-164.44L(b), making conforming changes and deleting language that previously dealt with excise tax share of gas cities.

Effective July 1, 2014, applying to sales made on or after that date.

**Intro. by B. Brown, S. Martin, Hastings, T. Moore.**

GS 105

[View summary](#)**Government, Tax, Public Enterprises and Utilities**

H 1232 (2013-2014) **SALES TAX EXEMPTION FOR CERTAIN COINS**. Filed May 27 2014, *AN ACT TO EXEMPT SALES OF GOLD AND SILVER COINS PRODUCED BY THE UNITED STATES MINT FROM SALES TAX*.

As title indicates. Effective July 1, 2014, and applies to sales made on or after that date.

**Intro. by Samuelson.**

GS 105

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

H 1233 (2013-2014) **CEMETARY SALES TAX EXEMPTION**. Filed May 27 2014, *AN ACT TO PROVIDE A SALES TAX REFUND FOR CERTAIN CEMETERIES*.

Amends GS 105-164.14 to allow a sales tax refund for a nonprofit cemetery company that is exempt from income tax under Section 501(c)(13) of the Internal Revenue Code. Effective July 1, 2014, and applies to sales made on or after that date.

**Intro. by Samuelson, Glazier.**

GS 105

[View summary](#)**Government, Tax, Health and Human Services, Health, Public Health**

H 1234 (2013-2014) **FERRY TOLLING/REPLACEMENT FUNDS**. Filed May 27 2014, *AN ACT TO PROTECT THE CITIZENS OF NORTH CAROLINA FROM THE FERRY TAX AND TO APPROPRIATE FUNDS TO THE DEPARTMENT OF TRANSPORTATION FOR FERRY VESSEL REPLACEMENT*.

Identical to [S 792](#), filed 5/19/14.

Amends GS 136-82 to remove the Department of Transportation's (DOT) power to prescribe and collect ferry tolls. Allows DOT to allow ferry sponsorships and extends permissible advertising to allow advertising at ferry facilities in addition to within ferry vessels. Allows DOT to issue rules to implement provisions concerning these and related receipt-generating activities. Makes conforming and clarifying changes.

Effective July 1, 2014, appropriates \$5 million for the Highway Fund to DOT in recurring funds to be allocated to the Division of Ferries for ferry vessel replacement.

**Intro. by Steinburg, Tine, Torbett, Speciale.**

APPROP

[View summary](#)**Government, Budget/Appropriations, State Agencies, Department of Transportation, Transportation**

H 1237 (2013-2014) **RETIREMENT INVESTMENT TRANSPARENCY**. Filed May 27 2014, *AN ACT TO REQUIRE THE STATE TREASURER TO COLLECT AND MAINTAIN AS PUBLIC RECORDS ALL INFORMATION AND DOCUMENTATION RELATED TO FEES PAID TO INVESTMENT MANAGERS ENTRUSTED WITH THE FUNDS OF THE STATE RETIREMENT*

*SYSTEMS AND RELATED TO THE PERFORMANCE OF THOSE INVESTMENT MANAGERS.*

Amends GS 147-69.7(b) to add the requirement that the State Treasurer, in investing and managing assets of the Retirement Systems, collect and maintain as public records the amounts in fees paid to each investment manager, the performance of each investment manager, and all documents related to the investments. Specifies what the fee information is to include. Specifies that the information is a public record and is not confidential or a trade secret. Effective July 1, 2014, and applies to information and documentation related to fees paid on or after that date.

**Intro. by Setzer, T. Moore, Johnson, Moffitt.**

[GS 147](#)

[View summary](#)

[Employment and Retirement, Government, State Agencies, Department of State Treasurer](#)

H 1238 (2013-2014) [INCREASE PARTICIPATION/LOWER THE AGE TO RUN](#). Filed May 27 2014, *AN ACT TO AMEND THE NORTH CAROLINA CONSTITUTION TO REDUCE THE AGE OF ELIGIBILITY TO HOLD ELECTED OFFICE FROM TWENTY-ONE TO EIGHTEEN IN ORDER TO ENCOURAGE THE PARTICIPATION OF YOUNG NORTH CAROLINIANS IN LOCAL AND STATE GOVERNMENT.*

As title indicates. The constitutional amendment is only effective if approved by a majority of voters at a statewide election on November 4, 2014.

**Intro. by Burr, B. Brown, Jordan, Younts.**

[CONST](#)

[View summary](#)

[Constitution, Government, Elections](#)

H 1239 (2013-2014) [RESTORE EARLY VOTING PERIOD](#). Filed May 27 2014, *AN ACT TO RESTORE THE FULL EARLY VOTING PERIOD.*

Amends GS 163-227.2(b) to provide that, no earlier than (1) the third Thursday before the general election in even-numbered years and the first primary election in even-numbered years or (2) the second Thursday before any other primary or election, in which absentee ballots are authorized, in which a voter seeks to vote and no later than 1 pm on the last Saturday before that election, the voter must appear in person only at the office of the county board of elections. Effective when the act becomes law and applies to elections held on or after September 1, 2014.

**Intro. by L. Hall.**

[GS 163](#)

[View summary](#)

[Government, Elections](#)

H 1240 (2013-2014) [NC COLLEGE STUDENT PHOTO ID](#). Filed May 27 2014, *AN ACT TO ALLOW A STUDENT PHOTO IDENTIFICATION CARD ISSUED BY NORTH CAROLINA COLLEGES AND UNIVERSITIES TO BE USED TO IDENTIFY VOTERS IF IT HAS A PRINTED EXPIRATION DATE AND HAS NOT EXPIRED.*

Amends GS 163-166.13(e), as the title indicates.

**Intro. by L. Hall.**

[GS 163](#)

[View summary](#)



**Education, Higher Education, Government, Elections**

H 1241 (2013-2014) **EUGENICS COMPENSATION CHANGES**. Filed May 27 2014, *AN ACT TO EXTEND THE PERIOD FOR FILING CLAIMS FOR COMPENSATION PAYMENTS UNDER THE EUGENICS ASEXUALIZATION AND STERILIZATION COMPENSATION PROGRAM AND TO CLARIFY WHO CAN FILE CLAIMS UNDER THAT PROGRAM.*

Amends GS 143B-426.52 to extend the deadline for submitting a claim for compensation for asexualization or sterilization from June 30, 2014, to September 30, 2014. Adds that if no claim has been filed by a person lawfully authorized to act on the claimant's or the claimant's estate's behalf, the claim may be filed by a person entitled to inherit under the Intestate Succession Act. The person entitled to file on behalf of the claimant is determined as if the claimant had died intestate on the day the claim was filed.

**Intro. by L. Hall.**

GS 143B

[View summary](#)

**Government, State Government**

H 1243 (2013-2014) **STEM TEACHER FORGIVABLE LOAN PROGRAM**. Filed May 27 2014, *AN ACT TO ESTABLISH A FORGIVABLE LOAN PROGRAM FOR PROSPECTIVE STEM AND SPECIAL EDUCATION TEACHERS.*

Enacts new Part 3, North Carolina STEM and Special Education Scholars Program, in Article 23 of GS Chapter 116. Establishes the North Carolina STEM and Special Education Scholars Program (Program), administered by the State Education Assistance Authority (Authority), to provide forgivable loans for service to exemplary high school seniors who are committed to working as teachers of science, technology, engineering, math, or special education. Creates the North Carolina STEM Scholars Fund (Fund), administered by the Authority, consisting of funds appropriated to or otherwise received by the Authority to provide loans through the Program, all funds received as loan repayment, and all interest earned on the funds. Limits Fund use to (1) loans made under the statute, (2) the Authority's administrative costs, and (3) costs incurred by the Board of Governors in providing extracurricular activities to loan recipients. Requires the Authority to establish criteria for loan eligibility and requires recipients to be state residents attending an eligible institution. Establishes loan terms and conditions, including capping loan amounts at \$5,000 per year. Sets out the repayment requirements and sets shorter teaching requirements for those who work at low-performing schools or those on warning status. Requires the UNC Board of Governors to administer extracurricular activities for participating students. Requires the Authority to report annually, beginning December 1, 2015, to the Joint Legislative Education Oversight Committee regarding the Fund and loans awarded.

Appropriates \$2.9 million for 2014-15 and \$5.4 million for 2015-16 from the General Fund to the UNC Board of Governors to implement the act. Specifies the amounts to be used to provide scholarships, for administering the Program, and for extracurricular activities.

Effective July 1, 2014.

**Intro. by Hanes, Lambeth, Holloway, Ramsey.**

APPROP, GS 116

[View summary](#)

**Education, Elementary and Secondary Education,  
Government, Budget/Appropriations**

**PUBLIC/SENATE BILLS**

S 847 (2013-2014) **FUTURE USE OF BROUGHTON HOSPITAL/FUNDS**. Filed May 27 2014, *AN ACT TO PROHIBIT THE SALE OF BROUGHTON HOSPITAL FACILITIES UNTIL AUTHORIZED BY THE GENERAL ASSEMBLY AND TO APPROPRIATE FUNDS FOR A STUDY OF POTENTIAL FUTURE USES FOR THE FACILITIES TO ENHANCE ECONOMIC BENEFITS TO THE STATE AND LOCAL GOVERNMENTS.*

Prohibits, during the 2014-15 fiscal year and subsequent fiscal years, the sell, lease, rental, or gifting of state-owned property comprising the Broughton Hospital campus without General Assembly approval. Requires the Department of Health and Human Services (DHHS) to maintain the Broughton Hospital facilities in the same condition they are in at the time the act becomes law.

Appropriates \$400,000 from the General Fund to the Department of Commerce (DOC) to study, along with DHHS, the Department of Administration, the City of Morganton, Burke County, and Burke Development, Inc., potential uses for the Broughton hospital facilities and potential development of adjoining state-owned properties, to ascertain the economic benefits of use, development, or redevelopment. Sets out four issues to be examined in the study.

Requires DOC to submit an interim report by December 31, 2014, to the specified legislative entities. Requires a final report by June 30, 2015.

Effective July 1, 2014.

**Intro. by Daniel.**

**APPROP**

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

[View summary](#)

S 849 (2013-2014) **CLARIFY REGIONAL SCHOOL CIHS APPLICATIONS**. Filed May 27 2014, *AN ACT TO CLARIFY THE COOPERATIVE INNOVATIVE HIGH SCHOOL PROGRAMS APPLICATION PROCESS FOR REGIONAL SCHOOLS, TO GRANT ONE-YEAR STATUS AS A COOPERATIVE INNOVATIVE HIGH SCHOOL TO THE NORTHEAST REGIONAL SCHOOL OF BIOTECHNOLOGY AND AGRISCIENCE, AND TO PROVIDE FUNDING FOR HIGHER EDUCATION TUITION COSTS FOR STUDENTS ENROLLED AT THE NORTHEAST REGIONAL SCHOOL OF BIOTECHNOLOGY AND AGRISCIENCE.*

Amends GS 115C-238.50A(1a), concerning classification of a high school as a cooperative innovative high school, providing that the criterion in this subsection does not apply to regional schools as defined in GS 115C-238.61 or regional schools established pursuant to GS Chapter 115C, Article 16, Part 10 - "Regional Schools."

Establishes that, notwithstanding other requirements, the Northeast Regional School of Biotechnology and Agriscience will be designated as a cooperative innovative high school for the 2014-15 school year. To maintain the designation beyond the 2014-15 school year, the board of directors must apply with a local board of trustees for approval as a cooperative innovative high school, as provided in GS Chapter 115C, Article 16, Part 9.

Appropriates \$14,915 from the General Fund to the Department of Public Instruction for the 2014-15 fiscal year in order to reimburse UNC for tuition costs for courses taken by students at the Northeast Regional School of Biotechnology and Agriscience through NC State University. Provides that the credit hours achieved from the students at the Northeast Regional School will be considered nonfundable under the UNC Semester Credit Hour Enrollment Change Funding Model.

Effective July 1, 2014.

**Intro. by Brown.**

APPROP, GS 115C

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

S 850 (2013-2014) **PERMANENT LICENSE PLATES / CHARTER SCHOOLS**. Filed May 27 2014, *AN ACT TO MAKE CHARTER SCHOOLS ELIGIBLE TO RECEIVE PERMANENT REGISTRATION PLATES*.

Substantively identical to [H 67](#), filed 2/5/13.

Amends GS 20-84(b) as the title indicates.

**Intro. by Sanderson.**

GS 67

[View summary](#)**Education, Elementary and Secondary Education,  
Government, State Agencies, Department of  
Transportation, Transportation**

S 852 (2013-2014) **NBPTS BONUS FOR TEACHERS IN TITLE I SCHOOLS**. Filed May 27 2014, *AN ACT TO APPROPRIATE FUNDS TO PROVIDE NBPTS BONUSES TO TEACHERS WITH NBPTS CERTIFICATION WHO ARE EMPLOYED FOR AT LEAST SEVENTY PERCENT (70%) OF THEIR WORK TIME AS INSTRUCTIONAL COACHES IN TITLE I SCHOOLS*.

Amends GS 115C-296.2(b), concerning the definition of teacher for use in this section, providing that a teacher can also be a person who, among other requirements, spends at least 70 percent of his or her time as an instructional coach in a Title I school employed as a teacher (previously, did not include instructional coaches at Title I schools as teachers under this definition). Establishes that a Title I school, for use in this section, is a school identified under Part A of Title I of the Elementary and Secondary Education Act of 1965.

Appropriates \$343,722 from the General Fund to the Department of Public Instruction in recurring funds for the 2014-15 fiscal year to provide National Board for Professional Teaching Standards (NBPTS) bonuses to teachers with NBPTS certification that are employed for at least 70 percent of their work time as instructional coaches at Title I schools.

Effective July 1, 2014.

**Intro. by Barringer.**

APPROP, GS 115C

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

S 853 (2013-2014) **BUSINESS COURT MODERNIZATION**. Filed May 27 2014, *AN ACT TO MODERNIZE THE BUSINESS COURT BY MAKING TECHNICAL, CLARIFYING, AND ADMINISTRATIVE CHANGES TO THE PROCEDURES FOR COMPLEX BUSINESS CASES*.

Amends GS 7A-27(a) regarding appeals of right from trial division courts to expand the cases in which the appeal by right lies directly with the Supreme Court to include any final judgment in a case (1) designated as a mandatory complex business case under GS 7A-45.4, or (2) designated as a discretionary complex business case under Rule 2.1 of

the General Rules of Practice for the Superior and District Courts. Applies to appeals filed on or after October 1, 2014.

Amends GS 7A-45.3 to require a presiding Business Court Judge to issue a written opinion upon on the final disposition of a complex business case.

Amends GS 7A-45.4 regarding the designation of an action as a complex business case. Permits any party to designate an action as a mandatory complex business case when the action involves a material issue related to: (1) disputes arising under the following chapters of the General Statutes-55, 55A, 55B, 57D, and 59 concerning partnerships, limited liability companies, and corporations but excludes charitable and religious organizations qualified under GS 55A-1-40(4) on the grounds of religious purposes; (2) disputes involving securities law arising under GS Chapter 78A; (3) disputes involving an antitrust or unfair competition law arising under common law or GS Chapter 75; (4) disputes involving trademark law arising under GS Chapter 80; (5) disputes involving trade secrets under Article 24 of GS Chapter 66; and (6) certain contract disputes in which all of the specified conditions are met including that the amount in controversy is computed as at least \$1 million. Applies to petitions filed or actions commenced on or after October 1, 2014.

Requires that the following actions must be designated as mandatory complex business cases: (1) an action involving a material issue related to tax law that has been the subject of a contested tax case for which judicial review is requested under GS 105-241.16 or that is a civil action under GS 105-241.17; (2) an action described in subsection (a) of GS 7A-45.4 in which the amount in controversy computed in accordance with GS 7A-243 is at least \$5 million; and (3) an action brought pursuant to GS 62-350, which involves regulation of pole attachments. Applies to actions commenced or petitions filed on or after October 1, 2014. Applies to actions commenced or petitions filed on or after October 1, 2014.

Requires the party designating an action as a mandatory complex business case to file a Notice of Designation in the Superior Court in which the action has been filed and to at the same time serve notice on each opposing party or counsel and on the Superior Court Judge for Complex Business Cases. Additionally requires contemporaneous transmission of the notice by e-mail or fax to the Chief Justice of the Supreme Court for approval of the designation as a mandatory complex business case and assignment to a specific Business Court Judge. Provides that failing to designate an action as a mandatory complex business case when it is required to be designated as such under subsection (b) of this section, requires the Superior Court in which the action has been filed to either dismiss the action without prejudice or stay the action until it has been properly designated as a mandatory complex business case under this section. Applies to actions commenced or petitions filed on or after October 1, 2014.

Amends GS 7A-305(a)(2) to increase the filing fee for complex business cases to \$1,100 (was, \$1,000). Also provides that if a court on its own motion assigns a case to a special superior court judge as a complex business case under GS 7A-45.3, the plaintiff is required to pay an additional \$1,100 (was, \$1,000) for support of the General Court of Justice. Applies to actions commenced or petitions filed on or after October 1, 2014.

Amends GS 7A-343 to expand the duties of the Director, who is the Administrative Officer of the Courts, to include a requirement that the Director prepare and submit a semiannual report on the activities of each North Carolina business court site to the Chief Justice and to each member of the General Assembly. Provides specifications as to the content and scope of this report and declares it to be separate from the report currently required under subdivision (8) of this section.

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

**Intro. by Rucho, Barringer.**

**GS 7A**

[View summary](#)

**Business and Commerce, Courts/Judiciary, Civil, Civil Law**

S 854 (2013-2014) [ESTABLISH URBAN SEARCH & RESCUE PROGRAM](#). Filed May 27 2014, *AN ACT TO ESTABLISH THE URBAN SEARCH AND RESCUE PROGRAM AND TO ESTABLISH THE URBAN SEARCH AND RESCUE TEAM ADVISORY COMMITTEE*.

Identical to [H 1200](#), filed 5/22/14.

Amends GS 166A-19.12 to expand the powers of the Division of Emergency Management as delegated by the Governor and the Secretary of Public Safety to include the maintenance of an effective statewide urban search and rescue program. Effective when the act becomes law.

Enacts a new Article 6, Urban Search and Rescue, to GS Chapter 166A, effective July 1, 2014. Defines the following terms as they apply in this Article: (1) *urban search and rescue team*; (2) *specialty rescue team*; (3) *incident support team*; and (4) *contract response team*. Identifies "Secretary" as referring to the Secretary of the Department of Public Safety.

Directs the Secretary to adopt rules establishing a program for urban search and rescue that relies on contracts with contract response teams and directs the Division of Emergency Management (DEM) to administer this program. Requires to the extent possible that the program be coordinated with other emergency planning activities of the state. Requires the program to include contract response teams that are available to provide 24-hour dispatch from the Division of Emergency Management Operations Center. Lists rules that the program must include. Directs that the DEM spend the necessary funds for training, equipment, and other necessary items within available appropriations to support the operations of contract response teams. Additionally provides that the DEM may administer any grants of other funds made available for contract response teams, under rules and regulations approved by the Director of the State Budget.

Directs the Secretary to consult with the Urban Search and Rescue Team Advisory Committee established under new GS 166A-69, in developing the Urban Search and Rescue Program and adopting the rules required by this section.

Provides that the Secretary may contract with any unit or units of local government for the provision of a contract response team to implement the Urban Search and Rescue Program. Requires that contracts are to be let consistent with bidding and contract standards and procedures adopted under GS 166A-66(a)(7) and GS 166A-66(a)(8). Provides additional specifics to which the Secretary may agree upon entering into contracts with units of local government. Prohibits the Secretary from agreeing to provide reimbursement for standby time. Requires that any contract entered into between the Secretary and a unit of local government to provide a contract response team must specify that the members of the contract response team, when performing under the contract, are not employees of the state and are not entitled to benefits under the Teachers' and State Employees' Retirement System or for the payment by the state of federal Social Security, employment insurance, or workers' compensation. Additionally provides criteria as to when it's permissible for a contract response team to use a state vehicle for local purposes.

Enacts new GS 166A-68 regarding the immunity of contract response personnel under GS 166A-19.60(a).

Enacts new GS 166A-69 to create the Urban Search and Rescue Team Advisory Committee (Committee). Directs the Secretary to appoint the members of the Committee with one representative from each division or association as designated in this act, and to designate the Director or Deputy Director of the North Carolina Division of Emergency Management as the Chair. Provides additional criteria regarding calling meetings; directs the Department of Public Safety to provide space for the Committee to meet and to provide the Committee with necessary support staff and supplies to carry out its duties in an effective manner. Provides that Committee members are to serve without pay but are to receive a travel allowance, lodging, subsistence, and per diem. Provides that the Contract Response Team Advisory Committee is to advise the Secretary on the establishment of the Urban Search and Rescue Program.

Unless otherwise indicated, the above provisions are effective July 1, 2014.

Appropriates \$100,000 in recurring funds for the 2014-15 fiscal year from the General Fund to the Department of Public Safety for the Urban Search and Rescue Program created in this act. Effective when this act becomes law.

**Intro. by Meredith.**

APPROP, GS 166A

[View summary](#)

**Government, Budget/Appropriations, Public Safety, State Agencies, Department of Public Safety**

S 855 (2013-2014) **NO EMP. DISC. FOR REPRO. HEALTH DECISIONS**. Filed May 27 2014, *AN ACT TO PROHIBIT DISCRIMINATION BY AN EMPLOYER BASED ON AN EMPLOYEE'S DECISIONS REGARDING HIS OR HER REPRODUCTIVE HEALTH*.

Enacts new GS 95-28.2A prohibiting a person, firm, corporation, unincorporated association, state agency, local government, or a public or private entity from discriminating against an employee or applicant for employment on the basis of the individual's reproductive health decision. Allows an employee who is fired or discriminated against, or denied employment, in violation of the statute to bring a civil action within one year from the date of the alleged violation. Allows the individual to obtain (1) any lost wages or benefits; (2) an order of reinstatement without loss of position, seniority, or benefits; and (3) an order directing the employer to offer employment to the prospective employee. Allows the court to award reasonable costs to the prevailing party. Effective October 1, 2014, and applies to causes of action occurring on or after that date.

Appropriates \$100,000 for 2014-15 from the General Fund to the Department of Administration, Office of State Human Resources, to ensure compliance with GS 95-28.2A by state agencies. Effective July 1, 2014.

**Intro. by McKissick.**

APPROP, GS 95

[View summary](#)

**Employment and Retirement, Government, Budget/Appropriations, State Agencies, Department of Administration, Health and Human Services, Health**

S 856 (2013-2014) **COAL ASH MANAGEMENT ACT OF 2014**. Filed May 27 2014, *AN ACT TO (1) PROHIBIT RECOVERY OF COSTS RELATED TO THE MANAGEMENT OF COAL COMBUSTION RESIDUALS AND UNLAWFUL DISCHARGES FROM COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (2) PROHIBIT CONSTRUCTION OF NEW OR EXPANSION OF EXISTING COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS EFFECTIVE JULY 1, 2014; (3) PROHIBIT THE DISPOSAL OF COAL COMBUSTION RESIDUALS GENERATED AFTER AUGUST 1, 2014, INTO COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS AND REQUIRE THAT COAL COMBUSTION RESIDUALS GENERATED AFTER THAT DATE BE DISPOSED OF IN SANITARY LANDFILLS OR PUT TO BENEFICIAL USE AS ALLOWED BY LAW; (4) REQUIRE A SURVEY OF DRINKING WATER SUPPLY WELLS AND REPLACEMENT OF CONTAMINATED WATER SUPPLIES; (5) REQUIRE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO, AS SOON AS PRACTICABLE BUT NO LATER THAN DECEMBER 1, 2014, PRIORITIZE FOR THE PURPOSE OF CLOSURE AND REMEDIATION COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS, INCLUDING ACTIVE AND RETIRED SITES, BASED ON THESE SITES' RISKS TO PUBLIC HEALTH, SAFETY, AND WELFARE; THE ENVIRONMENT; AND NATURAL RESOURCES; (6) ESTABLISH A SCHEDULE FOR CLOSURE AND REMEDIATION OF ALL IMPOUNDMENTS BASED UPON THE DEPARTMENT'S RISK ASSESSMENT OF THESE SITES AND ESTABLISH BASELINE CLOSURE REQUIREMENTS; (7) REQUIRE CLOSURE AND REMEDIATION OF CERTAIN COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS AS SOON AS PRACTICABLE BUT NO LATER THAN JANUARY 1, 2017; (8)*

*PROVIDE FOR THE POSSIBILITY OF FEDERAL PREEMPTION; (9) REQUIRE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO REPORT QUARTERLY ON ITS OPERATIONS, ACTIVITIES, PROGRAMS, AND PROGRESS WITH RESPECT TO ITS OBLIGATIONS UNDER THIS ACT FOR COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (10) PLACE A TEMPORARY MORATORIUM ON THE USE OF COAL COMBUSTION RESIDUALS AS STRUCTURAL FILL AND DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES AND THE COMMISSION FOR PUBLIC HEALTH TO STUDY THE ADEQUACY OF CURRENT LAWS GOVERNING USE OF COAL COMBUSTION RESIDUALS FOR STRUCTURAL FILL AND OTHER BENEFICIAL USES; (11) PLACE A TEMPORARY MORATORIUM ON THE DISPOSAL OF COAL COMBUSTION RESIDUALS INTO COMBUSTION PRODUCTS LANDFILLS AND THE CONSTRUCTION OF SUCH LANDFILLS UNTIL AUGUST 1, 2015, AND DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO ASSESS THE RISKS TO PUBLIC HEALTH, SAFETY, AND WELFARE; THE ENVIRONMENT; AND NATURAL RESOURCES, OF COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS LOCATED BENEATH THESE LANDFILLS TO DETERMINE THE ADVISABILITY OF CONTINUED OPERATION OF THESE LANDFILLS; (12) STRENGTHEN THE REPORTING AND NOTIFICATION REQUIREMENTS APPLICABLE TO DISCHARGES OF WASTEWATER TO WATERS OF THE STATE; (13) REQUIRE DEVELOPMENT OF EMERGENCY ACTION PLANS FOR HIGH AND INTERMEDIATE HAZARD DAMS AND AMEND OTHER DAM SAFETY LAW REQUIREMENTS APPLICABLE TO COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (14) REPEAL COMPLIANCE BOUNDARY AMENDMENTS; AND (15) PROVIDE RESOURCES FOR IMPLEMENTATION OF THIS ACT.*

To be summarized.

**Intro. by Woodard.**

[View summary](#)

**Environment**

S 857 (2013-2014) [TASK FORCE/ERIN'S LAW](#). Filed May 27 2014, *AN ACT TO ESTABLISH THE LEGISLATIVE TASK FORCE ON THE PREVENTION OF SEXUAL ABUSE OF CHILDREN.*

Establishes the 17-member Legislative Task Force on the Prevention of Sexual Abuse of Children (Task Force). Specifies membership of the Task Force, including six members appointed by the Speaker of the House and six members appointed by the President Pro Tempore of the Senate. Specifies five duties of the Task Force, including identifying statewide goals to prevent child sexual abuse and identifying methods for increasing teacher, student, and parent awareness of issues regarding sexual abuse of children. Requires a final report to the 2015 General Assembly and terminates the Task Force on the earlier of January 1, 2015, or upon the filing of the final report. Effective July 1, 2014, requires \$50,000 of the funds appropriated to the Legislative Services Commission for 2014-15 to be allocated to the Task Force to conduct the study.

**Intro. by Robinson, Goolsby.**

**APPROP, STUDY**

[View summary](#)

**Courts/Judiciary, Criminal Justice, Criminal Law and Procedure, Government, Budget/Appropriations, Health and Human Services, Social Services, Child Welfare**

S 858 (2013-2014) [AMEND EXPUNCTION LAWS](#). Filed May 27 2014, *AN ACT TO AMEND THE EXPUNCTION LAWS TO SHORTEN THE WAITING PERIOD REQUIRED TO OBTAIN SOME EXPUNCTIONS, TO MAKE SOME EXPUNCTIONS MORE AVAILABLE FOR CERTAIN PERSONS DEDICATED TO MOVING BEYOND THEIR CRIMINAL RECORDS, AND TO APPROPRIATE FUNDS TO THE DEPARTMENT OF JUSTICE TO ASSIST WITH THE ADDITIONAL COSTS OF CRIMINAL RECORD CHECKS.*

To be summarized.

**Intro. by Robinson.**

[APPROP, GS 15A](#)

[View summary](#)

[Courts/Judiciary, Criminal Justice, Criminal Law and Procedure, Government, Budget/Appropriations](#)

S 860 (2013-2014) [PUBLIC SCHOOL CHANGES](#). Filed May 27 2014, *AN ACT TO EXTEND THE TESTING WINDOW FOR PUBLIC SCHOOL SEMESTER COURSES; TO INCREASE THE WEIGHT OF SCHOOL GROWTH IN SCHOOL PERFORMANCE GRADES; TO DELAY IMPLEMENTATION OF CONTRACTS FOR CERTAIN TEACHERS; AND TO PROVIDE FLEXIBILITY FOR THE TERMS OF PRINCIPAL CONTRACTS.*

Amends GS 115C-174.12 to require the State Board of Education's policies concerning annual assessments of student achievement require that all annual assessments and all final exams for courses be administered within the final 10 instructional days of the school year for year-long courses and within the final 15 (was, five) instructional days of the semester.

Amends GS 115C-83.15(d) to require the State Board of Education to use EVAAS to calculate the school performance score by adding the school achievement score and the school growth score (was, limited to those schools exceeding or not meeting expected school growth). Provides that the school achievement score accounts for 50 percent (was, 80 percent) and the school growth score accounts for 50 percent (was, 20 percent) of the total. Provides that if a school has met expected growth and inclusion of the school's growth score reduces the school's performance score and grade, a school may choose to use the school achievement score solely to calculate the performance score and grade (was, different treatment of the percentages for schools meeting expected growth depending on whether the school achievement score was above or below 80 percent).

Amends SL 2013-360 to provide that, concerning teacher contracts, beginning September 1, 2013, to June 30, 2014, at the start of the 2014-15 school year, all superintendents must review, over the course of the school year, the performance and evaluations of all classroom teachers, including performance and evaluations from prior school years, who have been employed by the local board for at least three consecutive years.

Amends GS 115C-287.1 to require all persons employed as school administrators to be employed under the statute. Defines *school administrator* as including a principal, assistant principal, a supervisor, or a director whose major function includes supervision of teaching or any other part of the instructional program. Provides that the initial contract between a school administrator and a local board of education is one (was, two) to four years. Subsequent contracts are also for a term of one to four years (was, for a term of four years). Makes conforming changes to GS 115C-325, GS 115C-325.1, GS 115C-333, and GS 143B-146.8.

Effective when the act becomes law and applies beginning with the 2014-15 school year.

**Intro. by Tarte.**

[GS 115C](#)

[View summary](#)

[Education](#)

S 862 (2013-2014) [WAYNE REGIONAL RESEARCH & ED. AG. CTR FUNDS](#). Filed May 27 2014, *AN ACT TO APPROPRIATE FUNDS TO DESIGN AND TO CONSTRUCT A NEW REGIONAL RESEARCH AND EDUCATION AGRICULTURAL CENTER FACILITY TO BE LOCATED IN WAYNE COUNTY.*

Appropriates \$3 million for 2014-15 from the General Fund to Wayne County to be used as title indicates. Effective



July 1, 2014.

**Intro. by D. Davis, Pate.**

APPROP, Wayne

[View summary](#)

**Government, Budget/Appropriations**

S 863 (2013-2014) [MODIFY EXEMPTIONS FROM MOTOR FUELS EXCISE TAX](#). Filed May 27 2014, *AN ACT TO EXEMPT REGIONAL SOLID WASTE MANAGEMENT AUTHORITIES FROM THE MOTOR FUELS EXCISE TAX*.

As title indicates. Effective July 1, 2014.

**Intro. by Sanderson.**

GS 105

[View summary](#)

**Government, Tax**

### LOCAL/HOUSE BILLS

H 1207 (2013-2014) [HIGH POINT CHARTER/COUNCIL HIRE CITY ATTORNEY](#). Filed May 27 2014, *AN ACT TO AMEND THE CHARTER OF THE CITY OF HIGH POINT TO ALLOW THE CITY COUNCIL TO HIRE THE CITY ATTORNEY AND TO MAKE CERTAIN TECHNICAL CORRECTIONS*.

Amends the Charter of the City of High Point to appoint the city attorney, who will serve at the pleasure of the council. Provides for the city attorney's salary to be fixed by the council. Sets out duties of the city attorney, including serving as the council's legal advisor and providing any other legal services to the City of High Point as prescribed by the council.

Makes organizational changes to city charter.

**Intro. by Faircloth, Brandon, Blust, Hurley.**

Davidson, Forsyth, Guilford, Randolph

[View summary](#)

H 1211 (2013-2014) [MOUNT GILEAD CHARTER REVISION & CONSOLIDATION](#). Filed May 27 2014, *AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF MOUNT GILEAD*.

To be summarized.

**Intro. by Goodman.**

Montgomery

[View summary](#)

H 1212 (2013-2014) [BURLINGTON CHARTER/REVISION AND CONSOLIDATION](#). Filed May 27 2014, *AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE CITY OF BURLINGTON*.

To be summarized.

**Intro. by S. Ross.**

[Alamance](#)

[View summary](#)

H 1214 (2013-2014) [DURHAM/PAYMENTS FOR ON-STREET PARKING](#). Filed May 27 2014, *AN ACT AUTHORIZING THE CITY OF DURHAM TO ALLOW PAYMENT FOR ON-STREET PARKING BY VARIOUS MEANS AND TO USE PROCEEDS FROM ON-STREET PARKING FOR PARKING PROGRAMS AND PROVIDING PARKING FACILITIES.*

Amends GS 160A-301, providing that the City of Durham can require that payment for parking be made by payment means specified by the city, including coins, currency, credit cards, tokens, other electronic means (previously, could only be activated by coins or tokens). Provides that proceeds from meters or devices for parking must be used to defray costs of operating the city's parking program or parking facilities (previously, had to be used to defray the cost of enforcing and administering traffic and parking ordinances/regulations). Makes clarifying changes.

Applies only to the City of Durham.

**Intro. by Michaux.**

[Durham](#)

[View summary](#)

H 1218 (2013-2014) [CITY OF MONROE/SUPERVISION OF ATTORNEY](#). Filed May 27 2014, *AN ACT AMENDING THE CHARTER OF THE CITY OF MONROE TO REMOVE THE PROVISION AUTHORIZING THE CITY MANAGER TO HAVE DIRECT SUPERVISORY AUTHORITY OVER THE CITY ATTORNEY.*

Identical to [S 844](#), filed 5/23/14.

As title indicates.

**Intro. by Horn, Arp, Brody.**

[Union](#)

[View summary](#)

H 1235 (2013-2014) [ABC STORE ELECTION/TOWN OF LELAND](#). Filed May 27 2014, *AN ACT AUTHORIZING THE TOWN OF LELAND TO HOLD A CITY ABC STORE ELECTION.*

As the title indicates. Amends GS 18B-600(d) to authorize a city to hold an ABC store election only if the city has at least 1,000 registered voters. Provides that this act applies only to the Town of Leland.

**Intro. by Hamilton, Iler.**

[Brunswick](#)

[View summary](#)

[Alcoholic Beverage Control](#)

H 1236 (2013-2014) [BALD HEAD ISLAND/CONTRACT POST OFFICE](#). Filed May 27 2014, *AN ACT TO ALLOW THE*

*VILLAGE OF BALD HEAD ISLAND TO OPERATE A CONTRACT POST OFFICE WITH A GOVERNMENTAL OR COMMERCIAL ENTITY.*

Identical to [S 845](#), filed 5/27/14.

Repeals Chapter 350 of the 1991 Session Laws, which allowed the Village of Bald Head Island to operate a contract post office.

Amends Section 2 of Chapter 16 of the 1991 Session Laws, deleting language that provided that the Chapter applied to the Village of Bald Head Island (adding US Post Office facility to the definition of *public enterprise*).

Amends GS 160A-311, concerning the definition of *public enterprise*, providing that the term also includes a post office facility and service under contract with a governmental or commercial entity, allowing the Village of Bald Head Island to operate a contract post office with a governmental or commercial entity.

Only applies to the Village of Bald Head Island.

**Intro. by Iler.**

[Brunswick](#)

[View summary](#)

H 1242 (2013-2014) [BLADEN/COLUMBUS-TAX PMT BEFORE RECORDATION](#). Filed May 27 2014, *AN ACT TO AUTHORIZE BLADEN AND COLUMBUS COUNTIES TO REQUIRE THE PAYMENT OF DELINQUENT PROPERTY TAXES BEFORE RECORDING DEEDS CONVEYING PROPERTY.*

As title indicates.

**Intro. by Brisson, Waddell.**

[Bladen, Columbus](#)

[View summary](#)

[Government, Tax](#)

## LOCAL/SENATE BILLS

S 844 (2013-2014) [CITY OF MONROE/SUPERVISION OF ATTORNEY](#). Filed May 23 2014, *AN ACT AMENDING THE CHARTER OF THE CITY OF MONROE TO REMOVE THE PROVISION AUTHORIZING THE CITY MANAGER TO HAVE DIRECT SUPERVISORY AUTHORITY OVER THE CITY ATTORNEY.*

As title indicates.

**Intro. by Tucker.**

[Union](#)

[View summary](#)

S 845 (2013-2014) [BALD HEAD ISLAND/CONTRACT POST OFFICE](#). Filed May 27 2014, *AN ACT TO ALLOW THE VILLAGE OF BALD HEAD ISLAND TO OPERATE A CONTRACT POST OFFICE WITH A GOVERNMENTAL OR COMMERCIAL ENTITY.*

Repeals Chapter 350 of the 1991 Session Laws, which allowed the Village of Bald Head Island to operate a contract

post office.

Amends Section 2 of Chapter 16 of the 1991 Session Laws, deleting language that provided that the Chapter applied to the Village of Bald Head Island (adding US Post Office facility to the definition of *public enterprise*).

Amends GS 160A-311, concerning the definition of *public enterprise*, providing that the term also includes a post office facility and service under contract with a governmental or commercial entity, allowing the Village of Bald Head Island to operate a contract post office with a governmental or commercial entity.

Only applies to the Village of Bald Head Island.

**Intro. by Rabon.**

[Brunswick](#)

[View summary](#)

S 846 (2013-2014) [SHALLOTTE DEANNEXATIONS](#). Filed May 27 2014, *AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF SHALLOTTE*.

As title indicates. Effective from and after January 1, 2014.

**Intro. by Rabon.**

[Brunswick](#)

[View summary](#)

S 848 (2013-2014) [INFRASTRUCTURE REIMBURSEMENT AGMTS](#). Filed May 27 2014, *AN ACT CONCERNING PUBLIC-PRIVATE REIMBURSEMENT AGREEMENTS FOR INFRASTRUCTURE DEVELOPMENT BY THE TOWN OF MINT HILL, BY THE CITY OF CONCORD, AND BY THE CITY OF KANNAPOLIS*.

Provides that a municipality can enter into reimbursement agreements with private developers and property owners for the design and construction of municipal infrastructure that has been included on the Capital Improvement Plan or similar infrastructure development plan. Sets out what can be considered as municipal infrastructure, including water mains, lift stations, and streets.

Requires municipalities to enact ordinances that set out the procedures and terms under which such agreements can be approved. Provides that payment for such reimbursements can come from any lawful source.

Provides that no agreements pursuant to this act can be considered construction subject to GS Chapter 143, Article 8. Sets out other limitations of the agreements as well as who must comply with requirements relating to public advertising and bid opening requirements.

Applies only to the Town of Mint Hill and the cities of Concord and Kannapolis.

**Intro. by Hartsell, Tarte.**

[Cabarrus, Mecklenburg, Rowan, Union](#)

[View summary](#)

S 851 (2013-2014) [ALLOW ABSENTEE VOTING/1ST CRAVEN SANITARY DIS](#). Filed May 27 2014, *AN ACT TO ALLOW FIRST CRAVEN SANITARY DISTRICT TO PROVIDE FOR ABSENTEE VOTING IN THE SAME MANNER AS A*

*MUNICIPALITY.*

As title indicates.

**Intro. by Sanderson.**

Craven

[View summary](#)

S 859 (2013-2014) [CITIES/REGULATION OF VACATION RENTALS](#). Filed May 27 2014, *AN ACT RELATING TO MUNICIPAL REGULATION OF VACATION RENTALS AND OTHER TRANSIENT OCCUPANCIES*.

Enacts new GS 160A-394 to allow Cornelius, by ordinances, to establish and enforce zoning regulations for residential dwellings occupied on a vacation rental or other transient occupancy basis. Sets out 12 issues that the zoning regulations must include, including required permitting, limits on number of cars and occupants, financial reports and payment of occupancy tax, and time limits. Defines *vacation rental or other transient occupancy* to mean occupancy intended to be temporary and offered or available by short term lease for a time period or lease term of less than 90 days in a residential dwelling unit. Allows short-term occupancy by another for up to three weeks per year without it being considered a vacation rental or other transient occupancy. Amends GS 160A-424 to make conforming changes. Applies to Cornelius only.

**Intro. by Tarte.**

Mecklenburg

[View summary](#)

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

S 861 (2013-2014) [BURLINGTON CHARTER/REVISION AND CONSOLIDATION](#). Filed May 27 2014, *AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE CITY OF BURLINGTON*.

To be summarized.

**Intro. by Gunn.**

Alamance

[View summary](#)

## ACTIONS ON BILLS

### PUBLIC BILLS

#### **H 292: STUDY MUSIC THERAPY PRACTICE ACT (NEW).**

*Senate: Re-ref Com On State and Local Government*

*Senate: Withdrawn From Com*

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

*House: Conf Report Adopted*

*House: Ordered Enrolled*

**H 1050: OMNIBUS TAX LAW CHANGES.**

*Senate: Reptd Fav Com Substitute*

*Senate: Com Substitute Adopted*

**H 1060: MILITARY STUDENT IDENTIFIER.**

*House: Cal Pursuant Rule 36(b)*

*House: Placed On Cal For 05/28/2014*

*House: Reptd Fav*

**H 1074: CONFIRM LINDA COMBS AS STATE CONTROLLER.**

*House: Passed 2nd Reading*

*House: Passed 3rd Reading*

**H 1112: CONFIRM CHARLTON L. ALLEN TO INDUSTRIAL COMM.**

*House: Reconsidered 3rd Reading*

*House: Passed 2nd Reading*

*House: Passed 3rd Reading*

**H 1121: HONOR LEO MERCER, FORMER MEMBER.**

*House: Passed 2nd Reading*

*House: Passed 3rd Reading*

*Senate: Special Message Received From House*

*Senate: Passed 1st Reading*

*Senate: Placed on Today's Calendar*

*Senate: Passed 2nd Reading*

*Senate: Passed 3rd Reading*

*Senate: Ordered Enrolled*

**H 1135: BUSINESS FACILITIES DEVELOPMENT.**

*House: Withdrawn From Com*

*House: Ref to the Com on Commerce and Job Development, if favorable, Appropriations*

**H 1146: SET DATE FOR COMMUNITY COLLEGE ELECTION.**

*House: Reptd Fav*

*House: Cal Pursuant Rule 36(b)*

*House: Placed On Cal For 05/28/2014*

**H 1180: HONOR FALLEN SOLDIERS.**

*House: Adopted*

**H 1203: PRIVATE HOSPITAL TOXICOLOGY FEE.**

*House: Filed*

**H 1204: TELEMATICS PILOT PROJECT.**

*House: Filed*

**H 1205: WOUNDED WARRIOR MOTORS PORT SCHOLARSHIP/FUNDS.**

*House: Filed*

**H 1206: HOUSE SELECT/CONST. CONVENTION OF STATES.**

*House: Filed*

**H 1208: GOVERNOR'S BUDGET.***House: Filed***H 1209: RETIREMENT INVESTMENT ACCOUNTABILITY.***House: Filed***H 1210: RESCIND INCOME TAX CUT FOR MILLIONAIRES.***House: Filed***H 1213: LOCAL GOVERNMENTS IN STATE HEALTH PLAN.***House: Filed***H 1215: CC WAIVER/NONPROFIT HOSPITAL POLICE DEPTS.***House: Filed***H 1216: CEMETERY COMMISSION FUNDS.***House: Filed***H 1217: TORT CLAIMS ACT CLARIFICATION.***House: Filed***H 1219: FUNDS FOR WILSON ACAD. OF INNOV.***House: Filed***H 1220: HOPE 4 HALEY AND FRIENDS.***House: Filed***H 1221: LIMIT E-VERIFY EXEMPTION/AGRICULTURE INDUSTRY.***House: Filed***H 1222: AMEND EXPUNCTION LAWS.***House: Filed***H 1223: VACANCY/US HOUSE OF REP/EXEC. COMM. NOMINAT'N.***House: Filed***H 1224: JMAC DEVELOPMENT FUND MODIFICATIONS.***House: Filed***H 1225: FUTURE USE OF BROUGHTON HOSPITAL/FUNDS.***House: Filed***H 1226: COAL ASH MANAGEMENT ACT OF 2014.***House: Filed***H 1227: HONORING THE HIGHWAY PATROL.***House: Filed***H 1228: GOVERNOR'S COAL ASH ACTION PLAN.***House: Filed***H 1229: PLATE BACKGROUND/S.T.A.R. PLATE.**

*House: Filed*

**H 1230: MODIFY 2013 APPROPRIATIONS ACT.**

*House: Filed*

**H 1231: GAS CITY SALES TAX EXEMPTION.**

*House: Filed*

**H 1232: SALES TAX EXEMPTION FOR CERTAIN COINS.**

*House: Filed*

**H 1233: CEMETARY SALES TAX EXEMPTION.**

*House: Filed*

**H 1234: FERRY TOLLING/REPLACEMENT FUNDS.**

*House: Filed*

**H 1237: RETIREMENT INVESTMENT TRANSPARENCY.**

*House: Filed*

**H 1238: INCREASE PARTICIPATION/LOWER THE AGE TO RUN.**

*House: Filed*

**H 1239: RESTORE EARLY VOTING PERIOD.**

*House: Filed*

**H 1240: NC COLLEGE STUDENT PHOTO ID.**

*House: Filed*

**H 1241: EUGENICS COMPENSATION CHANGES.**

*House: Filed*

**H 1243: STEM TEACHER FORGIVABLE LOAN PROGRAM.**

*House: Filed*

**S 261: SALES TAX ON PRIVATE RES. RENTED BY BROKER (NEW).**

*House: Passed 3rd Reading*

**S 294: ALLOW USE OF DOT STORMWATER BMPs (NEW).**

*House: Passed 2nd Reading*

*House: Passed 3rd Reading*

*House: Ordered Enrolled*

**S 477: NO SET FEE/NONCOVERED VISION SERVICES.**

*House: Serial Referral To Judiciary Subcommittee A Added*

**S 786: ENERGY MODERNIZATION ACT.**

*House: Special Message Received From Senate*

*House: Passed 1st Reading*

*House: Ref to the Com on Public Utilities and Energy, if favorable, Finance*

*House: Reptd Fav Com Substitute*



*House: Re-ref Com On Finance*

**S 815: ENSURING PRIVACY OF STUDENT RECORDS.**

*Senate: Withdrawn From Com*

*Senate: Re-ref to Education/Higher Education. If fav, re-ref to Judiciary I*

**S 847: FUTURE USE OF BROUGHTON HOSPITAL/FUNDS.**

*Senate: Filed*

**S 849: CLARIFY REGIONAL SCHOOL CHS APPLICATIONS.**

*Senate: Filed*

**S 850: PERMANENT LICENSE PLATES / CHARTER SCHOOLS.**

*Senate: Filed*

**S 852: NBPTS BONUS FOR TEACHERS IN TITLE I SCHOOLS.**

*Senate: Filed*

**S 853: BUSINESS COURT MODERNIZATION.**

*Senate: Filed*

**S 854: ESTABLISH URBAN SEARCH & RESCUE PROGRAM.**

*Senate: Filed*

**S 855: NO EMP. DISC. FOR REPRO. HEALTH DECISIONS.**

*Senate: Filed*

**S 856: COAL ASH MANAGEMENT ACT OF 2014.**

*Senate: Filed*

**S 857: TASK FORCE/ERIN'S LAW.**

*Senate: Filed*

**S 858: AMEND EXPUNCTION LAWS.**

*Senate: Filed*

**S 860: PUBLIC SCHOOL CHANGES.**

*Senate: Filed*

**S 862: WAYNE REGIONAL RESEARCH & ED. AG. CTR FUNDS.**

*Senate: Filed*

**S 863: MODIFY EXEMPTIONS FROM MOTOR FUELS EXCISE TAX.**

*Senate: Filed*

**LOCAL BILLS**

**H 1131: CLAY COUNTY OPOSSUM EXCLUSION/WILDLIFE LAWS.**

*House: Passed 2nd Reading*

*House: Passed 3rd Reading*

**H 1207: HIGH POINT CHARTER/COUNCIL HIRE CITY ATTORNEY.**

*House: Filed*

**H 1211: MOUNT GILEAD CHARTER REVISION & CONSOLIDATION.**

*House: Filed*

**H 1212: BURLINGTON CHARTER/REVISION AND CONSOLIDATION.**

*House: Filed*

**H 1214: DURHAM/PAYMENTS FOR ON-STREET PARKING.**

*House: Filed*

**H 1218: CITY OF MONROE/SUPERVISION OF ATTORNEY.**

*House: Filed*

**H 1235: ABC STORE ELECTION/TOWN OF LELAND.**

*House: Filed*

**H 1236: BALD HEAD ISLAND/CONTRACT POST OFFICE.**

*House: Filed*

**H 1242: BLADEN/COLUMBUS-TAX PMT BEFORE RECORDATION.**

*House: Filed*

**S 845: BALD HEAD ISLAND/CONTRACT POST OFFICE.**

*Senate: Filed*

**S 846: SHALLOTTE DEANNEXATIONS.**

*Senate: Filed*

**S 848: INFRASTRUCTURE REIMBURSEMENT AGMTS.**

*Senate: Filed*

**S 851: ALLOW ABSENTEE VOTING/1ST CRAVEN SANITARY DIS.**

*Senate: Filed*

**S 859: CITIES/REGULATION OF VACATION RENTALS.**

*Senate: Filed*

**S 861: BURLINGTON CHARTER/REVISION AND CONSOLIDATION.**

*Senate: Filed*

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