



The Daily Bulletin: Monday, June 9, 2014

PUBLIC/HOUSE BILLS

H 1043 (2013-2014) **PREQUALIFICATION UPDATE**. Filed May 14 2014, *A BILL TO BE ENTITLED AN ACT TO CLARIFY THE STATUTES RELATED TO THE USE OF PREQUALIFICATION IN PUBLIC CONSTRUCTION CONTRACTING, AS STUDIED BY THE JOINT PURCHASE AND CONTRACT STUDY COMMITTEE.*

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

Amends GS 143-135.8(b), which provides that a governmental entity may prequalify bidders for a particular construction or repair work project only when all of the enumerated circumstances apply, to add a third required circumstance. Requires that the governmental entity must have adopted the assessment tool and criteria for that specific project, which must include the pre-qualification scoring values and minimum required score for pre-qualification on that project.

Deletes GS 143-135.8(c)(3)(b), removing criteria that required that pre-qualification criteria must include pre-qualification scoring values and minimum required score for pre-qualification. Makes a conforming change to GS 143-128.1 regarding construction management at risk contracts.

Amends GS 143-128.1B(b)(6) and GS 143-128.1A(b)(6) to provide that the comparison criteria used by a governmental entity in determining the use of the design-build delivery method or the delivery methods identified in subdivisions (1), (2), and (4) of GS 143-128(a1) is to be a comparison of advantages and disadvantages of the delivery methods (was, a comparison of the cost and benefit).

Adds a new Section 8 to this act which establishes a 17-member Blue Ribbon Commission to Study the Building and Infrastructure Needs of the State (Commission), with six members appointed by the Speaker of the House of Representatives (Speaker), six members appointed by the President Pro Tempore of the Senate (President Pro Tem), and five members appointed by the Governor. Specifies the criteria for the appointment of the Commission members.

Enumerates matters related to building and infrastructure needs in North Carolina that the Commission is to study. Building and infrastructure needs to be studied include (1) new repairs, (2) renovations, (3) expansion, and (4) new construction.

Provides for two co-chairs for the Commission, with one representative appointed as co-chair by the Speaker and one senator appointed as co-chair by the President Pro Tem. Provides that 10 members constitute a quorum of the Commission and that any vacancy is to be filled by the appointing authority. Authorizes the Commission to exercise all the powers provided for under GS 120-19 and GS 120-19.4 in the discharge of its official duties. Provides that Commission members are to receive per diem, subsistence, and travel allowances in accordance with GS 120-3.1, 138-5, or 138-6, as appropriate. Provides additional criteria regarding the meeting and operation of the Commission. Directs the House of Representatives' and the Senate's Directors of Legislative Assistants to assign clerical staff to the Commission and directs the Commission to bear the expenses relating to the clerical employees.

Directs all state departments, agencies, local governments, and their subdivisions to provide the Commission with any information in their possession or available to them.

Provides that the Commission may make an interim report of its findings and recommendations to the 2015 General Assembly and requires the Commission to make a final report of its findings and recommendations to the 2016 Regular Session of the 2015 General Assembly. Directs the Commission to terminate on December 31, 2016, or the

filing of the final report, whichever comes first.

Provides that Section 8 of this act becomes effective when it becomes law.

Intro. by Arp.

[STUDY, GS 143](#)

[View summary](#)

[Development, Land Use and Housing, Building and Construction, Government, Local Government](#)

H 1259 (2013-2014) [SOLDIER'S REUNION ANNIVERSARY](#). Filed Jun 9 2014, *A HOUSE RESOLUTION HONORING THE PARTICIPANTS AND SUPPORTERS OF THE CITY OF NEWTON'S ANNUAL SOLDIERS REUNION ON THE ONE HUNDREDTH TWENTY-FIFTH ANNIVERSARY OF THE REUNION.*

As title indicates.

Intro. by Setzer.

[HOUSE RES](#)

[View summary](#)

[Military and Veteran's Affairs](#)

H 1260 (2013-2014) [HONOR OFFICERS PROTECTING NAT'L RESOURES](#). Filed Jun 9 2014, *A HOUSE RESOLUTION EXPRESSING GRATITUDE TO THE MEN AND WOMEN WHO PROTECT THE SAFETY OF THE PUBLIC AND OUR NATURAL RESOURCES; HONORING THOSE WHO HAVE SUSTAINED INJURIES; AND HONORING THE MEMORY OF THOSE WHO HAVE LOST THEIR LIVES IN THE LINE OF DUTY.*

As title indicates.

Intro. by Dobson.

[HOUSE RES](#)

[View summary](#)

[Environment, Environment/Natural Resources](#)

LOCAL/HOUSE BILLS

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

House committee substitute amends the 1st edition as follows. Authorizes the Moore County Board of Education, regardless of the provisions of GS 115C-518 (disposition of school property) and GS 160A-274 (sale, lease, exchange and joint use of governmental property) (was, GS 115C-518 and Article 12 of GS Chapter 160A), to convey its right, title, and interest to the Academy Heights Elementary school to the Town of Taylortown, with consideration (was, with or without monetary consideration).

Intro. by Boles.

[Moore](#)

[View summary](#)

[Education](#)

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*.

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

Amends the Town of Mount Gilead's charter, adding a provision to Section 4.5 to provide that an officer that has been removed by the voters pursuant to a recall election, or that resigned after a sufficient petition for that officer's recall election has been submitted. is not eligible for appointment to fill the vacancy caused by that officer's removal or resignation.

Deletes Section 5.7 of the charter, which empowered the Town Manager with the authority to appoint, suspend, and remove all non-elected officers, department heads, and employees of the Town with the exception of the Town Attorney and Clerk. Also excluded the Mayor and the Board of Commissioners from authority in regards to the appointment or removal of non-elected officers or employees of the Town. Provided that the Mayor and Board is only to deal with officers and employees through the Manager or Acting Manager.

Repeals SL 1967-407, concerning the salaries for the Board of Commissioners and Mayor, being either outdated and/or provided for elsewhere.

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*.

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

Deletes a provision allowing the City Council to remove the Mayor or other Council members from office for specified reasons. Also included in this deletion is the process and procedures for the removal proceedings.

Adds new provision, Section 3.42, to the Charter, concerning residential development projects, providing that the city council can make appropriations and authorize economic incentives for aiding and encouraging residential development projects in the city in a municipal service district that is likely to have a significant impact on the economic revitalization of the district. Also allows loans and grants from public funds for revitalization projects.

Deletes Section 3.63, Code or compilation of ordinances; proving of ordinances, and Section 3.64, Codification of certain zoning, traffic, and related ordinances by appropriate entries upon official map books.

Makes organizational and clarifying changes to Section 4.62, Appointment and removal of members of boards and commissions.

Deletes Section 4.63, Absence or disability.

Amends Section 4.111, changing title to Levy, collection, and payment of property taxes (was, General authority to levy and collect taxes and including language previously in 4.112).

Deletes Section 4.113, Additional remedies for collection of privilege license taxes.

Deletes Section 4.151(a), concerning contracting procedures and authentication of documents.

Amends and reorganizes Article 2 of Subchapter E of the Charter, renaming the Article "Leasing Provisions." Enacts

new provisions and deletes previous provisions to provide language that allows the city council to use discretion in leasing city-owned property. Sets out requirements and procedures for leasing such property.

Deletes Section 5.21, General Powers of City Council to license occupations and businesses.

Deletes a requirement in Section 5.61, Comprehensive transportation plan, that directed the Metropolitan Planning Organization to adopt and update a comprehensive plan for the area.

Amends Subchapter C of Chapter VI of the Charter, deleting Section 6.61, Authority to make local improvements; Section 6.62, Separate proceedings not required; Section 6.63, Definitions; Section 6.64, Improvements described; Section 6.65, Bases for making assessments; and Section 6.66, Optional cost sharing. Enacts new provision that gives the city council authority to make special assessments against benefited property as pursuant to general law.

Deletes Section 7.01, Presentation of claims against the City; suit upon claims.

Intro. by S. Ross.

[Alamance](#)

[View summary](#)

ACTIONS ON BILLS

PUBLIC BILLS

H 189: AMEND INFO PROV./NON-CUST. PARENT/CHILD SUPP.

Senate: Sequential Referral To Health Care Added

H 230: AMEND LAW DEFINING HOME SCHOOLS.

Ratified

H 712: CLARIFY EXPERT WITNESS COMPENSATION (NEW).

Senate: Withdrawn From Com

Senate: Re-ref Com On Education/Higher Education

H 1043: PREQUALIFICATION UPDATE.

House: Reptd Fav Com Substitute

House: Cal Pursuant Rule 36(b)

House: Placed On Cal For 06/10/2014

H 1256: RECOGNITION FOR MERCHANT MARINES.

House: Passed 1st Reading

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

H 1257: SUPPORT NORTH CAROLINA'S WILD HORSES.

House: Passed 1st Reading

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

H 1258: CONVENTION OF THE STATES/ARTICLE V.

House: Passed 1st Reading

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

H 1259: SOLDIER'S REUNION ANNIVERSARY.

House: Filed

H 1260: HONOR OFFICERS PROTECTING NAT'L RESOURCES.

House: Filed

S 740: DPS STUDY COMMERCIAL VEHICLE SAFETY ALLIANCE.

Senate: Withdrawn From Com

Senate: Re-ref Com On Agriculture/Environment/Natural Resources

S 743: NC ECON. DEV. PARTNERSHIP MODIFICATIONS.

Senate: Passed 3rd Reading

S 790: MAINTAIN CAPE HATTERAS EMC EXEMPT STATUS.

Senate: Withdrawn From Com

Senate: Re-ref Com On Finance

S 853: BUSINESS COURT MODERNIZATION.

Senate: Sequential Referral To Judiciary I Added

Senate: Withdrawn From Com

Senate: Re-ref Com On Finance

LOCAL BILLS

H 1154: MOORE CO. SCHOOLS TRANSFER OF PROPERTY.

House: Reptd Fav Com Substitute

House: Re-ref Com On Finance

H 1211: MOUNT GILEAD CHARTER REVISION & CONSOLIDATION.

House: Reptd Fav Com Substitute

House: Re-ref Com On Finance

H 1212: BURLINGTON CHARTER/REVISION AND CONSOLIDATION.

House: Reptd Fav Com Substitute

House: Re-ref Com On Finance

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