



The Daily Bulletin: Tuesday, June 3, 2014

PUBLIC/HOUSE BILLS

H 1025 (2013-2014) **DOT/DMV CHANGES (NEW)**. Filed May 14 2014, *A BILL TO BE ENTITLED AN ACT TO (1) AUTHORIZE CONTINUANCES OF DIVISION OF MOTOR VEHICLES INSPECTION STATION VIOLATION CASES; (2) PROVIDE THAT AGRICULTURAL TOURISM SIGNS ON STATE HIGHWAYS ARE SUBJECT TO DEPARTMENT OF TRANSPORTATION LOCATION AND PLACEMENT RULES; (3) CHANGE THE DUE DATE FOR THE NORTH CAROLINA TURNPIKE AUTHORITY ANNUAL AUDIT REPORT TO OCTOBER; (4) REPEAL A REQUIREMENT THAT THE DEPARTMENT OF TRANSPORTATION ANNUALLY REPORT RIGHT TURN ON RED PEDESTRIAN CRASHES; (5) AMEND THE STATE DRIVERS LICENSE MATERIAL TECHNICAL STANDARDS; (6) APPLY ALTERNATE PRIORITIZATION CRITERIA UNDER THE STRATEGIC TRANSPORTATION INVESTMENTS ACT FORMULA TO FEDERAL AND STATE FUNDS USED FOR EMERGENCY REPAIR WORK; AND (7) REENACT THE AUTHORIZATION FOR THE DEPARTMENT OF TRANSPORTATION TO PARTICIPATE IN PRIVATE DEVELOPER CONTRACTS FOR IMPROVEMENTS TO THE STATE HIGHWAY SYSTEM, SUBJECT TO A LIMIT OF THE LESSER OF TEN PERCENT OR TWO HUNDRED FIFTY THOUSAND DOLLARS, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE; AND TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO INSTALL AND OPERATE RAMP METERS, AND TO PROVIDE THAT VIOLATION OF A RAMP METER SIGNAL IS AN INFRACTION.*

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

Changes the short and long title.

Amends GS 106-22.5(a) providing that the Department of Agriculture and Consumer Services must work with the Department of Transportation (DOT) in providing directional signs on major highways near interchanges to agriculture facilities that promote tourism. Requires the Department of Agriculture and Consumer Services to follow sign location and placement rules of the DOT Tourist-Oriented Directional Signs and Logo Signs programs.

Changes the due date for the NC Turnpike Authority's annual audit report, providing that the report is required to be submitted in October of each year (previously, was to be promptly submitted after the closing of each fiscal year).

Repeals the requirement that the DOT report annually to the Joint Legislative Transportation Oversight Committee on right turn on red light crashes, including crashes that involved pedestrians and persons with disabilities.

Amends GS 20-7 to require that driver's licenses include a color photo of the license holder applied to material measured by the industry standard of security and durability and that is resistant to tampering and reproduction (was, a color photo, or a properly applied laser engraved picture on polycarbonate material).

Amends GS 136-189.11 to exclude from the prioritization criteria under the strategic transportation investments act formula funds obligated in support of emergency repair work necessary to restore essential travel, minimize the extent of damage, or protect remaining facilities resulting from events that occurred during a declared emergency that significantly damaged the state-maintained transportation system to the extent that safe passage is jeopardized. Funds not subject to the prioritization criteria are (1) federal or state funds obligated for repairs for which federal Emergency Relief Funds are available and (2) state funds obligated for repairs to damage occurring as a result of an event declared to be a federal or state emergency.

Amends SL 2009-235, to provide that the DOT can participate in private developer contracts for improvements to the state highway system, subject to certain limitations, including participation limited to the lesser of 10 percent of the contract or \$250,000. This authorization of participation expires on December 31, 2016.

Amends GS 20-158(c) and 20-4.01 to provide for the inclusion of ramp meters as a traffic control device in our state. Sets out the definition of ramp meter and GS 20-158(c) provides the procedures for the conduct of traffic in regards to ramp meters. Also provides that a violation of these procedures is considered an infraction with no points or insurance surcharges being assessed. Effective for offenses committed on or after December 1, 2014.

Makes conforming changes and updates statutory references.

Intro. by Torbett.

GS 20, GS 106, GS 136

[View summary](#)

Courts/Judiciary, Motor Vehicle, Government, State Agencies, Department of Transportation, Transportation

H 1026 (2013-2014) [Update State Rail Safety Oversight](#) Filed May 14 2014, *A BILL TO BE ENTITLED AN ACT TO UPDATE STATE LAW GOVERNING DEPARTMENT OF TRANSPORTATION OVERSIGHT OF THE SAFETY OF RAIL FIXED GUIDEWAY PUBLIC TRANSPORTATION SYSTEMS.*

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

Changes the short and long title.

Deletes language that referred to overseeing safety in accordance with the MAP-21 Act. Now provides that oversight of fixed guideway public transportation systems not regulated by the Federal Railroad Administration will be done pursuant to 49 USC 5329 and 5330. Makes technical changes.

Adds new language that requires the NC Department of Transportation (DOT) to inspect rail fixed guideway public transportation systems, notifying the system of any deficiencies that require necessary repairs.

Allows DOT to conduct a program of accident prevention and public safety for rail fixed guideway public transportation systems, including requiring any such system involved in an accident to report the accident to DOT.

Requires DOT to oversee the implementation of the federally required rail fixed guideway public transportation system safety plan.

Directs DOT to audit each rail fixed guideway public transportation system at least every three years in regards to their compliance with the federally required safety plans.

Directs DOT to provide, at the minimum, an annual report on the status of the safety of the rail fixed guideway public transportation systems that DOT oversees, with reports being submitted to the Federal Transit Administration, the Governor, and the Board of Directors of any rail fixed guideway public transportation system that is overseen by DOT.

Provides that DOT cannot receive any funding for the above requirements from any rail fixed guideway public transportation system.

Intro. by Torbett.

GS 136

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Transportation

H 1029 (2013-2014) [DMV PAPER TITLES/DOT FLAP FUNDS](#) Filed May 14 2014, *A BILL TO BE ENTITLED AN ACT TO*

(1) AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO CONVERT PAPER TITLES TO ELECTRONIC TITLES AND TO CHARGE A FEE FOR EACH CONVERSION; AND (2) TO EXCLUDE FEDERAL LANDS ACCESS PROGRAM FUNDS FROM THE STRATEGIC TRANSPORTATION INVESTMENTS ACT FORMULA, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE.

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

Changes the short and long titles.

Amends GS 136-189.11, The Transportation Investment Strategy Formula, to provide that funds from the Federal Lands Access Program are excluded from the formula.

Intro. by Torbett.

GS 20, GS 136

[View summary](#)

Courts/Judiciary, Motor Vehicle, Government, State Agencies, Department of Transportation, Transportation

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

House amendment makes the following changes to the 3rd edition:

Enacts new subsection in proposed GS 75-141, concerning remedies and damages for abusive patent assertions, that provides that a court may award a defendant who prevailed in actions pursuant to this section certain costs and fees, including reasonable attorneys' fees, if the court finds that the action was not well grounded in fact and warranted by existing law, or was interposed for any improper purposes.

Makes conforming changes.

Intro. by Murry.

GS 14, GS 75

[View summary](#)

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

H 1048 (2013-2014) **AG SELECTION CRITERIA/AMENDMENTS.** Filed May 14 2014, *A BILL TO BE ENTITLED AN ACT TO AMEND THE SELECTION CRITERIA FOR ADJUTANT GENERAL OF THE NORTH CAROLINA NATIONAL GUARD.*

House amendment makes the following changes to the 2nd edition. Amends GS 127A-19(b)(4), which provides the mandatory qualifications to be met by the person who is appointed by the Governor as Adjutant General, the military head of the North Carolina National Guard. Requires that the person appointed as Adjutant General must have been a company or flight commander, or unit of similar command rank or higher, for at least 12 months in any component of the Armed Forces of the United States (was, person must have been the commander of a company or similarly sized unit or larger unit in the NC National Guard or any component of the Armed Force of the United States).

Intro. by Hastings.

GS 127

[View summary](#)

Military and Veteran's Affairs

H 1061 (2013-2014) [REPLACE CCSS W/NC'S HIGHER ACADEM. STANDARDS \(NEW\)](#). Filed May 14 2014, *AN ACT TO EXERCISE NORTH CAROLINA'S CONSTITUTIONAL AUTHORITY TO REPLACE COMMON CORE AND ESTABLISH, PROMOTE, AND ASSURE HIGH ACADEMIC STANDARDS THAT ARE ROBUST AND APPROPRIATE FOR NORTH CAROLINA PUBLIC EDUCATION.*

The House committee substitute to the 1st edition make the following changes.

Amends the whereas clauses.

Deletes the directives to the State Board of Education (Board) in Section 1 and instead amends GS 115C-12 as follows. Requires the Board to, when developing a plan to revise content standards and the standard course of study in the core academic areas, involve and survey a representative sample of parents, teachers, and the public to help determine academic content standards that meet and reflect North Carolina's priorities and the usefulness of the content standards. Also adds that the process of the development of content standards must also include a review of age and developmentally appropriate standards. Adds that the Board must collaborate with the Academic Standards Review Commission when revising content standards and the standard course of study in English Language Arts (english) and in math. Also requires consultation with the Academic Standards Review Commission to complete the alignment process for english and math content standards. Requires that the Board ensure that no official, employee, agency, or board enter into any agreement with any federal agency or private entity which cedes or limits state control over the development, adoption, or revision of the NC Standard Course of Study and relate student assessments in the public school system.

Specifies four specific duties of the State Board for the 2014-15 school year, including a review of all english and math standards and proposed modifications, and determining and adopting any necessary changes in consultation with the Academic Standards Review Commission.

Codifies the establishment of the nine member (was, 17 member) Academic Standards Review Commission (Commission) in new GS 115C-83.30. Requires that appointees be citizens of the state with expertise in the development or implementation of standards or psychometrics, members of the business community, or members of the post-secondary education community who are qualified to assure the alignment of standards to career and college readiness. Provides for member terms. Amends the Commission's duties.

Requires the Commission to report replacement standards for english and math to the State Board, the Joint Legislative Education Oversight Committee, and to the 2015 General Assembly by March 15, 2015. Requires the Commission to continue working with the State Board and Department of Public Instruction to review academic standards during the regular review period implemented every five years, and report recommended changes to the english and math standards to the State Board, the Joint Legislative Education Oversight Committee, and the General Assembly before convening. Deletes the Commission termination date.

Amends GS 115C-12(39) to direct the State Board to to adopt rigorous and appropriate academic standards (was, rigorous standards) for school accreditation.

Prohibits the State Board from considering assessments developed by the Smarter Balanced Consortium Assessments or the Partnership for Assessments of Readiness of College and Careers (PARCC) for use as nationally normed assessments of student learning. Does assert that the assessments must be nationally normed, aligned with the North Carolina Standard Course of Study, and field tested. Provides as examples of appropriate assessment models the SAT, ACT Aspire, and NAEP.

Directs local boards of education to continue to approve and use textbooks not adopted by the State Board, and to provide for the efficient teaching of the course content required by the Standard Course of Study as provided under GS 115C-47(12) and GS 115C-47(33a). Provides that the Standard Course of Study remains in effect until official notice is provided to all public school teachers, administrators, parents or guardians of students enrolled in public schools of any changes to the Standard Course of Study made by the State Board.

Enacts new GS 115C-401.2 to prohibit collecting any personally identifiable student data to be used to develop commercial products or services.

Appropriates \$75,000 (was, \$250,000) from the General Fund to the Department of Administration for the 2014-15 fiscal year to implement Section 2 of this act which establishes the Academic Standards Review Commission.

Intro. by Holloway, Pittman, Speciale.

APPROP, GS 115C

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

H 1062 (2013-2014) **SCHEMATIC DIAGRAMS AND KEYS OF SCHOOLS**. Filed May 14 2014, *AN ACT TO REQUIRE LOCAL SCHOOL ADMINISTRATIVE UNITS TO PROVIDE SCHEMATIC DIAGRAMS AND EMERGENCY ACCESS TO SCHOOL BUILDINGS TO LOCAL LAW ENFORCEMENT AGENCIES AND SCHEMATIC DESIGNS AND EMERGENCY RESPONSE INFORMATION TO THE EMERGENCY MANAGEMENT DIVISION OF THE DEPARTMENT OF PUBLIC SAFETY.*

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

Amends new GS 115C-105.53 to require that each local school administrative unit must provide local law enforcement agencies with emergency access to key storage devices such as KNOX boxes for all school buildings and must also provide updates to local law enforcement when changes are made to these boxes or devices.

Enacts new GS 115C-105.54 to specify that schematic diagrams and emergency response information must be provided to the Division of Emergency Management (Division). Directs the local school administrative unit to provide the Division with updated schematic diagrams and emergency response information when updates are made. Provides that the schematic diagrams referenced in this act are to be provided to local law enforcement agencies and the Division at the Department of Public Safety by June 1, 2015 (was, required schematic diagrams and keys to the main entrance of all school facilities to be supplied to local law enforcement before January 1, 2015).

Amends the act's long title.

Intro. by Holloway, Johnson, Hanes, Lucas.

GS 115C

[View summary](#)

Education, Elementary and Secondary Education

H 1140 (2013-2014) **AMEND HOTEL CARBON MONOXIDE ALARM REQUIREMENT**. Filed May 20 2014, *A BILL TO BE ENTITLED AN ACT TO AMEND THE REQUIREMENTS FOR CARBON MONOXIDE ALARMS IN HOTELS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.*

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

Amendment #1

Makes a conforming change, deleting language in GS 143-138(b2)(1) that required carbon monoxide alarms to be OSHA-approved, now providing that they just must be approved alarms, reflecting previous changes in the act that allows for alarms approved by other entities than OSHA.

Amendment #2

Requires the Building Code Council, by March 31, 2015, to adopt a rule to amend the NC State Building Code, in

regards to structures required to comply with the provisions of GS 143-138(b2)(2), that includes the standards for carbon monoxide alarms contained in the 2015 International Fire Code provided by the International Code Council. Requires the effective date of this rule to be no later than June 1, 2015.

Intro. by Samuelson, Hanes, Hager, Catlin.

[GS 130A, GS 143](#)

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

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

House amendment makes the following changes to the 1st edition. Amends Part II, Section 2, of this act to repeal Article 6B of GS Chapter 115C, eliminating the Committee on Dropout Prevention and Dropout Prevention Grants (was, directed the Committee on Dropout Prevention to terminate as of July 1, 2014).

Makes technical corrections to Part IX, Section 9, to accurately indicate the establishment of the Chief Justice's Actual Innocence Commission and the North Carolina Innocence Inquiry Commission. Encourages the Chief Justice and the North Carolina Supreme Court (was, Chief Justice of the North Carolina Supreme Court) to take appropriate action to formally abolish the Chief Justice's Actual Innocence Commission.

Intro. by Moffitt, Murry, Millis, Jackson.

[GS 90, GS 116C, GS 143B](#)

[View summary](#)

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

H 1255 (2013-2014) [POINT OF SALE BACKGROUND CHECKS](#). Filed Jun 3 2014, *A JOINT RESOLUTION AUTHORIZING THE 2013 GENERAL ASSEMBLY TO CONSIDER AN ACT TO ENSURE BACKGROUND CHECKS ARE DONE AT THE POINT OF SALE.*

As title indicates.

Intro. by R. Brawley.

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[Government, General Assembly](#)

PUBLIC/SENATE BILLS

S 370 (2013-2014) [RESPECT FOR STUDENT PRAYER](#). Filed Mar 19 2013, *A BILL TO BE ENTITLED AN ACT TO CLARIFY STUDENT RIGHTS TO PRAY IN SCHOOL, TO PROHIBIT PRAYER OFFICIALLY SANCTIONED BY SCHOOLS IN ACCORDANCE WITH THE UNITED STATES CONSTITUTION, AND TO REQUIRE SCHOOL EMPLOYEES TO DEMONSTRATE APPROPRIATE RESPECT FOR STUDENT-INITIATED AND STUDENT-LED PRAYERS IN EXTRACURRICULAR ACTIVITIES, INCLUDING INTERSCHOLASTIC ATHLETICS.*

House committee substitute to the 3rd edition rewrites the severability clause in this act to clarify that if any provision, clause, or sentence of this act or its application is held to be invalid, the invalidity does not affect other provisions or applications of this act that can be given effect without the invalid provision, clause, sentence, or application.

Intro. by Bingham, Daniel, Hise.

GS 115C

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[Education, Elementary and Secondary Education](#)

LOCAL/HOUSE BILLS

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

House Amendment #1 amends the bill to make the act effective January 1, 2015 (was, effective when the act became law).

Intro. by Stevens.

Surry, Wilkes

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[Government, Elections](#)

ACTIONS ON BILLS

PUBLIC BILLS

H 230: [AMEND LAW DEFINING HOME SCHOOLS.](#)

House: Cal Pursuant 36(b)

House: Placed On Cal For 06/04/2014

H 1025: [DOT/DMV CHANGES \(NEW\).](#)

House: Reptd Fav Com Substitute

House: Cal Pursuant Rule 36(b)

House: Placed On Cal For 06/04/2014

H 1026: [Update State Rail Safety Oversight](#)

House: Reptd Fav Com Substitute

House: Cal Pursuant Rule 36(b)

House: Placed On Cal For 06/04/2014

H 1028: [SINGLE LICENSE PLATE RENEWAL STICKER.](#)

House: Reptd Fav

House: Cal Pursuant Rule 36(b)

House: Placed On Cal For 06/04/2014

H 1029: DMV PAPER TITLES/DOT FLAP FUNDS

House: Reptd Fav Com Substitute

House: Re-ref Com On Finance

H 1032: PATENT ABUSE BILL

House: Passed 2nd Reading

House: Passed 3rd Reading

House: Ordered Engrossed

House: Amend Adopted AI

H 1048: AG SELECTION CRITERIA/AMENDMENTS.

House: Amend Adopted AI

House: Passed 2nd Reading

House: Passed 3rd Reading

House: Ordered Engrossed

H 1061: REPLACE CCSS W/NC'S HIGHER ACADEM. STANDARDS (NEW).

House: Reptd Fav Com Substitute

House: Re-ref Com On Appropriations

House: Withdrawn From Com

House: Placed On Cal For 06/04/2014

H 1062: SCHEMATIC DIAGRAMS AND KEYS OF SCHOOLS.

House: Reptd Fav Com Substitute

House: Cal Pursuant Rule 36(b)

House: Placed On Cal For 06/04/2014

H 1081: REFORM AGENCY REVIEW OF ENGINEERING WORK.

House: Passed 2nd Reading

House: Passed 3rd Reading

H 1086: DOT STUDY OF STATE PARKS & TRAILS SIGNAGE.

House: Reptd Fav

House: Cal Pursuant Rule 36(b)

House: Placed On Cal For 06/04/2014

H 1101: MECHANICS LIENS - LEASED PUBLIC PROPERTY.

House: Passed 2nd Reading

House: Passed 3rd Reading

H 1102: MECHANICS LIENS - CLARIFY LIEN AGENT NOTICE.

House: Passed 2nd Reading

House: Passed 3rd Reading

H 1104: STUDY OVERSIGHT/CONFLICTS OF INT./FOSTER CARE.

House: Passed 2nd Reading

House: Passed 3rd Reading

H 1109: CLARIFY EXISTING RULE READOPTION PROCESS.

House: Passed 2nd Reading

House: Passed 3rd Reading

H 1110: IMPROVE OVERSIGHT OF PUBLIC GUARDIANSHIP.

House: Passed 2nd Reading

House: Passed 3rd Reading

H 1124: DOT MINORITY/WOMEN BUSINESS PROGRAM.

House: Reptd Fav

House: Re-ref Com On Appropriations

H 1140: AMEND HOTEL CARBON MONOXIDE ALARM REQUIREMENT.

House: Amend Adopted A2

House: Passed 2nd Reading

House: Passed 3rd Reading

House: Ordered Engrossed

House: Amend Adopted A1

H 1152: ELIMINATE OBSOLETE BOARDS AND COMMISSIONS.

House: Amend Adopted A1

House: Passed 2nd Reading

House: Passed 3rd Reading

House: Ordered Engrossed

H 1165: AMEND OLB REPORTING REQUIREMENTS.

House: Passed 2nd Reading

House: Passed 3rd Reading

H 1166: CLARIFY GRAVEL UNDER STORMWATER LAWS.

House: Passed 2nd Reading

House: Passed 3rd Reading

H 1173: LICENSING BOARDS RULES FOR PROF. CORPS.

House: Passed 2nd Reading

House: Passed 3rd Reading

H 1254: VETERANS BOND, STAMP & COIN PROGRAM.

House: Passed 1st Reading

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

House: Withdrawn From Com

House: Added to Calendar

House: Adopted

H 1255: POINT OF SALE BACKGROUND CHECKS.

House: Filed

S 370: RESPECT FOR STUDENT PRAYER.

House: Reptd Fav Com Substitute

House: Cal Pursuant Rule 36(b)

House: Placed On Cal For 06/04/2014

S 477: NO SET FEE/NONCOVERED VISION SERVICES.

House: Passed 2nd Reading

House: Passed 3rd Reading

S 734: REGULATORY REFORM ACT OF 2014 (NEW).

House: Passed 1st Reading

House: Ref To Com On Regulatory Reform

House: Serial Referral To Judiciary Added

LOCAL BILLS

H 1045: TOWN OF ELKIN/REG. MUNICIPAL ELECTIONS SCHED.

House: Amend Adopted Al

House: Passed 2nd Reading

House: Passed 3rd Reading

House: Ordered Engrossed

H 1096: UNION COUNTY/CONTRACTED AMBULANCE SERVICE.

House: Passed 2nd Reading

House: Passed 3rd Reading

H 1113: BENT CREEK PROPERTY SULLIVAN ACT EXEMPTION.

House: Passed 2nd Reading

House: Passed 3rd Reading

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