



The Daily Bulletin: Thursday, June 5, 2014

PUBLIC/HOUSE BILLS

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 amendments make the following changes to the 2nd edition:

Amendment # 1

Makes technical changes and corrects statutory references.

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

Amendment # 2

Adds new mandatory contract term, which must be included in any contract entered into under GS 143B-431A, concerning public-private partnerships, requiring entities that receive gifts, contributions, items, or services for which fair market value exceeds \$1,000 and fair market value was not paid, to publish within seven days of receiving the item, the entity it came from, the fair market value and a description of the item, along with the date and amount of any award previously given to the entity.

Amendment # 3

Makes a technical change to proposed GS 143B-431A(e)(5).

Amendment # 4

Amends GS 143B-431A(e)(11), a mandatory contract term concerning severance pay of the CEO or other officers of the nonprofit, clarifying that no state funds can be used for severance pay and further provides limitations for severance pay even from funds that are not state funds.

Amendment # 8

Amends GS 143B-431A(e)(4), deleting language that referred to the establishment of a code of ethics as part of a mandatory contract term. Deletes set out requirements that the code of ethics must address. Amends GS 143B-431A(h) concerning applicable laws, establishing that officers, employees, and members of the nonprofit are public servants and are subject to all the requirements of the State Ethics Act. Further provides that all officers, members of the board, and employees whose annual compensation is equal to or greater than \$60,000 are subject to GS 138A-22, regarding statements of economic interest.

Amendment #9

Amends GS 143B-431A(d)(3) to remove members of the governing board of the nonprofit from the provision concerning the amount of state funds that may be used for compensation. Provides that they can receive per diem and other allowances pursuant to GS 138-5.

Intro. by Murry.

GS 115C, GS 126, 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 1087 (2013-2014) [PRESERVE BIOLOGICAL EVIDENCE/STUDY](#). Filed May 15 2014, *A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE JOINT SELECT STUDY COMMITTEE ON THE PRESERVATION OF BIOLOGICAL EVIDENCE, AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION'S COMMITTEE ON JUDICIAL EFFICIENCY AND EFFECTIVE ADMINISTRATION OF JUSTICE.*

The House amendment to the 1st edition modifies the membership of the Joint Select Study Committee on the Preservation of Biological Evidence so that it includes the Director of the North Carolina State Crime Laboratory (was, the Director of the SBI), or the Director's designee.

Intro. by Davis, Burr.

STUDY

[View summary](#)**Courts/Judiciary, Evidence**

H 1256 (2013-2014) [RECOGNITION FOR MERCHANT MARINES](#). Filed Jun 5 2014, *A HOUSE RESOLUTION URGING CONGRESS TO ENACT LEGISLATION THAT WILL LEAD TO THE RECOGNITION OF WORLD WAR II COASTWISE MERCHANT MARINERS AS VETERANS OF THE UNITED STATES ARMED FORCES.*

As title indicates.

Intro. by Steinburg.

HOUSE RES

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

H 1257 (2013-2014) [SUPPORT NORTH CAROLINA'S WILD HORSES](#). Filed Jun 5 2014, *A HOUSE RESOLUTION URGING CONGRESS TO PROTECT THE COROLLA WILD HORSES.*

As title indicates.

Intro. by Steinburg.

HOUSE RES

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

H 1258 (2013-2014) [CONVENTION OF THE STATES/ARTICLE V](#). Filed Jun 5 2014, *A HOUSE RESOLUTION SUPPORTING A CONVENTION OF THE STATES FOR THE PURPOSE OF PROPOSING AMENDMENTS TO THE CONSTITUTION OF THE UNITED STATES.*

As title indicates.

Intro. by Brandon, Baskerville, R. Brawley, Lucas.

HOUSE RES

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Constitution

PUBLIC/SENATE BILLS

S 3 (2013-2014) **JMAC Modifications (New)**. Filed Jan 30 2013, *A BILL TO BE ENTITLED AN ACT TO MODIFY THE JOB MAINTENANCE AND CAPITAL DEVELOPMENT FUND PROVISIONS.*

The Senate committee substitute to the 1st edition deletes the content of the previous edition and replaces it with 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 investing in its manufacturing process by enhancing pollution controls or transitioning the manufacturing process from using coal to using natural gas in order to become more energy efficient or reduce emissions. To be eligible for a grant, a large manufacturing employer must also be certified by the Department of Commerce to have invested or plan 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. A tier one location would roughly require that 320 full-time employees be employed by the project that is subject to the grant with a 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 Apodaca.

GS 143B

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Business and Commerce, Development, Land Use and Housing, Community and Economic Development

S 78 (2013-2014) **LAW ENFORCEMENT AND DA PRIVACY/TAX WEBSITES (NEW)**. Filed Feb 12 2013, *AN ACT TO REQUIRE CITIES AND COUNTIES TO REMOVE PERSONAL INFORMATION FROM TAX RECORDS AVAILABLE TO THE PUBLIC ON AN INTERNET WEBSITE WHEN REQUESTED BY LAW ENFORCEMENT OR A DISTRICT ATTORNEY.*

House committee substitute deletes all the provisions of the 3rd edition and replaces it with *AN ACT TO REQUIRE CITIES AND COUNTIES TO REMOVE PERSONAL INFORMATION FROM TAX RECORDS AVAILABLE TO THE PUBLIC ON AN INTERNET WEBSITE WHEN REQUESTED BY LAW ENFORCEMENT OR A DISTRICT ATTORNEY.*

Enacts new GS 153A-148.2, pertaining to each county in the state, and new GS 160A-208.2, pertaining to each city in the state. Requires each county and each city to develop a process to be used by a law enforcement officer, a district attorney, or an assistant district attorney to request that an individual's personal information, including the person's address and telephone number, be removed from any Internet website displaying local tax records that is maintained by the city or maintained by the county and available to the public. Requires the request to specify the personal information to be removed from the website. Mandates that the city or county remove the information if properly requested. Provides that the information removed from the website continues to be a public record if it would otherwise be a public record under GS Chapter 132.

Intro. by Hartsell.

[GS 153A, GS 160A](#)

[View summary](#)

[Courts/Judiciary, Court System, Government, Public Safety, Tax, Local Government](#)

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 2nd edition:

Adds new mandatory contract term, which must be included in any contract entered into under GS 143B-431A, concerning public-private partnerships, requiring entities that receive gifts, contributions, items, or services for which fair market value exceeds \$1,000 and fair market value was not paid, to publish within seven days of receiving the item, the entity it came from, the fair market value and a description of the item, along with the date and amount of any award previously given to the entity.

Enacts new GS 143B-437.02A, titled The Film and Entertainment Grant Fund, which creates in the Department of Commerce this special non-reverting fund to be used to encourage and develop the tv and film-making industry in North Carolina. Sets out five provisions that are to be included in any rules regarding the awarding of grants, including certain requirements on receiving grants in relation to total qualifying expenses and that the funds are not provided to more than one production company for a single production. Sets out seven types of productions that may not receive a grant. Gives priority to productions reasonably anticipated to maximize the benefit to the state.

Sets out nine terms and definitions to be used in the section, including highly compensated individual and qualifying expenses.

Establishes procedures for a production company to apply for a grant of funds, which includes an application, under oath, to the Secretary of Commerce (Secretary) and an application fee of \$1,000. Directs the Secretary to work with the NC Film Office to adopt rules and processes for the verification of qualifying expenses of production companies. Provides that no grant funds can be released before qualifying expenses are verified and substantiated. Sets out three requirements for the process of substantiation, including requiring the production company to submit all qualifying expenses with documentation on net expenditures for equipment and other personal property and a compliance audit at the production company's expense.

Requires the Department of Commerce to report four categories of information to the Department of Revenue, which in turn the Department of Revenue must include in the economic incentives report. This information includes the location of sites used in a production for which a grant was awarded and the total cost of the grants awarded.

Also requires a production company to notify the Division of Tourism, Film, and Sports Development of their intent to apply.

Appropriates \$10 million from the Repairs and Renovations Reserve to the Film and Entertainment Grant Fund, nonrecurring, for the 2014-15 fiscal year and \$10 million from the Savings Reserve to the Film and Entertainment

Grant Fund, also nonrecurring, for the 2014-15 fiscal year.

Provisions on the fund are effective January 1, 2015, expiring July 1, 2020. Provides that the Secretary of Commerce cannot award a grant for any qualifying expense for which a taxpayer received a tax credit under GS 105-130.47 or 105-151.29.

Intro. by Brown.

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

[View summary](#)

[Business and Commerce, 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 Revenue, Department of Transportation, State Board of Education](#)

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 amendments make the following changes to the 3rd edition:

Amendment #1

Amends the effective date of the act, providing that except as provided in Part VI of the act, nothing in the act can be construed to obligate the General Assembly to appropriate funds for the implementation of the act (previously, did not mention Part VI of the act).

Amendment #2

Amends proposed GS 143B-437.02A, Film and Entertainment Grant Fund, to replace any occurrence of the word "rules" with "guidelines". Enacts new GS 143B-437.02A(g), requiring the Department of Commerce to develop guidelines in regards to the administration of the Film and Entertainment Grant Fund and the selection process for distributing such grants. Requires the Department of Commerce to publish any proposed guidelines on the Department's website at least 20 days before the effective date. Also requires the Department of Commerce to accept oral and written comments on the proposed guideline during the 15 business days beginning on the first day that the Department has completed these notifications and publications. Makes a technical change.

Amends GS 150B-1(d) to provide that the Department of Commerce, in administering the grant program, are exempt from the rulemaking provisions and requirements of Article 2A of GS Chapter 150B.

Makes clarifying changes to the appropriations provision transferring \$10 million to the Film and Entertainment Grant Fund from the Repairs and Renovations Reserve, to clarify that it is from funds appropriated to that reserve for the 2014-15 fiscal year.

Makes technical and conforming changes.

Deletes language that required a \$1,000 application fee in order to apply for a grant from the Film and Entertainment Grant Fund.

Amendment #3

Requires that the study undertaken by the Department of Commerce (Department) to develop a plan for contracting with a North Carolina nonprofit corporation for the performance of economic development activities and duties of the

Department, must include an analysis of all compensation levels for employees, officers, and other personnel of public-private partnerships for economic development activities in other states to aid in determining and reporting on average and appropriate levels of compensation.

Amendment #4

Makes a technical correction.

Intro. by Brown.

GS 115C, GS 126, 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 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.*

Senate amendments make the following changes to the 2nd edition.

Amendment #1 adds a new subsection (b) to Section 3 of this act and makes conforming changes in designating subsections in Section 3. Directs the State Board of Education (SBE) to continue to develop and update the North Carolina Standard Course of Study in accordance with GS 115C-12(9c). Specifies that the SBE's work is to include a review of the standards in other states and of national assessments aligned with those standards. Also directs the SBE to implement the assessments that the SBE finds most aligned to evaluate student achievement on the North Carolina Standard Course of Study, in accordance with Section 9.2(b) of SL 2013-360 and Section 5 of this act.

Amendment #2 amends the section 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.

Deletes the appropriation of \$250,000 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.

Amendment #3 prohibits appointing any individual serving in a statewide elected office or as a member of the General Assembly to the Commission.

Intro. by Soucek, Tillman.

GS 115C

[View summary](#)

Education, Elementary and Secondary Education, Government

ACTIONS ON BILLS**PUBLIC BILLS****H 230: AMEND LAW DEFINING HOME SCHOOLS.**

House: Concurred In S/Com Sub

House: Ordered Enrolled

H 1031: NC ECON. DEV. PARTNERSHIP MODIFICATIONS.

House: Amend Adopted A9

House: Passed 2nd Reading

House: Ordered Engrossed

House: Amend Adopted A1

House: Placed On Cal For 06/10/2014

House: Amend Adopted A2

House: Amend Adopted A3

House: Amend Adopted A4

House: Amend Tabled A5

House: Amend Failed A6

House: Amend Tabled A7

House: Amend Adopted A8

H 1069: UNEMPLOYMENT INSURANCE LAW CHANGES.

House: Amend Failed A1

House: Passed 2nd Reading

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

House: Passed 2nd Reading

House: Passed 3rd Reading

H 1087: PRESERVE BIOLOGICAL EVIDENCE/STUDY.

House: Amend Adopted A1

House: Passed 2nd Reading

House: Passed 3rd Reading

House: Ordered Engrossed

H 1092: ENFORCE PAYMENT OF CRIMINAL MEDIATION FEE.

House: Postponed To 06/10/2014

H 1193: RETIREMENT TECHNICAL CORRECTIONS ACT OF 2014.

House: Passed 2nd Reading

House: Passed 3rd Reading

H 1194: RETIREMENT ADMIN. CHANGES ACT OF 2014.

House: Passed 2nd Reading

House: Passed 3rd Reading

H 1201: EXEMPT ADMISSION TO AGRICULTURAL FAIRS.

House: Passed 2nd Reading

House: Placed On Cal For 06/10/2014

H 1256: RECOGNITION FOR MERCHANT MARINES.

House: Filed

H 1257: SUPPORT NORTH CAROLINA'S WILD HORSES.

House: Filed

H 1258: CONVENTION OF THE STATES/ARTICLE V.

House: Filed

S 3: JMAC Modifications (New).

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

Senate: Placed on Today's Calendar

S 78: LAW ENFORCEMENT AND DA PRIVACY/TAX WEBSITES (NEW).

House: Reptd Fav Com Substitute

House: Re-ref Com On Judiciary Subcommittee C

House: Reptd Fav Com Substitute

House: Re-ref Com On Judiciary Subcommittee C

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

House: Assigned To Commerce and Job Development Subcommittee on Biotechnology and Health Care

S 743: NC ECON. DEV. PARTNERSHIP MODIFICATIONS.

Senate: Passed 2nd Reading

Engrossed

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

Senate: Placed on Today's Calendar

Senate: Amend Adopted A1

Senate: Amend Adopted A2

Senate: Amend Adopted A3

Senate: Amend Adopted A4

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

Senate: Withdrawn From Com

Senate: Placed on Today's Calendar

Senate: Amend Adopted A1

Senate: Amend Adopted A2

Senate: Amend Adopted A3

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

Engrossed

S 879: HONOR ZEB ALLEY.

Senate: Passed 1st Reading

Senate: Placed On Cal For 06/10/2014

LOCAL BILLS**H 1067: MURPHY DEANNEXATION.**

House: Placed On Cal For 06/10/2014

H 1070: TOWN OF DUCK/EMINENT DOMAIN.

House: Reptd Fav

House: Re-ref Com On Finance

H 1080: WATHA DEANNEXATION.

House: Passed 2nd Reading

H 1134: CLEVELAND COUNTY/ROAD ASSESSMENT CRITERIA.

House: Reptd Fav

House: Cal Pursuant Rule 36(b)

House: Placed On Cal For 06/10/2014

H 1155: PINEHURST ANNEXATION.

House: Reptd Fav

House: Re-ref Com On Finance

H 1218: CITY OF MONROE/SUPERVISION OF ATTORNEY.

House: Re-ref Com On Judiciary Subcommittee A

House: Reptd Fav

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

House: Reptd Fav

House: Re-ref Com On Finance

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