



## The Daily Bulletin: Wednesday, June 4, 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 amendment makes technical corrections to the 2nd edition, adding a punctuation mark and amending Section 7 to rewrite Section 2 (was, Section 9) of SL 2009-235.

**Intro. by Torbett.**

[GS 20, GS 106, GS 136](#)

[View summary](#)

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

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

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

Makes various changes to proposed GS 143B-431A, concerning the purpose of contracting for economic development, deleting language that referred to the development of a long-range strategic plan for economic development through public and private means.

Amends the duties of the proposed Economic Development Accountability & Standards Committee, providing that it is required to audit, at least biennially, conducted by the Office of State Budget and Management, the records of the NC nonprofit corporation that is contracted with Department of Commerce (Commerce) to review financial documents, the performance, and the compliance of the corporation (previously, audits were to be completed by either the State Auditor or internal auditors of Commerce. Makes technical changes. Deletes language that set out retail, distribution, and logistics as areas that an appointee can have knowledge in and be qualified to serve on the Committee. No longer requires a tourism expert to be jointly recommended, allowing each organization to make a recommendation.

Amends the amount of State funds that can be used for the annual salary of employees or officers of the contracted

non-profit to not exceed the greater of \$120,000 or the amount most recently established by the General Assembly in the current appropriations act (previously, could not exceed \$120,000). Amends further limitations before State funds can be received by the non-profit organization, providing that the non-profit must have or raised at least received \$250,000 (was, \$10 million) from non state funds to support their operations and functions.

Amends the mandatory contract terms, which must be included in any contract entered into under this new section, now providing for 15 mandatory contract terms, which include deletions from the previous edition, mandatory contract term additions, and various changes to the previous terms. Amends the provisions concerning the required reports, providing that they must include information regarding the anticipated jobs that are to result from the non-profit's efforts (previously, had to report on anticipated jobs and the jobs that actually resulted from its efforts). Requires that employee bonuses be based on overall job performance and not on a specific project lead. Provides that the required reports can include any other information as requested by Commerce. Amends the requirement that all nonprofit assets and funds be surrendered to the Department within 30 days of the termination of the contract to also require the funds to be surrendered upon dissolution. Deletes provision detailing how surrendered funds are to be used. Makes technical changes to the conflict of interest contracting clause, adding a new term to be used in this provision, subject person, meaning a board member, officer, or employee of the non-profit corporation. Amends and expands the gift policy clause as well as the provisions concerning the requirement for a code of ethics. Amends the provision which previously limited the contract to no more than four years, now providing that the contract cannot be for longer than five, with extensions allowed in one-year increments for up to four times after no less than four-fifths of the original contract term has passed.

Deletes the following mandatory contract term provisions: (1) a requirement that the non-profit maintain a website, with specified disclosures, (2) a provision encouraging the non-profit to seek private funds from businesses and entities that will not seek economic development incentives, (3) a provision requiring the lending, awarding, or granting of private funds to be in a written agreement signed by the Board, and (4) a provision requiring contracting with the Office of State Budget Management for performance review and verification. Enacts new mandatory contract term provisions that require the non-profit to maintain a record containing information regarding the non-profit's donors and to report such information. Also includes a new provision that provides the non-profit cannot engage in the awarding of grants of the public or private funds the non-profit holds as well as a new provision which details the funds that are to be raised from efforts and sources other than State funds, including at least \$5.75 million during the term of the contract. Also provides that the limitation in GS 143C-6-8, concerning the availability of certain funds, applies to the non-profit.

Requires that the report to be submitted to specified agencies by September 30 of each year must include information regarding gifts, contributions or other items that were received for which fair market value was not paid. Requires approval by the Secretary to deviate from state policies on reimbursement. Deletes provision which provided that employees and officers of the non-profit are public servants, deletes other provisions in regards to the employees as public servants.

Enacts new limitation on public funds, providing they cannot be used to hire a lobbyist.

Makes clarifying changes.

Amends GS 132-6(d), concerning the disclosure of public records, setting out limitations for when records of the non-profits and businesses requesting funds are considered public records and subject to disclosure.

Amends provisions that direct Commerce to study and develop a plan for contracting with non-profit corporations, deleting a requirement that Commerce must study and report on the annual average of metrics for the 10-year period preceding contracting for performance of the metric. Also reorganizes and includes new performance metrics that are required to be measured and reported on.

Provides that agencies must also report by January 1, 2015, regarding the establishment of Collaboration for Prosperity Zones, to the Senate Appropriations/Base Budget Committee and the House Appropriations Committee (previously, were only required to report to the Joint Legislative Commission on Governmental Operations).

Requires that the specified reports concerning prosperity zones also be sent to the Senate Appropriations/Base Budget Committee and the House Appropriations Committee.

Deletes Part V, Study Commission on Interagency Collaboration for Prosperity from the act.

Establishes that it is the intent of the General Assembly to receive and review the reports regarding the creation of the Collaboration for Prosperity Zones to further address nine topics, including cross-training employees, consolidating programs or services, and to study the grouping of counties with the zones.

Makes conforming changes.

**Intro. by Murry.**

[GS 115C, GS 126, GS 132, GS 143B](#)

[View summary](#)

**Development, Land Use and Housing, Community and Economic Development, Education, Government, State Agencies, Community Colleges System Office, Department of Commerce, Department of Environment and Natural Resources, Department of Transportation, State Board of Education**

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.*

House amendment to the 2nd edition makes the following changes. Amends new GS 115C-83.30, which establishes the Academic Standards Review Commission (Commission). Qualifies the Commission's ability to contract for professional, clerical, and consulting services on the availability of funds. Also declares that Commission members are to receive per diem, subsistence, and travel allowances only to the extent that funds are available. Conditions the receipt of reimbursement by the Department of Administration for providing meeting rooms, office space, equipment, telephones, and supplies to the Commission on the availability of funds to make the reimbursement.

Repeals the appropriation (was, \$75,000) from the General Fund to the Department of Administration for the 2014-15 fiscal year that was designated for use to implement the provisions of Section 2, establishing the Commission. Instead, declares that nothing in this act requires the General Assembly to appropriate funds to implement the act. Provides that Section 2, which establishes the Academic Standards Commission, only becomes effective if funds are appropriated to support the work of the Commission in the Current Operations and Capital Improvements Appropriations Act of 2014.

**Intro. by Holloway, Pittman, Speciale.**

[APPROP, GS 115C](#)

[View summary](#)

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

H 1069 (2013-2014) [UNEMPLOYMENT INSURANCE LAW CHANGES](#). Filed May 14 2014, *A BILL TO BE ENTITLED AN ACT TO AMEND THE UNEMPLOYMENT INSURANCE LAWS, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON UNEMPLOYMENT INSURANCE.*

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

Amends GS 96-4(x) to provide that the final decisions and the records of the hearings leading to the decision may be disclosed by the Division of Employment Security only after the expiration of the appeal rights.

Deletes Part II of the act, which made changes concerning the Board of Review for Unemployment Insurance.

Makes clarifying and technical changes.

**Intro. by Howard, Warren, Arp.**

GS 96

[View summary](#)

**Employment and Retirement, Health and Human Services, Social Services, Public Assistance**

H 1076 (2013-2014) **REDUCE HARD COPIES/APPELLATE DIV. REPORTS**. Filed May 14 2014, *A BILL TO BE ENTITLED AN ACT TO REDUCE THE NUMBER OF RECIPIENTS OF HARD COPIES OF THE APPELLATE DIVISION REPORTS DISTRIBUTED AT STATE EXPENSE, AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION'S COMMITTEE ON JUDICIAL EFFICIENCY AND EFFECTIVE ADMINISTRATION OF JUSTICE.*

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

Amends GS 7A-343.1(a) to provide that the Attorneys General's office will receive four copies (was, one) of the AOC appellate division reports and the Department of Cultural Resources will receive three copies (was, zero in previous edition, but three under current law). Additionally, federal judges residing in North Carolina are to receive one each (in previous edition they were to receive zero).

Makes clarifying changes.

**Intro. by Burr, Davis.**

GS 7A

[View summary](#)

**Courts/Judiciary**

H 1092 (2013-2014) **ENFORCE PAYMENT OF CRIMINAL MEDIATION FEE**. Filed May 15 2014, *A BILL TO BE ENTITLED AN ACT TO PROVIDE A MECHANISM FOR ENFORCING PAYMENT OF THE CRIMINAL MEDIATION FEE, AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION'S COMMITTEE ON JUDICIAL EFFICIENCY AND EFFECTIVE ADMINISTRATION OF JUSTICE AND TO ALLOW THE CONFERENCE OF CHIEF DISTRICT JUDGES TO PRESCRIBE UNIFORM STATEWIDE PRESUMPTIVE GUIDELINES FOR THE COMPUTATION OF RETROACTIVE CHILD SUPPORT OBLIGATIONS.*

House committee substitute makes the following changes to the 1st edition. Amends GS 7A-38.7 to require that prior to mediation, (1) the parties be notified of the dispute resolution fee for cases resolved in mediation and (2) the fee be paid as part of any mediation that results in dismissal. Clarifies that the fee that must be paid in a criminal case that is resolved through referral to a community mediation center is the dispute resolution fee. Provides that this fee must be paid within 45 days of the completion of mediation (was, within 60 days of the referral to mediation).

Amends GS 50-13.4(c1) to provide that the Conference of Chief District Judges' authority to prescribe uniform statewide presumptive guidelines for computing child support obligations also extends to the computation of retroactive child support obligations. Makes a conforming change to the bill's long title.

**Intro. by Davis, Burr.**

GS 7A, GS 50

[View summary](#)**Courts/Judiciary, Court System, Criminal Justice,  
Criminal Law and Procedure**

H 1193 (2013-2014) **RETIREMENT TECHNICAL CORRECTIONS ACT OF 2014**. Filed May 21 2014, *AN ACT TO MAKE TECHNICAL CHANGES TO THE STATUTES AFFECTING THE STATE RETIREMENT SYSTEMS*.

The House committee substitute to the 1st edition makes the following changes. Amends GS 135-53 to add a definition of *consumer price index* as used in the Consolidated Judicial Retirement Act.

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

GS 58, GS 120, GS 128, GS 135, GS 143

[View summary](#)**Courts/Judiciary, Court System, Employment and  
Retirement, Government, State Government, State  
Personnel**

### PUBLIC/SENATE BILLS

S 101 (2013-2014) **WC/INFLATION INDEXING FOR ORGAN INJURY/LOSS (NEW)**. Filed Feb 19 2013, *AN ACT TO ACCOUNT FOR INFLATION BY ADJUSTING THE MAXIMUM AMOUNT OF COMPENSATION PERMITTED UNDER THE WORKERS' COMPENSATION ACT FOR THE LOSS OF, OR PERMANENT INJURY TO, ANY IMPORTANT EXTERNAL OR INTERNAL ORGAN AND TO PROVIDE FOR THE ANNUAL ADJUSTMENT OF SAID COMPENSATION IN ACCORDANCE WITH THE CONSUMER PRICE INDEX*.

House committee substitute to the 3rd edition deletes all of the provisions of the previous edition and replaces it with the following

Changes the short and long titles.

Amends GS 97-31(a), concerning the schedule of injuries in regards to workers' compensation, raising the maximum amount payable for the loss of, or permanent injury to, any important external or internal organ or part of the body that does not have a corresponding compensation amount under this subsection to \$41,600 (was, \$20,000).

Enacts new GS 97-31(b), which provides that the maximum amount payable above must be adjusted on July 1 of each year. Sets out that the adjustment is to be based on the consumer price index from year to year. Provides the formula and processes to adjust the amount, with specified limitations. Directs the revised amount to be published in the NC Register with the dollar amount adjusted in the statutes by the Revisor of Statutes.

Applies to claims arising on or after June 30, 2015.

**Intro. by Hartsell.**

GS 97

[View summary](#)**Employment and Retirement**

S 743 (2013-2014) **NC ECON. DEV. PARTNERSHIP MODIFICATIONS**. Filed May 14 2014, *A BILL TO BE ENTITLED AN ACT TO FACILITATE ECONOMIC DEVELOPMENT WITHIN THE STATE*.

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

Makes various changes to proposed GS 143B-431A, concerning the purpose of contracting for economic development, deleting language that referred to the development of a long-range strategic plan for economic development through public and private means.

Amends the duties of the proposed Economic Development Accountability & Standards Committee, providing that it is required to audit, at least annually, conducted by the State Auditor, the records of the NC nonprofit corporation that is contracted with Department of Commerce (Commerce) to review financial documents, the performance, and the compliance of the corporation (previously, audits were to be completed by either the State Auditor or internal auditors of Commerce. Makes technical changes. Deletes language that set out retail, distribution, and logistics as areas that an appointee can have knowledge in and be qualified to serve on the Committee. No longer requires a tourism expert to be jointly recommended, allowing each organization to make a recommendation.

Makes technical changes and corrects statutory references.

Amends the amount of State funds that can be used for the annual salary of employees or officers of the contracted non-profit to not exceed the greater of \$120,000 or the amount most recently established by the General Assembly in the current appropriations act (previously, could not exceed \$120,000). Amends further limitations before State funds can be received by the non-profit organization, providing that the non-profit must have or raised at least received \$250,000 (was, \$10 million) from non state funds to support their operations and functions.

Amends the mandatory contract terms, which must be included in any contract entered into under this new section, now providing for 15 mandatory contract terms, which include deletions from the previous edition, mandatory contract term additions, and various changes to the previous terms. Amends the provisions concerning the required reports, providing that they must include information regarding the anticipated jobs that are to result from the non-profit's efforts (previously, had to report on anticipated jobs and the jobs that actually resulted from its efforts). Requires that employee bonuses be based on overall job performance and not on a specific project lead. Provides that the required reports can include any other information as requested by Commerce. Amends the requirement that all nonprofit assets and funds be surrendered to the Department within 30 days of the termination of the contract to also require the funds to be surrendered upon dissolution. Deletes provision detailing how surrendered funds are to be used. Makes technical changes to the conflict of interest contracting clause, adding a new term to be used in this provision, subject person, meaning a board member, officer, or employee of the non-profit corporation. Amends and expands the gift policy clause as well as the provisions concerning the requirement for a code of ethics. Amends the provision which previously limited the contract to no more than four years, now providing that the contract cannot be for longer than five, with extensions allowed in one-year increments for up to four times after no less than four-fifths of the original contract term has passed.

Deletes the following mandatory contract term provisions: (1) a requirement that the non-profit maintain a website, with specified disclosures, (2) a provision encouraging the non-profit to seek private funds from businesses and entities that will not seek economic development incentives, (3) a provision requiring the lending, awarding, or granting of private funds to be in a written agreement signed by the Board, and (4) a provision requiring contracting with the Office of State Budget Management for performance review and verification. Enacts new mandatory contract term provisions that require the non-profit to maintain a record containing information regarding the non-profit's donors and to report such information. Also includes a new provision that provides the non-profit cannot engage in the awarding of grants of the public or private funds the non-profit holds as well as a new provision which details the funds that are to be raised from efforts and sources other than State funds, including at least \$5.75 million during the term of the contract. Also provides that the limitation in GS 143C-6-8, concerning the availability of certain funds, applies to the non-profit.

Requires that the report to be submitted to specified agencies by September 30 of each year must include information regarding gifts, contributions or other items that were received for which fair market value was not paid. Requires approval by the Secretary to deviate from state policies on reimbursement. Deletes provision which provided that employees and officers of the non-profit are public servants, deletes other provisions in regards to the employees as public servants.

Enacts new limitation on public funds, providing they cannot be used to hire a lobbyist.

Makes clarifying changes.

Amends GS 132-6(d), concerning the disclosure of public records, setting out limitations for when records of the non-profits and businesses requesting funds are considered public records and subject to disclosure.

Amends provisions that direct Commerce to study and develop a plan for contracting with non-profit corporations, deleting a requirement that Commerce must study and report on the annual average of metrics for the 10-year period preceding contracting for performance of the metric. Also reorganizes and includes new performance metrics that are required to be measured and reported on.

Clarifies that the Department of Commerce, DENR, DOT, the Community Colleges System Office, and the State Board of Education (previously, did not specify agencies) must report by January 1, 2015, regarding the establishment of Collaboration for Prosperity Zones, to the Senate Appropriations/Base Budget Committee and the House Appropriations Committee (previously, were only required to report to the Joint Legislative Commission on Governmental Operations).

Requires that the specified reports concerning prosperity zones also be sent to the Senate Appropriations/Base Budget Committee and the House Appropriations Committee.

Deletes Part V, Study Commission on Interagency Collaboration for Prosperity from the act.

Establishes that it is the intent of the General Assembly to receive and review the reports regarding the creation of the Collaboration for Prosperity Zones to further address nine topics, including cross-training employees, consolidating programs or services, and to study the grouping of counties with the zones.

Makes conforming changes.

**Intro. by Brown.**

[GS 126](#), [GS 132](#), [GS 143B](#)

[View summary](#)

**[Development, Land Use and Housing, Community and Economic Development, Education, Government, State Agencies, Community Colleges System Office, Department of Commerce, Department of Environment and Natural Resources, Department of Transportation, State Board of Education](#)**

S 786 (2013-2014) [ENERGY MODERNIZATION ACT](#). Filed May 15 2014, *A BILL TO BE ENTITLED AN ACT TO (1) EXTEND THE DEADLINE FOR DEVELOPMENT OF A MODERN REGULATORY PROGRAM FOR THE MANAGEMENT OF OIL AND GAS EXPLORATION, DEVELOPMENT, AND PRODUCTION IN THE STATE AND THE USE OF HORIZONTAL DRILLING AND HYDRAULIC FRACTURING TREATMENTS FOR THAT PURPOSE; (2) ENACT OR MODIFY CERTAIN EXEMPTIONS FROM REQUIREMENTS OF THE ADMINISTRATIVE PROCEDURE ACT APPLICABLE TO RULES FOR THE MANAGEMENT OF OIL AND GAS EXPLORATION, DEVELOPMENT, AND PRODUCTION IN THE STATE AND THE USE OF HORIZONTAL DRILLING AND HYDRAULIC FRACTURING TREATMENTS FOR THAT PURPOSE; (3) AUTHORIZE ISSUANCE OF PERMITS FOR OIL AND GAS EXPLORATION, DEVELOPMENT, AND PRODUCTION ACTIVITIES SIXTY DAYS AFTER APPLICABLE RULES BECOME EFFECTIVE; (4) CREATE THE NORTH CAROLINA OIL AND GAS COMMISSION AND RECONSTITUTE THE NORTH CAROLINA MINING COMMISSION; (5) AMEND MISCELLANEOUS STATUTES GOVERNING OIL AND GAS EXPLORATION, DEVELOPMENT, AND PRODUCTION ACTIVITIES; (6) ESTABLISH A SEVERANCE TAX APPLICABLE TO OIL AND GAS EXPLORATION, DEVELOPMENT, AND PRODUCTION ACTIVITIES; (7) AMEND MISCELLANEOUS STATUTES UNRELATED TO OIL AND GAS EXPLORATION, DEVELOPMENT, AND PRODUCTION ACTIVITIES; AND (8) DIRECT STUDIES ON VARIOUS ISSUES, AS*

*RECOMMENDED BY THE JOINT LEGISLATIVE COMMISSION ON ENERGY POLICY.*

A BILL TO BE ENTITLED AN ACT TO (1) EXTEND THE DEADLINE FOR DEVELOPMENT OF A MODERN REGULATORY PROGRAM FOR THE MANAGEMENT OF OIL AND GAS EXPLORATION, DEVELOPMENT, AND PRODUCTION IN THE STATE AND THE USE OF HORIZONTAL DRILLING AND HYDRAULIC FRACTURING TREATMENTS FOR THAT PURPOSE; (2) ENACT OR MODIFY CERTAIN EXEMPTIONS FROM REQUIREMENTS OF THE ADMINISTRATIVE PROCEDURE ACT APPLICABLE TO RULES FOR THE MANAGEMENT OF OIL AND GAS EXPLORATION, DEVELOPMENT, AND PRODUCTION IN THE STATE AND THE USE OF HORIZONTAL DRILLING AND HYDRAULIC FRACTURING TREATMENTS FOR THAT PURPOSE; (3) AUTHORIZE ISSUANCE OF PERMITS FOR OIL AND GAS EXPLORATION, DEVELOPMENT, AND PRODUCTION ACTIVITIES SIXTY DAYS AFTER APPLICABLE RULES BECOME EFFECTIVE; (4) CREATE THE NORTH CAROLINA OIL AND GAS COMMISSION AND RECONSTITUTE THE NORTH CAROLINA MINING COMMISSION; (5) AMEND MISCELLANEOUS STATUTES GOVERNING OIL AND GAS EXPLORATION, DEVELOPMENT, AND PRODUCTION ACTIVITIES; (6) ESTABLISH A SEVERANCE TAX APPLICABLE TO OIL AND GAS EXPLORATION, DEVELOPMENT, AND PRODUCTION ACTIVITIES; (7) AMEND MISCELLANEOUS STATUTES UNRELATED TO OIL AND GAS EXPLORATION, DEVELOPMENT, AND PRODUCTION ACTIVITIES; AND (8) DIRECT STUDIES ON VARIOUS ISSUES, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMISSION ON ENERGY POLICY. Enacted June 4, 2014. Effective Effective June 4, 2014, except as otherwise provided.

**Intro. by Rucho, Newton, Brock.**

[GS 87, GS 105, GS 113, GS 143B, GS 153A, GS 160A](#)

[View summary](#)

[Environment, Energy, Environment/Natural Resources, Government, APA/Rule Making, State Agencies, Department of Public Instruction, Department of Commerce, Department of Environment and Natural Resources, Department of Transportation, Tax, Local Government](#)

S 812 (2013-2014) [MAINTAIN STATE AUTH. OVER ACADEMIC STANDARDS \(NEW\)](#). Filed May 20 2014, *A BILL TO BE ENTITLED AN ACT TO PRESERVE NORTH CAROLINA'S PROPER CONSTITUTIONAL AUTHORITY OVER ALL ACADEMIC STANDARDS AND TO ENSURE THAT STANDARDS ARE ROBUST AND APPROPRIATE, AND THAT THEY ENABLE STUDENTS TO SUCCEED ACADEMICALLY AND PROFESSIONALLY.*

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

Amends one of the whereas clauses.

Amends the State Board of Education's duties in Section 1 of the act as follows. Requires continuing to exercise authority to adopt (was, adopt, revise, and replace) academic standards for the public schools. Adds increasing students' level of academic achievement and being among the highest standards in the nation to the criteria to be met by all English Language Arts and Mathematics standards.

Reduces the membership of the Academic Standards Review Commission (Commission) from 17 to 11 members and makes changes to composition of the Commission. Requires that the co-chairs be elected from among the members (was, the Senator and representative appointed to the Commission serve as co-chairs). Amends the Commission's duties to add proposing modification that ensure the English Language Arts and Mathematics Standards meet specified criteria (was, review the proposed changes to academic standards submitted to it by the State Board).

Requires that new assessment instruments be nationally normed, aligned with the North Carolina Standard Course of Study, and field tested. Provides as examples of appropriate assessment models the ITBS, SAT, ACT Aspire, and NAEP.



Directs local boards of education to continue to provide for the efficient teaching of the course content required by the standard course of study. Provides that the current standard course of study remains in effect until official notice is provided of any changes made by the State Board.

Makes technical and conforming changes.

Amends the act's short and long titles.

**Intro. by Soucek, Tillman.**

[APPROP, GS 115C](#)

[View summary](#)

[Education, Elementary and Secondary Education, Government, Budget/Appropriations, State Agencies, State Board of Education](#)

S 815 (2013-2014) [ENSURING PRIVACY OF STUDENT RECORDS](#). Filed May 20 2014, *AN ACT TO ENSURE THE PRIVACY AND SECURITY OF STUDENT EDUCATIONAL RECORDS*.

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

Amends new GS 115C-402.5 to clarify that the rules developed to comply with all relevant state and federal privacy laws and policies that apply to personally identifiable student data included in the student data system must at minimum include restrictions on access to personally identified student data to all authorized North Carolina public school administrators, teachers, other school personnel, and contractors working for the board of a North Carolina public school; and students, their parents or legal guardians.

Directs the State Board of Education (SBE) to prohibit the transfer of personally identifiable student data to individuals other than those identified in subdivision (2) of this subsection except as otherwise permitted by law and authorized by the rules adopted under this section. Directs that the rules must include authorization and procedures for releasing personally identifiable data when students enroll in an out of state school or a local school administrative unit seeks assistance with locating a student formerly enrolled in state and who is now enrolled out of state. Removes requirement that contracts must provide special safeguards for aggregate data. Clarifies that restrictions on student data collection apply to both students and their families. Adds "voting history" as data that may not be collected.

Amends new GS 115C-402.15 to remove the requirement that local boards of education consider using a model notice developed by the United States Department of Education to provide annual information to parents on rights regarding student records and opt-out opportunities.

Amends the act's long title.

**Intro. by Barefoot, Brock, Soucek.**

[GS 115C](#)

[View summary](#)

[Education](#)

## LOCAL/HOUSE BILLS

H 1059 (2013-2014) [VENUS FLYTRAP--TAKING PENALTY/OCCUP. TAX USE \(NEW\)](#). Filed May 14 2014, *AN ACT TO MAKE THE LARCENY OF VENUS FLYTRAPS IN NEW HANOVER, BRUNSWICK, ONSLOW, AND PENDER COUNTIES A FELONY OFFENSE AND TO MODIFY THE NEW HANOVER OCCUPANCY TAX*.

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

Amends the provisions of this act that make it a Class H felony to steal a Venus flytrap so that it applies to Brunswick, Onslow, and Pender Counties in addition to New Hanover County (was, applied only to New Hanover County).

Amends Section 7(d) of SL 2006-167 to allow New Hanover County District U to use the net proceeds from the room occupancy and tourism development tax only for beach renourishment or inlet maintenance providing that (1) the use is in accordance with the New Hanover County ordinances where applicable, and (2) was funded in whole or part with state or federal monies. Specifies that none of the proceeds may be used for beach renourishment or inlet maintenance in areas within New Hanover County that are outside of District U.

Makes conforming changes to the act's titles.

**Intro. by Davis.**

Brunswick, New Hanover, Onslow, Pender, GS 14

[View summary](#)

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

## ACTIONS ON BILLS

### PUBLIC BILLS

#### **H 230: AMEND LAW DEFINING HOME SCHOOLS.**

*House: Postponed To 06/05/2014*

#### **H 618: AMEND FIREARM RESTORATION LAW.**

*Senate: Withdrawn From Com*

*Senate: Re-ref Com On Judiciary II*

#### **H 1025: DOT/DMV CHANGES (NEW).**

*House: Amend Adopted A1*

*House: Amend Failed A2*

*House: Passed 2nd Reading*

*House: Passed 3rd Reading*

*House: Ordered Engrossed*

#### **H 1026: Update State Rail Safety Oversight**

*House: Passed 3rd Reading*

*House: Passed 2nd Reading*

#### **H 1028: SINGLE LICENSE PLATE RENEWAL STICKER.**

*House: Passed 2nd Reading*

*House: Passed 3rd Reading*

#### **H 1031: NC ECON. DEV. PARTNERSHIP MODIFICATIONS.**

*House: Reptd Fav Com Substitute*

*House: Serial Referral To Appropriations Stricken*

*House: Cal Pursuant Rule 36(b)*

*House: Placed On Cal For 06/05/2014*

**H 1032: PATENT ABUSE BILL**

*Senate: Regular Message Received From House*

*Senate: Passed 1st Reading*

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

**H 1048: AG SELECTION CRITERIA/AMENDMENTS.**

*Senate: Regular Message Received From House*

*Senate: Passed 1st Reading*

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

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

*House: Amend Adopted Al*

*House: Passed 2nd Reading*

*House: Passed 3rd Reading*

*House: Ordered Engrossed*

**H 1062: SCHEMATIC DIAGRAMS AND KEYS OF SCHOOLS.**

*House: Passed 2nd Reading*

*House: Passed 3rd Reading*

**H 1069: UNEMPLOYMENT INSURANCE LAW CHANGES.**

*House: Cal Pursuant Rule 36(b)*

*House: Placed On Cal For 06/05/2014*

*House: Reptd Fav Com Substitute*

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

*House: Withdrawn From Com*

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

*House: Reptd Fav Com Substitute*

*House: Cal Pursuant Rule 36(b)*

*House: Placed On Cal For 06/05/2014*

**H 1081: REFORM AGENCY REVIEW OF ENGINEERING WORK.**

*Senate: Regular Message Received From House*

*Senate: Passed 1st Reading*

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

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

*House: Passed 2nd Reading*

*House: Passed 3rd Reading*

**H 1087: PRESERVE BIOLOGICAL EVIDENCE/S STUDY.**

*House: Cal Pursuant Rule 36(b)*

*House: Placed On Cal For 06/05/2014*

*House: Reptd Fav*

**H 1092: ENFORCE PAYMENT OF CRIMINAL MEDIATION FEE.**

*House: Reptd Fav Com Substitute*

*House: Cal Pursuant Rule 36(b)*

*House: Placed On Cal For 06/05/2014*

**H 1095: REMOTE TESTIMONY BY ANALYSTS.**

*House: Reptd Fav*

*House: Re-ref Com On Appropriations*

**H 1193: RETIREMENT TECHNICAL CORRECTIONS ACT OF 2014.**

*House: Reptd Fav Com Substitute*

*House: Re-ref Com On Appropriations*

**H 1194: RETIREMENT ADMIN. CHANGES ACT OF 2014.**

*House: Reptd Fav*

*House: Re-ref Com On Appropriations*

**H 1195: FISCAL INTEGRITY/PENSION-SPIKING PREVENTION.**

*House: Reptd Fav*

*House: Re-ref Com On Appropriations*

**H 1201: EXEMPT ADMISSION TO AGRICULTURAL FAIRS.**

*House: Reptd Fav*

*House: Cal Pursuant Rule 36(b)*

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

*House: Reptd Fav*

*House: Re-ref Com On Finance*

**H 1255: POINT OF SALE BACKGROUND CHECKS.**

*House: Passed 1st Reading*

*House: RefTo Com On Rules, Calendar, and Operations of the House*

**S 101: WC/INFLATION INDEXING FOR ORGAN INJURY/LOSS (NEW).**

*House: Reptd Fav Com Substitute*

*House: Re-ref Com On Commerce and Job Development*

**S 743: NC ECON. DEV. PARTNERSHIP MODIFICATIONS.**

*Senate: Re-ref Com On Appropriations/Base Budget*

*Senate: Reptd Fav Com Substitute*

*Senate: Com Substitute Adopted*

**S 786: ENERGY MODERNIZATION ACT.**

*Signed by Gov. 6/4/2014*

*Ch. SL 2014-4*

**S 812: MAINTAIN STATE AUTH. OVER ACADEMIC STANDARDS (NEW).**

*Senate: Reptd Fav Com Substitute*

*Senate: Com Substitute Adopted*

*Senate: Re-ref Com On Appropriations/Base Budget*

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

*Senate: Re-ref Com On Judiciary I*

*Senate: Reptd Fav Com Substitute*

*Senate: Com Substitute Adopted*

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

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

*Senate: Regular Message Received From House*

*Senate: Passed 1st Reading*

**H 1059: VENUS FLYTRAP--TAKING PENALTY/OCCUP. TAX USE (NEW).**

*House: Reptd Fav Com Substitute*

*House: Cal Pursuant Rule 36(b)*

*House: Withdrawn From Cal*

*House: Re-ref Com On Finance*

**H 1067: MURPHY DEANNEXATION.**

*House: Reptd Fav*

*House: Cal Pursuant Rule 36(b)*

**H 1080: WATHA DEANNEXATION.**

*House: Reptd Fav*

*House: Cal Pursuant Rule 36(b)*

*House: Placed On Cal For 06/05/2014*

**H 1096: UNION COUNTY/CONTRACTED AMBULANCE SERVICE.**

*Senate: Passed 1st Reading*

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

*Senate: Regular Message Received From House*

**S 204: 21ST SENATORIAL DISTRICT LOCAL ACT-1.**

*Senate: Withdrawn From Com*

*Senate: Re-ref Com On Finance*

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