



## The Daily Bulletin: Thursday, June 19, 2014

### PUBLIC/HOUSE BILLS

H 189 (2013-2014) [AMEND INFO./CHILD SUPP. ORDERS](#) Filed Feb 28 2013, *A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS REGARDING INFORMATION PROVIDED TO NONCUSTODIAL PARENTS SUBJECT TO WAGE WITHHOLDING ORDERS UNDER THE LAWS PERTAINING TO CHILD SUPPORT, AND TO MAKE TECHNICAL CORRECTIONS TO THE UNIFORM DEPLOYED PARENTS CUSTODY AND VISITATION ACT.*

Senate committee substitute makes the following changes to the 2nd edition:

Changes the short and long titles.

Amends GS 110-136.3(a)(4a), deleting language that required that a non-IV-D child support order that contains an income withholding requirement and a IV-D child support order must require the NC Child Support Enforcement agency to provide, or to allow the obligor to obtain through the NC Child Support Centralized database, the current residence and mailing address of the custodial party, or the current residence and mailing address of the child, if the addresses are different. Also deletes language that required a form to be provided by the Administrative Office of the Courts and supplied by the clerk of court to enable the obligor to proceed pro se pursuant to this subsection. Now provides that the non-IV-D child support order must include the current residence and mailing address of the custodial parent or the address of the child if they are not the same and makes an exception if there is an existing order prohibiting disclosure of the address. Effective January 1, 2015. Makes organizational and technical changes.

Amends GS 50A-370(a) and GS 50A-379(a), making a technical change, updating a federal statute reference.

Amends GS 50A-385(c) and GS 50A-388(a), making organizational changes.

**Intro. by Glazier, Stevens, L. Hall.**

[GS 50A, GS 110](#)

[View summary](#)

[Courts/Judiciary, Civil, Family Law](#)

H 573 (2013-2014) [STORMWATER MANAGEMENT FEE USES](#). Filed Apr 3 2013, *A BILL TO BE ENTITLED AN ACT TO BROADEN THE PERMITTED USE OF STORM WATER FEES.*

AN ACT TO BROADEN THE PERMITTED USE OF STORMWATER FEES. Enacted June 19, 2014. Effective June 19, 2014.

**Intro. by Jeter, Samuelson, R. Moore.**

[GS 153A](#)

[View summary](#)

[Environment](#)

H 712 (2013-2014) [CLARIFYING CHANGES/SPECIAL ED SCHOLARSHIPS](#) Filed Apr 10 2013, *A BILL TO BE ENTITLED AN ACT TO REVISE AND CLARIFY THE SPECIAL EDUCATION SCHOLARSHIPS FOR CHILDREN WITH DISABILITIES AND TO EXEMPT CERTAIN SCHOOLS FROM CHILD CARE LICENSURE REQUIREMENTS.*

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

Makes a technical change.

**Intro. by Glazier, Stam, Jackson.**

**STUDY**

[View summary](#)

**Courts/Judiciary, Evidence, Government, General Assembly**

H 712 (2013-2014) **CLARIFYING CHANGES/SPECIAL ED SCHOLARSHIPS** Filed Apr 10 2013, *A BILL TO BE ENTITLED AN ACT TO REVISE AND CLARIFY THE SPECIAL EDUCATION SCHOLARSHIPS FOR CHILDREN WITH DISABILITIES AND TO EXEMPT CERTAIN SCHOOLS FROM CHILD CARE LICENSURE REQUIREMENTS.*

Senate committee substitute makes the following changes to the 2nd edition:

Changes the short and long titles.

Deletes the provisions of the previous bill in their entirety.

Renames GS Chapter 115C, Article 9, Part 1H, as Special Education Scholarships for Children with Disabilities (was, Special Education Scholarship Grants for Children with Disabilities).

Amends GS 115C-112.5, the definitions section of Article 9, Education of Children with Disabilities, providing new terms and definitions for use in this Part, including *child with a disability*, *disability*, *educational technology*, *related services*, and *special education*. Amends the definition for the term eligible student, providing that it is a student under 22 years of age that meets specified criteria, including new criteria that the eligible student is a child with a disability and is eligible to attend a NC public school pursuant to GS 115C-366 (previously, the term included the criteria that the child required an Individualized Education Plan and that he /she received special education or related services on a daily basis). Makes other clarifying changes to the criteria to be an eligible student, including that the child was approved for a scholarship for the previous semester (was, received a grant for the previous semester) and deleting criteria that required the child to be eligible for enrollment in kindergarten or the first grade in a NC public school in lieu of a new requirement that the child must be identified as having a disability prior to the end of the year of initial enrollment in kindergarten or first grade.

Amends GS 115C-112.6, previously titled "Scholarship Grants," now titled "Scholarships," changing the awarding of scholarship grants to a program awarding scholarships, to be used to receive special education at a nonpublic school or a public school where tuition is required (previously, only could be used to attend a nonpublic school). Makes technical and conforming changes. Provides for notice and information about scholarships to be posted on the The North Carolina State Education Assistance Authority (Authority) website. Specifies and clarifies what expenses the scholarships will cover and be issued for. Also provides that the Authority is required to notify parents in writing of their eligibility to receive scholarships for costs incurred during the spring semester of the following year by December 1, and for costs incurred during the fall semester of that year by July 1. Also sets out process for scholarship reimbursements, including provisions for a preapproval process, reimbursement submissions, and the actual awarding of the scholarships. Deletes language that previously provided for limitations for receiving reimbursements and notifications requirements. Adds language providing that the Authority will annually develop a list of educational technology for which scholarships can be used and will provide recipients with that information.

Enacts GS 115C-112.6(e), public records exception, providing that scholarship applications and personal identifiable information related to students receiving scholarships are not public records. Sets out what is considered to be personal identifiable information. Effective July 29, 2013.

Amends GS 115C-112.7, Verification of eligibility, and GS 115C-112.7, Authority reporting requirements, making

conforming changes.

Enacts GS 115C-112.9, Duties of State Board of Education, providing that as part of its duty the Board must monitor all local educational agencies for compliance with GS Chapter 115C, Article 9, and IDEA. Specifically, the Board must ensure that local agencies conduct evaluations requested by a child's parent or guardian in regards to suspected disabilities and to provide reevaluations to identified children with disabilities receiving scholarships, as requested.

Amends GS 110-86, providing that a nonpublic school that operates a child care facility for more than six and one-half hours per day but does not receive NC Pre-K or child care subsidy funding is not included in the definition of child care pursuant to this section.

All provisions concerning scholarships apply beginning with scholarships awarded with the 2014-15 school year.

**Intro. by Glazier, Stam, Jackson.**

[GS 110, GS 115C](#)

[View summary](#)

**[Education, Preschool, Elementary and Secondary Education, Government, State Agencies, Department of Public Instruction](#)**

H 894 (2013-2014) [SOURCE WATER PROTECTION PLANNING \(NEW\)](#) Filed Apr 11 2013, *A BILL TO BE ENTITLED AN ACT TO IMPROVE SOURCE WATER PROTECTION PLANNING.*

Senate amendment makes the following changes to the 2nd edition:

Amends proposed GS 130A-320(c), providing that every supplier of water operating a public water system and furnishing water from unfiltered surface supplies must create and implement a source water protection plan (was, every supplier of water must create and implement a source water protection plan).

**Intro. by Catlin, Hamilton, Moffitt.**

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

[View summary](#)

**[Development, Land Use and Housing, Environment, Government, Local Government](#)**

H 1034 (2013-2014) [VOLUNTEER FIRE AND RESCUE FINANCES \(PED\)](#). Filed May 14 2014, *A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS RELATED TO (1) LOCAL FIREFIGHTERS' RELIEF FUNDS, THE STATEWIDE FIREFIGHTERS' RELIEF FUND, AND THE RESCUE SQUAD WORKERS' RELIEF FUND, (2) WORKERS' COMPENSATION FOR FIREFIGHTERS AND RESCUE SQUAD WORKERS, (3) SUPPLEMENTAL PENSIONS FOR FIREFIGHTERS AND RESCUE SQUAD WORKERS, AND (4) THE VOLUNTEER FIRE DEPARTMENT FUND AND VOLUNTEER RESCUE/EMS FUND, AS RECOMMENDED BY THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE.*

The Senate committee substitute to the 3rd edition makes the following changes.

Repeals SL 1979-183, which created a supplemental retirement fund for firemen in the town of Mebane and modified application of existing retirement law to Mebane. Requires funds remaining in the Mebane Firemen's Supplemental Retirement Fund at the time of repeal be transferred to the Mebane Local Firefighters' Relief Fund.

Amends GS 58-87-5 to limit the use of grants from the Volunteer Rescue/EMS Fund to purposes related to emergency

medical services that the unit is authorized to provide.

**Intro. by Howard, Moffitt, Lucas.**

[APPROP, GS 58, GS 97, GS 105](#)

[View summary](#)

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

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.*

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

Deletes the provision repealing SL 1979-183, concerning the supplemental retirement fund for firemen in Mebane.

**Intro. by Arp.**

[GS 143](#)

[View summary](#)

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

H 1053 (2013-2014) [HONOR ROBYNN SPENCE](#). Filed May 14 2014, *A HOUSE RESOLUTION HONORING THE LIFE AND MEMORY OF ROBYNN LOWE SPENCE.*

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

Provides that the House of Representatives (previously, the General Assembly) extends its deepest sympathy and honors the memory of Robynn Spence.

Directs the Principal Clerk (was, the Secretary of State) to transmit a copy of the resolution.

**Intro. by Hager.**

[View summary](#)

[Government, Cultural Resources and Museums](#)

H 1060 (2013-2014) [MILITARY STUDENT IDENTIFIER](#). Filed May 14 2014, *A BILL TO BE ENTITLED AN ACT TO REQUIRE THE STATE BOARD OF EDUCATION TO IDENTIFY MILITARY-CONNECTED STUDENTS USING THE UNIFORM EDUCATION REPORTING SYSTEM, AS RECOMMENDED BY THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE.*

A BILL TO BE ENTITLED AN ACT TO REQUIRE THE STATE BOARD OF EDUCATION TO IDENTIFY MILITARY-CONNECTED STUDENTS USING THE UNIFORM EDUCATION REPORTING SYSTEM, AS RECOMMENDED BY THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE. Enacted June 19, 2014. Section 2 is effective July 1, 2015. The remainder is effective June 19, 2014.

**Intro. by Holloway, Johnson, Horn, G. Martin.**

[GS 115C](#)

[Education, Elementary and Secondary Education,](#)

[View summary](#)**Government, State Agencies, State Board of Education,  
Military and Veteran's Affairs**

H 1145 (2013-2014) [REGISTRATION REQUIRED FOR MOPEDS \(NEW\)](#). Filed May 20 2014, *A BILL TO BE ENTITLED AN ACT TO REQUIRE MOPEDS TO BE REGISTERED WITH THE DIVISION OF MOTOR VEHICLES.*

House committee substitute makes the following changes to the 2nd edition:

Changes the short and long titles.

Deletes proposed changes to GS 20-10.1, Mopeds.

Enacts new GS 20-53.4, Registration of Mopeds, providing that mopeds are now required to be registered with the Division of Motor Vehicles (DMV). Fees, registration card, and plate requirements are to mirror those for motorcycles. Additionally, to be registered and operated on a highway or other public road, the moped must have a manufacturer's certificate of origin and be designed and manufactured for use on highways and other public roads.

Deletes proposed changes to GS 58-36-3, 58-37-1(6), 58-40-10(1), and 58-40-15, concerning the classifications of mopeds and insurance coverage for mopeds.

**Intro. by Shepard, R. Brown, Millis.**

[GS 20](#)

[View summary](#)**Courts/Judiciary, Motor Vehicle, Transportation**

H 1145 (2013-2014) [REGISTRATION REQUIRED FOR MOPEDS \(NEW\)](#). Filed May 20 2014, *A BILL TO BE ENTITLED AN ACT TO REQUIRE MOPEDS TO BE REGISTERED WITH THE DIVISION OF MOTOR VEHICLES.*

House amendment makes the following changes to the 2nd edition:

Directs the Joint Legislative Transportation Oversight Committee (was, the Division of Motor Vehicles in conjunction with other specified agencies) to study the necessity of statutory changes to ensure safe operation of mopeds. Retains the three areas the Committee should focus on, including the number of mopeds involved in traffic accidents, the numbers and types of injuries resulting from traffic accidents involving mopeds, and the causes of the traffic accidents involving mopeds. The report must be submitted to the 2015 General Assembly upon its convening (was, by February 1, 2016).

**Intro. by Shepard, R. Brown, Millis.**

[STUDY](#)

[View summary](#)**Courts/Judiciary, Motor Vehicle, Transportation**

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

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

Changes the long title.

Makes technical changes to, adds to, amends and deletes portions of the whereas clauses of the resolution.

Gives the House Select Committee on a Convention of the States five additional responsibilities, including examining the economic impact on NC citizens, communities, and businesses of certain federal executive branch actions and to determine if enforcement activity based on federal legislative authority has been needlessly and unnecessarily expanded beyond the intent of such legislation.

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

[HOUSE RES](#)

[View summary](#)

[Constitution, Government, General Assembly](#)

H 1220 (2013-2014) [HOPE 4 HALEY AND FRIENDS](#). Filed May 27 2014, *AN ACT TO CREATE A COMPASSIONATE USE REGISTRY FOR THE USE AND ADMINISTRATION OF HEMP OIL EXTRACT FOR PEOPLE SUFFERING FROM INTRACTABLE SEIZURE DISORDERS AND TO PROVIDE THAT COMPASSIONATE USE REGISTRANTS ARE NOT SUBJECT TO CRIMINAL PENALTIES FOR THE POSSESSION AND USE OF HEMP OIL EXTRACT WHEN POSSESSED AND USED TO TREAT INTRACTABLE SEIZURE DISORDERS.*

House committee substitute makes the following changes to the 2nd edition:

Makes technical changes.

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

[STUDY, GS 90](#)

[View summary](#)

[Courts/Judiciary, Criminal Justice, Criminal Law and Procedure, Health and Human Services, Health](#)

H 1220 (2013-2014) [HOPE 4 HALEY AND FRIENDS](#). Filed May 27 2014, *AN ACT TO CREATE A COMPASSIONATE USE REGISTRY FOR THE USE AND ADMINISTRATION OF HEMP OIL EXTRACT FOR PEOPLE SUFFERING FROM INTRACTABLE SEIZURE DISORDERS AND TO PROVIDE THAT COMPASSIONATE USE REGISTRANTS ARE NOT SUBJECT TO CRIMINAL PENALTIES FOR THE POSSESSION AND USE OF HEMP OIL EXTRACT WHEN POSSESSED AND USED TO TREAT INTRACTABLE SEIZURE DISORDERS.*

House amendment makes the following changes to the 2nd edition:

Makes clarifying changes providing that UNC-Chapel Hill can conduct research on hemp and Duke and Wake Forest University are encouraged to conduct research on hemp extract (previously, encouraged all three to conduct such research).

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

[STUDY, GS 90](#)

[View summary](#)

[Courts/Judiciary, Criminal Justice, Criminal Law and Procedure, Health and Human Services, Health](#)

H 1227 (2013-2014) [HONORING THE HIGHWAY PATROL](#). Filed May 27 2014, *A HOUSE RESOLUTION HONORING*

*THE EIGHTY-FIFTH ANNIVERSARY OF THE STATE HIGHWAY PATROL AND PAYING TRIBUTE TO THOSE WHO HAVE DIED IN THE LINE OF DUTY.*

The House committee substitute to the 1st edition changes the resolution from a Joint Resolution to a House resolution. Makes conforming and technical changes.

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

[HOUSE RES](#)

[View summary](#)

[Government, Public Safety](#)

H 1269 (2013-2014) [HONOR LEGACIES OF JAMES BEARD/GEORGE PEABODY](#). Filed Jun 19 2014, *A HOUSE RESOLUTION HONORING THE MEMORY OF GEORGE FOSTER PEABODY AND JAMES BEARD AND EXPRESSING APPRECIATION FOR THEIR CONTRIBUTIONS TO AND INFLUENCE ON AMERICAN CULTURE.*

As title indicates.

**Intro. by J. Bell, G. Graham, Hamilton, Dixon.**

[HOUSE RES](#)

[View summary](#)

[Government, Cultural Resources and Museums](#)

H 1270 (2013-2014) [HONOR RIVERSIDE MASONIC LODGE](#). Filed Jun 19 2014, *A HOUSE RESOLUTION HONORING THE RIVERSIDE MASONIC LODGE #606, ANCIENT FREE AND ACCEPTED MASONS.*

As title indicates.

**Intro. by Setzer.**

[HOUSE RES](#)

[View summary](#)

[Government, Cultural Resources and Museums](#)

## **PUBLIC/SENATE BILLS**

S 38 (2013-2014) [AMEND ENVIRONMENTAL LAWS 2014 \(NEW\)](#). Filed Jan 31 2013, *A BILL TO BE ENTITLED AN ACT TO AMEND CERTAIN ENVIRONMENTAL AND NATURAL RESOURCES LAWS.*

The House committee substitute to the 2nd edition deletes all provisions of the previous edition and replaces it with the following

Amend transplanting of oysters and clams statute

Amends GS 113-203 to also make it unlawful to (1) transplant oysters or clams taken from permitted aquaculture operations to private beds except from waters in the approved classification and (2) transplant oysters or clams from public grounds or permitted aquaculture operations using waters in the restricted or conditionally approved classification to private beds except when the transplanting is done in accordance with the provisions of the statute and implementing rules (was, it is not unlawful to transplant oysters taken form public grounds to private beds when it is done in accordance with the statute and implementing rules).

Makes it unlawful to transplant seed oysters or seed clams taken from permitted aquaculture operations using waters

in the restricted or conditionally approved classification to private beds pursuant to an Aquaculture Seed Transplant Permit that set times during which transplant is allowed and other reasonable restrictions when (1) transplanting seed clams less than 12 millimeters in their largest dimension or (2) transplanting seed oysters less than 25 millimeters in their largest dimension. Also makes it unlawful to conduct a seed transplanting operation under these provisions if the operation is not conducted in compliance with its permit.

Amends the statute to make it legal to transplant from public bottoms to private beds (was, to transplant to private beds) oysters or clams taken from waters in the restricted or conditionally approved classifications (was, from polluted waters) with a permit setting out specified types of restrictions.

Exempts construction and demolition landfills from the minimum financial responsibility requirements applicable to other solid waste management facilities

Amends GS 130A-295.2 to require owners or operators of a sanitary landfill for the disposal of construction and demolition debris waste to establish financial assurance sufficient to cover at least \$1 million in costs for potential assessment and corrective action. Makes conforming changes.

On-site wastewater approval clarification

Amends GS 130A-343 to add that in considering the application by a manufacturer of a wastewater system using expanded polystyrene synthetic aggregate particles as a septic effluent dispersal medium for approval of the system under the statute, an application may not be conditioned, delayed, or denied based on the particle or bulk density of the expanded polystyrene materials. Requires the reissuance of approvals already issued that include conditions or requirements related to the particle or bulk density of the expanded polystyrene material. The reissued approval must delete the conditions and requirements related to the density of the expanded polystyrene material.

Provides that until the reissuance of approvals, conditions or requirements in existing approvals relating to the particle or bulk density of expanded polystyrene have no further force or effect.

Expand daily flow design exemption for low-flow fixtures

Amends Section 34(b) of SL 2013-413 to add that notwithstanding the Daily Flow for Design rates listed for dwelling units in 15A NCAC 18A .1949(a) a wastewater system must be exempt from the Daily Flow for Design and other design flow standards provided flow rates less than those in 15A NCAC 18A .1949 (was, in Table No. 1 of the rule) can be achieved through engineering design that uses low-flow fixtures and low-flow technologies and the design is prepared, sealed, and signed by a professional licensed engineer. Allows establishing by rule lower limits on reduced flow rates but adds the requirement that the Commission for Public Health rely on scientific evidence specific to soil types found in the state that the lower limits are necessary for those soil types. Adds that rules adopted under this section must become effective as provided in GS 150B-21.3(b1) as though 10 or more written objections had been received.

Reform agency review of engineering work

Requires each Regulatory Authority to, by December 1, 2014, review and make any necessary revisions to its procedures for review of Regulatory Submittals, defined as an application to a Regulatory Authority for a permit, license, or approval; for local governments, an application to a program approved by or delegated from the Department of Environment and Natural Resources (DENR) or Department of Health and Human Services (DHHS). Regulatory Authority is defined as DENR, DHHS, and any local government operating a program that (1) grants permits, licenses, or approvals to the public and (2) is either approved by or delegated from DENR or DHHS. Sets out goals of the review and revision process, including standardizing the provision of review and comments on Regulatory Submittals. Requires each Regulatory Authority, by December 1, 2014, to create a process for each regulatory program it administers for an informal internal review at the Submitting Party's request in the following circumstances: (1) the inclusion in a Regulatory Submittal of a design or practice sealed by a Professional Engineer but not included in the Regulatory Authority's existing guidance, manuals, or standard operating procedures (sets out



procedures for the review); (2) a disagreement between the reviewer of the Submittal and the Submitting Party regarding whether the authority identified by the Authority for revisions or requests for additional information designated as required justifies a required change.

Requires DENR, by March 1, 2015, to complete a pilot study on the Pretreatment, Emergency Response and Collection System (PERCS) wastewater collection system permitting program and the stormwater permitting program and perform specified activities with cooperation of the NC Board of Examiners for Engineers and Surveyors and the Professional Engineers of North Carolina. Requires a report to the Environmental Review Commission (ERC) by April 15, 2015.

Requires each Regulatory Authority, by December 1, 2014, to (1) review the working job titles of every employee with duties that include the review of Regulatory Submittals and (2) propose revisions to the titles or other measures that will eliminate the public identification as engineers of people conducting reviews who are not engineers.

Requires each Regulatory Authority to report to the ERC before the convening of the 2015 Session of the General Assembly on implementation of the standardized procedures, informal review process, and job title review. Requires annual reports to the ERC beginning in 2016; the reporting requirement expires on January 1, 2019.

Study temporary groundwater withdrawal permits within central coastal plain capacity use area

Requires the Department of Environment and Natural Resources (DENR) to study groundwater withdrawal permitting in the Central Coastal Plain Capacity Use Areas. Specifies three items to be included in the study. Allows an interim report before the convening of the 2015 General Assembly and requires a final report to the General Assembly when it reconvenes in 2016.

Amend isolated wetlands regulation

Requires the Environmental Management Commission to adopt a rule to amend 15A NCAC 02H .1305 (Review of Applications) so that when implementing the rule (1) the amount of impacts of isolated wetlands is less than or equal to 1 acre of isolated wetlands east of I-95 for the entire project and less than or equal to 1/3 acre of isolated wetlands west of I-95 for the entire project and (2) the mitigation ratio is 1:1. Identical provisions are in effect when the act becomes law and expire on the date that the required rule is adopted.

Requires the Department of Environment and Natural Resources to study (1) how *isolated wetland* is defined in state law and whether it should be clarified to provide certainty in identifying isolated wetlands and (2) the surface area thresholds for the regulation of mountain bog isolated wetlands and report to the Environmental Review Commission on or before November 1, 2014.

Speed limit waiver in state parks and forests

Amends GS 143-116.8 to allow a person to petition DENR, or the Department of Agriculture and Consumer Services, for a waiver allowing the person to operate a vehicle in the state parks road system, or the state forests road system, as applicable, at a speed exceeding 25 miles per hour in connection with a special event. Allows conditions to be imposed on the waiver and requires a provision requiring that the recipient execute an indemnification agreement and obtain general liability insurance in an amount not to exceed \$3 million covering personal injury and property damage that may result from the higher speed.

Increase certain penalties for taking of protected plants

Increases the minimum fine from \$10 to \$75 and the maximum fine from \$50 to \$175 for digging up, pulling up, or taking any of the plants listed in the statute from another's land or any public domain. Adds that each plant taken constitutes a separate offense. Requires the clerk of court for the jurisdiction in which a conviction occurs involving any species listed in the statute that also appears on the NC Protected Plants list to report the conviction to the Plant Conservation Board so that the Board may consider a civil penalty. Makes the statute statewide, removing the exemption for 22 listed counties. Applies to offenses committed on or after December 1, 2014.

### Study use of contaminated property

Requires DENR to study ways to improve the timeliness of actions necessary to address contaminated properties so that the property is safe for productive use, threats to the environment and public health are minimized to acceptable levels, and the risk of taxpayer fund remediation is reduced. Specifies five items to be considered. Requires a report to the Environmental Review Commission (ERC) by November 1, 2014.

### Scope of local authority for ordinances

Repeals Section 10.2 of SL 2013-413, which placed temporary limitations on the enactment of environmental ordinances by local governments, and required a related study. Requires the Department of Agriculture and Consumer Services (DACS) and the Department of Environment and Natural Resources (DENR) to report to the Environmental Review Commission by November 1 of 2014 and 2015 on any local government ordinances that impinge or interfere with areas regulated by those departments. Requires DENR and DACS to receive input from the public regarding any local government ordinances that impinge on or interfere with any area subject to regulation by the department.

Enacts new GS 106-678 prohibiting local governments from adopting or continuing in effect any ordinance, rule, regulation, or resolution regulating fertilizer in any area subject to regulation by the Board of Agriculture. Provides that the statute does not prevent local governments from exercising planning and zoning authority, or fire prevention or inspection authority, nor does it limit the authority of DENR or the EMC to enforce water quality standards. Also provides that the statute does not prohibit a local government or political subdivision of the state from adopting ordinances regulating fertilizers to protect water quality if the ordinances have been approved by the EMC or DENR as part of a local plan or NPDES permit application and do not exceed the state's minimum requirements to protect water quality.

### Closure of certain animal waste containment basins

Enacts new GS 143-215.10J to allow DENR to consider any waste containment basin to be a fresh water storage facility meeting all requirements for closure under 15A NCAC 02T .1306 if the owner of the basin demonstrates that (1) the basin has been used only for the containment of dairy cattle waste, (2) the basin was constructed before 2006, (3) the basin has not been used for the containment of dairy cattle waste after September 1, 2006, (4) the only liquid currently entering the basin is from rainwater or rainwater runoff, and (5) nitrogen levels in the basin water do not exceed 40 parts per million. Requires that written notification be provided to the basin owner meeting the requirements that the basin is no longer considered an animal waste management system.

### Fee rollback for oyster permits under private docks

Repeals GS 113-210(l) and (m), concerning the \$100 Under Dock Oyster Culture Permit fee and the advance sales of those permits. Effective July 1, 2014.

### Local government leases for renewable energy facilities

Amends GS 160A-272 to allow a city council to approve a lease for the siting and operation of a renewable energy facility for up to 25 (was, 20) years without treating the lease as a sale of property and without giving notice by publication. Makes the subsection statewide, deleting the provision limiting the provisions to 19 counties, cities, and towns.

### Open burning

Provides that no air quality permit is required for the open burning of leaves, logs, stumps, tree branches, or yard trimmings if the six specified conditions are met, including that there are no public pickup services available, that the burning occurs within the specified time of day, and that the burning does not create a nuisance. Requires the Commission to adopt a rule amending current rules that is substantively identical to these provisions. The provisions expire on the date that the adopted rules become effective. Exempts the rules from Part 3 of Article 2A of GS Chapter 150B and provides that the rules become effective as though 10 or more written objections had been received. Requires

that the current rule for open burning without an air quality permit be implemented as provided in these provisions until the effective date of the revised rule.

#### Inlet hazard areas

Prohibits the Coastal Resources Commission from establishing any new and requires the repeal of any existing inlet hazard area where (1) the location is the former location of an inlet but the inlet has been closed for at least 15 years; (2) due to shoreline migration, the location no longer includes the current inlet location; and (3) the location includes an inlet providing access to a state port via a channel maintained by the US Army Corps of Engineers. Requires the Commission to adopt a rule amending current rules that is substantively identical to these provisions. The provisions expire on the date that the adopted rules become effective. Exempts the rules from Part 3 of Article 2A of GS Chapter 150B and provides that the rules become effective as though 10 or more written objections had been received. Requires that the current rule for AECs within ocean hazard areas be implemented as provided in these provisions until the effective date of the revised rule.

#### Hunting trials

Requires the Wildlife Resources Commission to adopt rules to clarify the requirements in 15A NCAC 10B .0114 addressing which participants in retriever field trials are required to possess a hunting license. Requires holding public hearings and consulting with field trial groups.

#### Expedited IBT process for certain reservoirs

Amends GS 143-215.22L (w) to add a petition for a certificate to withdraw or transfer water stored in any multipurpose reservoir constructed by the US Army Corps of Engineers and partially located in a state adjacent to North Carolina, provided the Corps of Engineers approved the withdrawal or transfer on or before July 1, 2014, to those that are to be considered and a determination made according to the specified procedures.

#### Eliminate outdated air quality reporting requirement

Amends GS 143-215.3A to delete the requirement that DENR report to the Environmental Review Commission (ERC) and the Fiscal Research Division on the cost of the Title V program. Repeals sections 10, 11 as amended, 12, and 13 of SL 2002-4, concerning reductions in emissions of oxides of nitrogen (NOx) and sulfur dioxide (SO2) in relation to GS 143-215.107D and related reports, reports on issues related to monitor mercury emissions from coal-fired generating units and studying issues related to the implementation of plans to control emission of CO2, evaluating technologies, and estimating costs of alternative strategies. Repeals GS 143-215.108(g) (requiring any person who is required to hold a permit under this section to submit a written description of current and projected plans to reduce the emission of air contaminants under such permit by source reduction or recycling).

#### Clarifying changes to statutes pertaining to the management of venomous snakes and other reptiles

Amends GS 14-419 to require a museum or zoo that finds a seized reptile is a venomous reptile, large constricting snake, or crocodylian regulated under the Article to determine the final disposition of the reptile in a manner consistent with public safety, which in the case of a venomous reptile for which antivenin approved by the US Food and Drug Administration (was, antivenin) is not readily available, the reptile must be euthanized unless the species is protected under the federal Endangered Species Act of 1973 (was, may include euthanasia).

#### Reform on-site wastewater regulation

Amends GS 130A-334 to add and define the term ground absorption system. Amends the definition of *plat* to provide that it also means, for subdivision lots approved by the local planning authority, if a local planning authority exists at the time of application for a permit under this Article, a copy of the subdivision plat that has been recorded with the county register of deeds and is accompanied by a site plan that is drawn to scale. Amends the term *wastewater system* to include a ground absorption system. Adds that a wastewater system located on multiple adjoining lots or tracts of land under common ownership or control must be considered a single system for purposes of permitting under this

#### Article.

Amends GS 130A-335 to require the local health department, following the preconstruction conference, to advise the owner or developer of any rule changes for wastewater system construction that incorporates current technology that can reasonably be expected to improve the system's performance. Requires the local health department to issue a revised authorization for wastewater system construction incorporating the rule change, upon request.

Amends GS 130A-336 to remove the five-year limit on the authorization for wastewater system construction.

#### Repeal waste management board rules

Requires the Secretary of Environment and Natural Resources to repeal 15A NCAC Chapter 14 (Governor's Waste Management Board) on or before December 1, 2014. Prohibits implementing the rule until the effective date of the repeal.

#### Repeal energy audit requirements

Amends GS 143-64.12 to require state agencies and state institutions of higher learning to update their utility management plan biennially instead of annually. Also requires each community college to submit written reports of utility consumption and costs biennially instead of annually. Deletes the requirement that the Department of Administration (DOA) develop an energy audit and procedure for conducting energy audits, as well as provisions for conducting the audits and reporting on the audits. Deletes the provision allowing DOA to adopt architectural and engineering standards to implement the statute. Requires the State Energy Office to report by December 1 of every odd-numbered year (was, every year) to the Joint Legislative Energy Policy Commission (was, Joint Legislative Commission on Governmental Operations) on the program to manage energy, water, and other utility use for state agencies and state institutions of higher learning.

#### Well contractor licensing changes

Amends GS 87-43.1 to exclude from the Article (electrical contractors) the installation, construction, maintenance, or repair of electrical wiring, devices, appliances, or equipment by a person certified as a well contractor under GS Chapter 87, Article 7A, when running electrical wires from the well pump to the pressure switch.

Amends GS 87-98.6 to require the Well Contractors Certification Commission, with the Secretary's assistance, to establish minimum requirements of education, experience, and knowledge for each type of certification for well contractors for specified activities. The developed requirements apply only to the initial certification of an applicant and are not required as part of continuing education or as a condition of certification renewal.

#### Standardize local well programs

Amends GS 87-97 to require local well programs to use the standard forms created by the Department for all required submittals and prohibits creating their own form unless the local program petitions the EMC for rule making and the EMC finds that circumstances unique to the area served by the program constitute a threat to public health that will be mitigated by the use of a local form. Requires that the registry of private drinking water wells maintained by local health departments be searchable by addresses served by the well.

Prohibits DENR and any local well program from requiring that well contractor identification plates include the well construction permit numbers. Allows local well programs to install a plate with the permit number or other relevant information at the program's expense. Requires the EMC to adopt a rule consistent with these provisions.

Prohibits the local well program from requiring the contractor to be on-site during the predrill inspection if the contractor is available by phone when the well location marked on the map submitted with the application is also marked with a stake on the property.

#### Senator Jean Preston marine shellfish sanctuary

Requires the Division of Marine Fisheries (DMF) of the Department of Environment and Natural Resources (DENR) to designate a contiguous area of appropriate acreage in the Pamlico Sound as a recommendation to the Environmental Review Commission (ERC) for establishing the Senator Jean Preston Marine Shellfish Sanctuary. Also requires DMF to create a plan for managing the sanctuary that includes components concerning specified issues related to the location and duration of the sanctuary, administration of the sanctuary, funding, commercial fisherman relief including free or discounted leases to fishermen meeting specified conditions, and recommendations for statutory or regulatory changes needed to expedite the expansion of shellfish restoration and harvesting. Requires DENR to report to the ERC on implementation no later than December 1, 2014, and quarterly thereafter until the final plan is submitted.

#### Clarify gravel under stormwater laws

Amends GS 143-214.7(b2) to remove gravel from those items excluded from the term built-upon area. Also provides that the term does not include a slatted deck (was, a wooden slatted deck). Applies to projects for which permit applications are received on or after the date that the act becomes law. Requires the Environmental Management Commission (EMC) to amend its rules to be consistent with this definition of *built-upon area*.

Provides that the EMC and the Department of Environment and Natural Resources (DENR), unless authorized by the General Assembly, do not have the authority to define gravel for purposes of implementing stormwater programs. Any rule adopted by the EMC or DENR defining gravel for purposes of implementing stormwater programs is not and will not become effective.

Requires the Department of Biological and Agricultural Engineering at NC State University to study the extent to which different aggregate surfaces are pervious, impervious, or partially pervious. Specifies issues that must be included in the study. Requires an interim report to DENR and the Environmental Review Commission no later than September 1, 2014, and requires a final report no later than January 1, 2015. Requires DENR to use \$110,000, of the funds available to DENR for 2013-15 to contract with the Department of Biological and Agricultural Engineering at NC State University to conduct the study.

#### US Postal Service cluster box units/no stormwater permit modification required

Provides that the addition of a cluster box unit to a single family or duplex development permitted by a local government does not require a modification to any stormwater permit for that development. Only applies when the individual curbside mailboxes are replaced with cluster box units whereupon the associated built-upon area supporting the cluster box units are considered incidental and are not required in the calculation of built-upon area for the development for stormwater permitting purposes. Effective when the act becomes law and expires December 31, 2015, or when regulations on cluster box design and placement by the US Postal Service become effective and those regulations are adopted by local governments, whichever is earlier.

#### Modifications of approved wastewater systems

Requires the Commission for Public Health to adopt a rule amending 15A NCAC 18A .1969(j) so that the rule is implemented so as to not require a survey or audit of installed modified systems in order to confirm the satisfactory preform of those systems. The provisions expire on the date that the adopted rules become effective. Exempts the rules from Part 3 of Article 2A of GS Chapter 150B and provides that the rules become effective as though 10 or more written objections had been received. Requires that the current rule be implemented as provided in these provisions until the effective date of the revised rule.

#### Capstone permitting

Amends GS 150B-23 to add that where multiple licenses are required from an agency for a single activity, the agency's chief administrative officer may issue a written determination that the decision reviewable under Article 3 of GS Chapter 150B occurs on the date the last license for the activity is issued, denied, or otherwise disposed of. Any licenses issued for the activity before the date of the last license identified in the written determination are not reviewable until the last license for the activity is disposed of.

Severability clause and effective date

Adds a severability clause.

Except as otherwise provided, the act is effective when it becomes law.

**Intro. by Jackson.**

GS 14, GS 87, GS 106, GS 113, GS 114, GS 130A, GS 150B, GS 160A

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**Agriculture, Animals, Courts/Judiciary, Criminal Justice, Criminal Law and Procedure, Development, Land Use and Housing, Building and Construction, Environment, Aquaculture and Fisheries, Government, State Agencies, Department of Administration, Department of Agriculture and Consumer Services, Department of Environment and Natural Resources, Local Government, Health and Human Services, Health, Public Health, Public Enterprises and Utilities**

S 38 (2013-2014) [AMEND ENVIRONMENTAL LAWS 2014 \(NEW\)](#). Filed Jan 31 2013, *A BILL TO BE ENTITLED AN ACT TO AMEND CERTAIN ENVIRONMENTAL AND NATURAL RESOURCES LAWS.*

House amendments to the 3rd edition make the following changes.

Amendment #1 amends GS 143-64.12 to reinstate the provisions deleted in the previous edition that require that the Department of Administration (DOA) develop an energy audit and procedure for conducting energy audits, as well as provisions for conducting the audits and reporting on the audits. Deletes the provision allowing DOA to adopt architectural and engineering standards to implement the statute.

Amendment #2 amends the requirements for the revised permanent rule that the EMC must adopt concerning isolated wetlands regulations to change the provisions that apply to the implementation of 15A NCAC 02H .1305 as follows: (1) requires that the mitigation ratio for impacts of more than 1 acre for the entire project under (g)(6) be 1:1 and allows location on the same parcel (was, only that the mitigation ratio under (g)(6) is 1:1) and (2) adds that isolated wetlands means a Basin Wetland or Bog as described in the specified version of the NC Wetland Assessment User Manual, that are not jurisdictional wetlands under the federal Clean Water Act; isolated wetland does not include an isolated man-made ditch or pond constructed for stormwater management purposes or any other man-made isolated pond. Requires that the EMC adopt rules to amend 15A NCAC 01H .1300 through 15A NCAC 02H .1305 (was, amend 15A NCAC 02H .1305), consistent with the act. Amends the items to be studied by DENR to clarify that DENR must study how the term *isolated wetland* has been previously defined and adds studying whether impacts to isolated wetlands should be combined with the project impacts to jurisdictional wetlands or streams for the purpose of determining when impact thresholds that trigger a mitigation requirement are met.

Amends the provision establishing the Senator Jean Preston Marine Shellfish Sanctuary to no longer require that the designated acreage be a contiguous area.

Amendment #3 deletes proposed GS 143-215.10J, closure of certain animal waste containment basins.

Amendment #4 makes a technical correction to GS 130A-334.

Amendment #5 amends Section 34(b) of SL 2013-413 to add that neither the state nor any local health department is liable for any damages caused by a system approved or permitted under the section.

Amendment #6 adds a new section amending the Residential Property Disclosure Act, GS Chapter 47E, as follows.

Enacts new GS 47E-4.1, requiring the owner of the property in transfers in GS 47E-1 (specified transfers of residential real property consisting of not less than one nor more than four dwelling units) and GS 47E-2(b) (transfers involving the first sale of a dwelling never inhabited; lease with option to purchase contracts where the lessee occupies or intends to occupy the dwelling; and transfers where both parties agree not to complete a residential property disclosure statement or an owners' association and mandatory covenants disclosure statement) to furnish the purchaser with a mineral and oil and gas rights mandatory disclosure statement. Sets out the required format and language of the disclosure concerning the severance of mineral and/or oil and gas rights from the title to real property. Requires the NC Real Estate Commission to develop and require the use of a mineral and oil rights mandatory disclosure statement to comply with the statute's requirements. Provides that the rights of the parties to a real estate contract as to the severance of minerals or the oil and gas rights by the previous property owner and of which the owner had no actual knowledge are not affected by this Article unless the mandatory disclosure statement says that the owner makes no representations as to the severance by the previous owner. Provides that if the statement says that an owner makes no representations as to the severance by the previous owner, then the owner has no duty to disclose the severance by a previous owner, whether or not the owner should have known of any severance. Makes conforming changes to GS 47E-2, GS 47E-4, GS 47E-5, GS 47E-6, GS 47E-7, and GS 47E-8.

Amendment #7 adds a new section to the act amending Section 1 of SL 2013-82 to require DENR to submit interim reports to the ERC on its progress in developing the Minimum Design Criteria for permits issued by the stormwater runoff permitting programs. The reports must be submitted by September 1, 2014, and December 1, 2014. Extends the deadline for the final report from September 1, 2014, to February 1, 2015.

**Intro. by Jackson.**

[GS 14](#), [GS 47E](#), [GS 87](#), [GS 106](#), [GS 113](#), [GS 114](#), [GS 130A](#), [GS 150B](#), [GS 160A](#)

[View summary](#)

[Agriculture, Animals, Courts/Judiciary, Criminal Justice, Criminal Law and Procedure, Development, Land Use and Housing, Building and Construction, Property and Housing, Environment, Aquaculture and Fisheries, Environment/Natural Resources, Government, State Agencies, Department of Administration, Department of Agriculture and Consumer Services, Department of Environment and Natural Resources, Local Government, Health and Human Services, Health, Public Health, Public Enterprises and Utilities](#)

S 163 (2013-2014) [RECLAIMED WATER AS A SOURCE WATER. \(NEW\)](#) Filed Mar 4 2013, *A BILL TO BE ENTITLED AN ACT TO DESIGNATE RECLAIMED WATER AS A SOURCE WATER UNDER CERTAIN CONDITIONS.*

House committee substitute deletes all the provisions of the 2nd edition and replaces it with AN ACT TO DESIGNATE RECLAIMED WATER AS A SOURCE WATER UNDER CERTAIN CONDITIONS.

Enacts a new subsection (a2) to GS 143-355.5 declaring that the General Assembly finds that reclaimed water systems permitted and operated under GS 143-215.1(d2) in an approved wastewater reuse program can provide water to supplement the water supply source for potable (safe to drink or drinkable) water in a way that is environmentally acceptable and protective of public health. Provides that regardless of any other provision of law, if all of a list of 11 specified conditions are satisfied, a local water supply system may combine reclaimed water with the source water treated to provide a potable water supply.

Amends GS 143-355.5(b)(3) to provide that standards adopted under this subdivision do not prohibit the direct distribution of reclaimed water as potable water under new subsection (a2) of this section.

Directs the Department of Environment and Natural Resources, in consultation with the Environmental Management Commission, to study the effects of chemicals in wastewater effluent (liquid waste or sewage discharged into a river or the sea) from municipal and privately operated wastewater treatment plants and in source water supplies. Specifies that the report is to provide guidance on future state actions relating to monitoring and mitigating the impacts of chemicals of emerging concern, such as pharmaceuticals and personal care products, flame retardants, and PFCs on source waters and surface waters in order to protect human health and aquatic life.

**Intro. by Jackson, Cook, Rabin.**

GS 143

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**[Environment, Aquaculture and Fisheries, Environment/Natural Resources, Government, State Agencies, Department of Environment and Natural Resources, Health and Human Services, Health, Public Health](#)**

S 163 (2013-2014) [RECLAIMED WATER AS A SOURCE WATER. \(NEW\)](#) Filed Mar 4 2013, *A BILL TO BE ENTITLED AN ACT TO DESIGNATE RECLAIMED WATER AS A SOURCE WATER UNDER CERTAIN CONDITIONS.*

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

Amends GS 143-355.5 (water reuse; policy; rule making), correcting statutory references.

**Intro. by Jackson, Cook, Rabin.**

GS 143

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**[Development, Land Use and Housing, Property and Housing, Environment, Environment/Natural Resources](#)**

S 370 (2013-2014) [RESPECT FOR STUDENT PRAYER/RELIGIOUS ACTIVITY \(NEW\)](#). Filed Mar 19 2013, *AN ACT TO CLARIFY STUDENT RIGHTS TO ENGAGE IN PRAYER AND RELIGIOUS ACTIVITY IN SCHOOL, TO CREATE AN ADMINISTRATIVE PROCESS FOR REMEDYING COMPLAINTS REGARDING EXERCISE OF THOSE STUDENT RIGHTS, AND TO CLARIFY RELIGIOUS ACTIVITY FOR SCHOOL PERSONNEL.*

AN ACT TO CLARIFY STUDENT RIGHTS TO ENGAGE IN PRAYER AND RELIGIOUS ACTIVITY IN SCHOOL, TO CREATE AN ADMINISTRATIVE PROCESS FOR REMEDYING COMPLAINTS REGARDING EXERCISE OF THOSE STUDENT RIGHTS, AND TO CLARIFY RELIGIOUS ACTIVITY FOR SCHOOL PERSONNEL. Enacted June 19, 2014. Effective June 19, 2014.

**Intro. by Bingham, Daniel, Hise.**

GS 115C

[View summary](#)

**[Education, Elementary and Secondary Education](#)**

S 403 (2013-2014) [OMNIBUS ELECTION CLARIFICATIONS \(NEW\)](#). Filed Mar 25 2013, *AN ACT TO AMEND AND CLARIFY VARIOUS PROVISIONS OF THE ELECTION LAWS.*

House committee substitute deletes all the provisions of the 3rd edition and replaces it with AN ACT TO AMEND AND CLARIFY VARIOUS PROVISIONS OF THE ELECTION LAWS.



Amends GS 163-106(b) regarding eligibility to file as a candidate in a party primary to prohibit a person from filing a notice of candidacy in a party primary unless that person has been affiliated with that party for at least 90 days as of the date that the person files the notice. Effective January 1, 2015, and applies to elections held on or after that date.

Amends GS 163-165.6(c) to apply the provisions regarding the order of candidates on official ballots to candidates whether the primary is partisan or nonpartisan and apply to any nonpartisan general election ballot item under Article 25 of GS Chapter 163. Provides that the same random selection process is to be used for all primaries and elections in a calendar year.

Amends GS 163-277.2(g2) to provide that regardless of the requirements of subsections (g) and (g1) of this section if any county board of elections provides for one or more sites during the 2010 or 2012 general election, the county must provide the specified items. Provides that the phrase "cumulative total number of scheduled voting hours" includes those at the office of the county board of elections or the reasonably close alternate site approved under subsection (g) of this session.

Amends GS 115C-47 to make a conforming change deleting a reference to preregistration in high schools.

Amends Section 5.3 of SL 2013-381 to clarify that public education on the requirement that voters must have photo identification in order to vote in person beginning in 2016 will be included as a brief statement in the notices of elections published by county boards of elections under GS 163-33(8) for the 2014 primary and the 2015 general election.

Amends GS 163-166.14(e) to clarify that the individuals made available by the county board of elections to engage in the review required under subsection (b) of this section of voters presenting photo identification to a local election official at a time other than on election day, may reside anywhere in the county or may be an employee of the county or the state.

Amends GS 163-166.13(e) to provide that in instances where photo identification is presented for voting purposes, if the individual presents a US military identification card or a Veterans Identification Card issued by the US Department of Veterans Affairs, there is no requirement that the identification card have a printed expiration or issuance date. Provides that if the individual presents as photo identification for voting purposes a tribal enrollment card issued by a federally recognized tribe that lacks a printed expiration date, the card is acceptable if it has a printed issuance date that is not more than eight years before the date it is presented for voting.

Amends Section 38.1(b) of SL 2013-381 to provide that the repeal of GS 163-278.99E(d) (requiring the Board of Elections to publish a Voter Guide) is governed by subsection (l) of this section, which provides that the repeal becomes effective when the funds for publishing the Judicial Voter Guide in GS 163-278.69 are exhausted.

Makes technical and clarifying changes to GS 163-278.40H.

Amends GS 163-302(a) to remove language which prohibits absentee voting in any municipal election unless the election is conducted by the county board of elections.

Amends GS 163-231(a)(5), concerning the procedure for voting absentee ballots, to provide that failure to list a zip code does not invalidate the application and certificate.

Amends GS 163-82.15(e), concerning unreported moves to another precinct in the same county, adding the option that if a registrant appears at an old precinct they may be permitted to vote by a provisional ballot and the ballot will count as far as it is determined the individual was eligible to vote under State or federal law.

Repeals GS 163-166.11(5), concerning not counting provisional ballots if the voter did not vote in the proper precinct.

Amends GS 163-182.2(a)(4), concerning provisional ballots, making organizational and clarifying changes. Provides that if a provisional ballot is found to be valid and eligible, pursuant to the specified requirements, then it will be counted by the county board of elections before the canvass. If the ballot is found to not be valid or eligible because the voter did not vote in the proper precinct, is not registered in the county, or is not otherwise eligible to vote, the

ballot will not be counted (previously, allowed a ballot to be counted for certain ballot items if the ballot was found eligible and valid for that specific ballot item).

Amends GS 138A-22, concerning statements of economic interest providing that candidates required to file the statements must file with the Commission within 10 days of the filing deadline for the office sought. Deletes provisions which required the statement to be filed at the same place and same manner as the notice of candidacy. Also deletes provisions that required individuals nominated pursuant to GS 163-114, after the primary and before the general election as well as an individual who qualifies pursuant to GS 163-122, as an unaffiliated candidate, to file the statement with the county board of elections in each county in the senatorial or representative district. Sets out a three day deadline to file the statement for unofficial candidates, write in candidates, and candidates of a new party. Requires the State Board of Elections to provide notification of the statement requirement for any individual who is a nominee pursuant to GS 163-114. Adds requirement that the State Board of Elections must send a notice of an individual qualifying to be on the ballot, within five days of such qualification, to the State Ethics Commission. Deletes provisions requiring county boards of elections to forward filed statements of economic interest to the State Board of Elections and then from the Board to the State Ethics Commission for evaluation. Effective January 1, 2015, applying to statements of economic interest filed on or after that date.

Amends GS 20-9.2, concerning selective service system registration, to provide that this section does not apply to special identification cards issued pursuant to GS 20-37.7(d)(5) or (6).

Amends GS 163-226.3(a)(7), GS 163-237(b1) and GS 163-275(16) to delete statutory references to GS 163-250(a).

Amends GS 163-89, concerning challenging absentee ballots, updating a statutory reference.

Enacts new GS 163-82.14(e) providing that the State Board of Elections has the authority to perform list maintenance pursuant to this section, with the same authority as the county board.

Amends GS 163-111(e), concerning the dates of second primaries and procedures, providing that a registered voter that votes in a primary, moves to another county in the State prior to a second primary, qualifies to vote in the new precinct and registers in a timely manner is allowed to vote a provisional ballot in that precinct for the second primary and will have the ballot counted for all the ballot items the county board determines the individual was eligible to vote. Effective January 1, 2015, applying to all elections occurring on or after that date.

Amends GS 160A-102, concerning the amending of a city or town charter to implement the optional forms in GS 160A-101, providing that if a special election is held, in regards to amending the charter, the date fixed for the special election will be the next date permitted under GS 163-287(a) which is more than 70 days after the adoption of an ordinance amending the charter (was, could not be more than 90 days after the adoption of the ordinance).

**Intro. by Bingham.**

[GS 20](#), [GS 115C](#), [GS 138A](#), [GS 160A](#), [GS 163](#)

[View summary](#)

**[Government, Elections, State Agencies, State Board of Elections](#)**

S 594 (2013-2014) [OMNIBUS JUSTICE AMENDMENTS](#). Filed Apr 2 2013, *A BILL TO BE ENTITLED AN ACT TO INCREASE PENALTIES FOR POSSESSION OF A FIREARM BY A FELON, TO REMOVE PROHIBITIONS ON CARRYING CONCEALED FIREARMS BY CERTAIN DEPARTMENT OF PUBLIC SAFETY EMPLOYEES, TO INCREASE THE PENALTY FOR CARRYING A CONCEALED FIREARM, TO INCREASE THE PENALTY FOR GIVING OR SELLING A CELL PHONE TO AN INMATE AND TO MAKE POSSESSION OF A CELL PHONE BY AN INMATE UNLAWFUL, TO INCREASE PENALTIES FOR THREATS AND ASSAULTS ON GOVERNMENT OFFICIALS, TO CREATE AN OFFENSE WHEN AN INMATE SOLICITS ANOTHER TO COMMIT A CRIMINAL OFFENSE, TO INCREASE PENALTIES FOR CERTAIN VIOLATIONS OF THE AMUSEMENT DEVICE SAFETY ACT, TO PROPERLY IMPLEMENT CURRENT EXPUNCTION PROVISIONS, TO INCREASE*

*THE MANDATORY RETIREMENT AGE FOR JUDGES AND JUSTICES OF THE GENERAL COURT OF JUSTICE, TO ADD QUALIFIED RETIRED CORRECTIONAL OFFICERS TO OFFICERS EXEMPT FROM CONCEALED CARRY COURSE, TO CONFORM STATE LAW WITH THE UNITED STATES SUPREME COURT DECISION IN HALL V. FLORIDA, TO AMEND THE DISCOVERY PROCEDURE IN CERTAIN POSTCONVICTION PROCEEDINGS, TO MAKE THE TAKING OF THE VENUS FLYTRAP A FELONY, TO INCREASE THE PENALTY FOR GRAFFITI VANDALISM, AND TO ADD THE UNFAIR USE OF CRIMINAL RECORD INFORMATION TO THE CONSUMER PROTECTION LAWS.*

House committee substitute makes the following changes to the 4th edition:

Changes the short and long titles.

Deletes all of the provisions in the previous edition in their entirety and replaces it with the following.

Amends GS 14-415.1(a) to change the penalty for possession of a firearm by a felon, providing that felons who are found in possession of a firearm or weapon of mass death will be treated as a Class F felon (was a Class G felon).

Amends GS 14-269(b), by enacting new subdivision (7), providing that the prohibition for concealed carry permit holders does not apply to a person employed by the Department of Public Safety (DPS) who has been designated in writing by the Secretary of the Department, has a concealed permit, and possesses written proof of the designation, provided the person does not carry a concealed weapon while consuming alcohol or other unlawful controlled substance. Effective July 1, 2014.

Amends GS 14-269(c) to provide that any person violating the prohibition on carrying a concealed pistol or gun found in GS 14-269(a1) will be guilty of a Class A1 misdemeanor for the first offense and a Class H felony for a second or subsequent offense (was, a Class 2 misdemeanor for the first offense and Class I felony for a second or subsequent offense). Effective December 1, 2014.

Amends GS 14-415.27, expanded permit scope for certain persons to allow employees of DPS with a concealed permit and carrying a designation from the Secretary to carry in areas in GS 14-41511(c). Effective July 1, 2014.

Amends GS 14-258.1 to provide that knowingly giving or selling a mobile phone or other wireless communications device or component thereof to an inmate in custody of the Division of Adult Correction or in a local confinement facility is guilty of a Class H felony (was, Class 1 misdemeanor). Also enacts new GS 14-258.1(f) providing that an inmate in custody of the Division of Adult Correction or a local confinement facility that is found to be in possession of a mobile telephone or similar wireless device or component is guilty of a Class H felony. Effective December 1, 2014.

Amends GS 14-16.6, to provide that any person who assaults another person as retaliation against any legislative officer, executive officer, or court officer because of that officer's duties will be guilty of a felony and will be punished as a Class E felon. Also changes the punishment for assaulting a legislative officer, executive officer, or court officer or the residence, office, or transportation of those officers to be treated as a Class E felon (was, Class I). Changes the punishment for committing an offense above with a deadly weapon to a Class D felony (was, Class F). Inflicting serious bodily harm during the offense will require punishment as a Class C felon (was, Class F). Effective December 1, 2014.

Amends GS 14-16.7, providing that those who knowingly and willfully make a threat to inflict serious bodily injury or threat to kill another person as retaliation against a legislative officer, executive officer, or court officer because of that officer's duties will be punished as a Class F felon. Also changes the punishment for those who knowingly and willfully make a threat to inflict serious bodily injury or threat to kill a legislative officer, executive officer, or court officer to punishment as a Class F felon (was, Class I). Also provides that knowingly and willfully depositing in the mail a threat to inflict serious bodily injury or threat to kill another person as retaliation against a legislative officer, executive officer, or court officer or another person in retaliation for those officers' duties will be punished as a Class F felon. Effective December 1, 2014.

Enacts new GS 14-2.6(a1) to provide that the categories of punishment for any person who is committed or confined

in a State penal institution or local confinement facility and solicits another person to commit a felony outside the facility is guilty of a felony one class lower than the felony the person solicited the person to commit, provided that a solicitation to commit a Class A or Class B1 felony is a Class B2 felony, a solicitation to commit a Class B2 felony is a Class C felony, and a solicitation to commit a Class I felony is a Class 1 misdemeanor. Effective December 1, 2014.

Amends GS 95-111.13, concerning punishments for violations involving amusement devices, increasing the civil monetary penalties for the specified violations. Deletes language which provided for a location notice violation, pursuant to GS 95-111.8. Makes technical changes. Provides for a new civil penalty not to exceed \$50,000 and a criminal punishment of a Class E felony when any person willfully commits any violation of this section and causes serious injury or death. Requires, in determining the penalty amount, that the appropriateness of the penalty be considered with respect to the annual gross volume of the business (was, the size of the business). Effective December 1, 2014, applying to offenses and violations committed on or after that date.

Amends GS 15A-145.5(f), deleting language which exempted fingerprint records from the provisions concerning expunction of misdemeanors and certain felonies.

Amends GS 7A-4.20 and GS 135-57(b), concerning the age limit for judges or justices of the General Court of Justice, raising the age limit to which any justice or judge can serve to 75 (was, 70). Makes the language gender neutral. Effective December 1, 2014.

Amends GS 14-415.12A(a) to provide that qualified retired correctional officers are deemed to have satisfied the requirement of completing an approved firearms safety and training course.

Enacts new GS 14-415.10(4c) to add and define the term *qualified retired correctional officer*"

Amends GS 15A-2005, replacing the occurrence of the term "mentally retarded" with "intellectual disability." Also adds new language providing that scoring above an intelligent quotient of 70 does not preclude a defendant from being able to present additional evidence of intellectual disability. Adds other language to conform NC law to the *Hall v. Florida* Supreme Court decision. Makes technical and conforming changes.

Amends GS 15A-1415(f), to provide that a defendant can motion and the State can be ordered that necessary files of law enforcement and prosecutorial agencies are available for inspection for postconviction proceedings. Clarifies State responsibility in postconviction proceedings, as far as release of documents, for offenses that occurred prior to December 1, 2004. Effective December 1, 2014, applying to postconviction proceedings commenced by filing on or after that date.

Enacts new GS 14-429(b) to provide that taking, or aiding in taking or carrying away, a Venus flytrap plant or seed of a flytrap growing on the lands of another person with the intent to steal is a Class H felony. Effective December 1, 2014, applying to offenses committed on or after that date.

Enacts new GS 14-127.1 concerning graffiti vandalism, which establishes that engaging in graffiti vandalism on any real property or on any public building or facility or statue or monument in a public place will result in a minimum of a \$500 fine and a required 24 hours of community service. Provides for criminal penalty of a Class I felony if damage exceeds \$1,000 or the person has two or more convictions for such vandalism. Provides for the consolidation of multiple graffiti vandalism violations. Defines graffiti vandalism. Effective December 1, 2014, applying to offenses committed on or after that date.

Enacts new GS 75-43 (unfair use of criminal record information), which provides that it is an unfair trade practice, as prohibited by GS 75-1.1, to engage in publishing or disseminating photographs of an individual taken pursuant to GS 15A-502(a)(1), 15A-502(a2), or those authorized by GS 15A-502(b) as well as soliciting or accepting a fee or other consideration to remove an individual's photograph. Effective December 1, 2014, applying to violations occurring on and after that date.

**Courts/Judiciary, Civil, Civil Law, Court System,  
Criminal Justice, Corrections (Sentencing/Probation),  
Criminal Law and Procedure, Government, Public  
Records and Open Meetings**

[View summary](#)

S 790 (2013-2014) [CAPE HATTERAS/GAS CITIES/INFRASTRUCTURE LAND \(NEW\)](#). Filed May 15 2014, *AN ACT TO PHASE IN THE SALES TAX RATE ON ELECTRICITY SOLD BY CAPE HATTERAS ELECTRICAL MEMBERSHIP CORPORATION AND THE SALES TAX RATE ON PIPED NATURAL GAS SOLD BY GAS CITIES, TO MODIFY THE PROPERTY TAX DEFERRAL PROGRAM FOR SITE INFRASTRUCTURE LAND, AND TO DELAY THE CHANGE IN THE HIGHWAY USE TAX BASE TO INCLUDE DEALER ADMINISTRATIVE FEES.*

House committee substitute makes the following changes to the 2nd edition.

Under current law, effective July 1, 2014, subdivision (9) of GS 105-164.4(a) provides that the combined general rate applies to gross receipts derived from sales of electricity and piped natural gas. Amends GS 105-164.4(a), adding a new subdivision (14), to provide that regardless of the provisions of subdivision (9), the 3.5% rate applies to the gross receipts derived from sales of piped natural gas (1) received by a gas city for consumption by that city and (2) delivered by a gas city to a sales customer or transportation customer of the gas city. Defines gas city as a city in North Carolina that operated a piped natural gas distribution system as of July 1, 1998. Identifies the cities meeting this definition as Bessemer City, Greenville, Kings Mountain, Lexington, Monroe, Rocky Mount Shelby, and Wilson. Additionally, includes definitions for the terms (1) sales customer and (2) transportation customer. Clarifies that regardless of subdivision (9), the 3.5% rate applies to gross receipts derived from sales of electricity by Cape Hatteras Electric Membership Corporation. Effective July 1, 2014 and expires July 1, 2015, and applies to the gross receipts of piped natural gas or electricity billed during that time.

Amends GS 105-164.44L(b) to delete requirements regarding the separate calculation of the excise tax share of a gas city by the Secretary of the North Carolina Department of Revenue; instead, provides for the calculation of cities including a gas city. Effective for quarters beginning on or after July 1, 2014.

Amends GS 105-164.44L(a) to provide that a gas city will also receive an amount calculated under subsection (b1) of this section as part of its excise tax share. Makes conforming changes to extend the provisions of this section to include application to gas cities. Effective for quarters beginning on or after July 1, 2015.

Amends GS 105-44L to clarify the inclusion of gas cities in the provisions regarding excise tax distribution. Clarifies that the Department of Revenue's decision regarding a gas city's excise tax share is final and not subject to administrative or judicial review. Requires a gas city to report required information to the Secretary in the form, manner, and time frame as required by the Secretary. Effective for quarters beginning on or after July 1, 2015.

Amends GS 105-277.15A(b) to modify the property tax deferral program for site infrastructure land. Effective for taxes imposed for taxable years beginning on or after July 1, 2015.

Repeals Section 34.29 of SL 2013-360, as amended by Section 8.1 of SL 2013-363, to delay the change in the highway use tax base to include dealer administrative fees.

**Intro. by Cook.**

**GS 105**

[View summary](#)

**Government, Tax, Public Enterprises and Utilities**

S 794 (2013-2014) [DISAPPROVE INDUSTRIAL COMMISSION RULES](#). Filed May 19 2014, *A BILL TO BE ENTITLED AN ACT TO DISAPPROVE CERTAIN RULES ADOPTED BY THE NORTH CAROLINA INDUSTRIAL COMMISSION, TO*

*PROVIDE SPECIFIC DIRECTIONS TO THE INDUSTRIAL COMMISSION TO REPLACE THE RULES, AND TO AMEND CERTAIN PROVISIONS OF THE WORKERS' COMPENSATION LAW.*

Senate amendment makes the following changes to the 2nd edition.

Disapproves 04 NCAC 10A.0702 (Review of Administrative Decisions), as adopted by the Industrial Commission on September 20, 2012, and approved by the Rules Review Commission on October 18, 2012.

Amends GS 97-25(f)(2) to make technical corrections to clarify procedures governing a party's choosing to request a full evidentiary hearing instead of filing a motion with the Executive Secretary for an administrative ruling when appealing a ruling under subdivision (1) of this subsection or when appealing an administrative ruling of the Chief Deputy or the Chief Deputy's designee on an emergency motion. Provides that the provision declaring that in the case of an appeal the record must be closed within 60 days of the filing of the appeal applies to appeals under subdivisions (1) and (3) under this subsection. Amends subdivision (3) to provide that either party may appeal the decision of the Chief Deputy or the Chief Deputy's designee on the emergency motion by requesting an expedited formal hearing. Deletes provisions regarding when the Deputy or the Deputy's designee's decision may or may not be stayed. Makes a technical correction by deleting "Chair or the Chair's" and replacing it with "Chief Deputy or the Chief Deputy's" designee.

Adds a new subdivision (8) to Section 6 providing actions that the North Carolina Industrial Commission must take to amend 04 NCAC 10A .0702 (Review of Administrative Decisions). Directs the Commission to delete subdivision (3) from subsection (a) of the rule, renumber existing subdivisions, and add a new subsection (e), which provides that this rule does not apply to medical motions filed under GS 97-25 but allows a party to request reconsideration of an administrative ruling on a medical motion, request a stay, or request an evidentiary hearing de novo as set forth in GS 97-25.

Makes additional clarifying changes and technical corrections to the remainder of this bill.

**Intro. by Brown.**

UNCODIFIED

[View summary](#)

**Employment and Retirement, Government, APA/Rule Making**

## 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 2nd edition.

Amends Section 7(d) of SL 2006-167 to modify the use of the 3 percent occupancy tax currently levied in the unincorporated areas of New Hanover County (New Hanover County District U). For purposes of this subsection, defines the term *Authority* to mean the Cape Fear Coast Convention and Visitors Bureau, established as a tourism development authority.

Provides that within 30 days of the effective date of this act, the New Hanover County District U (District U) must remit net proceeds from the room occupancy and tourism development tax that have been collected by the district before July 1, 2014, to the Authority. Requires the Authority to use 100 percent of the funds remitted for tourism-related expenditures in the district. Provides that after July 1, 2014, District U is to remit the net proceeds of the collected tax to the Authority on a quarterly basis. Directs the Authority to use at least 2/3 of the funds remitted to it

for tourism promotion and use the remainder for tourism-related expenditures in District U (was, required that the funds from the tax be used for beach renourishment or inlet maintenance but prohibited the use of the tax proceeds for those purposes outside of New Hanover County District U).

**Intro. by Davis.**

[Brunswick, New Hanover, Onslow, Pender, GS 14](#)

[View summary](#)

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

H 1158 (2013-2014) [MORGANTON CHARTER AMENDMENT](#). Filed May 20 2014, *A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF MORGANTON CONCERNING THE PROCEDURE FOR REMOVING THE MAYOR AND MEMBERS OF THE CITY COUNCIL FROM OFFICE AND MAKING CHANGES RELATED TO THE METHOD AND TIME OF MUNICIPAL ELECTIONS.*

AN ACT AMENDING THE CHARTER OF THE CITY OF MORGANTON CONCERNING THE PROCEDURE FOR REMOVING THE MAYOR AND MEMBERS OF THE CITY COUNCIL FROM OFFICE AND MAKING CHANGES RELATED TO THE METHOD AND TIME OF MUNICIPAL ELECTIONS.

Enacted June 19, 2014. Effective July 1, 2014.

**Intro. by Blackwell.**

[Burke](#)

[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 2nd edition:

Changes the name of Article 1, Subchapter E to "Contracting Procedures" (was, Contracting, Purchasing, and Property Management Procedures).

Changes the name of Article 2, Subchapter E to "Leasing, Disposition, and Sale of Property Provisions" (was, Leasing Provisions).

Adds new Section 4.162, Conveyances with Covenants of Warranty, to the charter, providing the City Council is authorized to execute and deliver conveyances to any property, whether acquired by tax, assessment foreclosure or any other means, with full covenants of warranty. Provides that members of the Council are relieved of any personal or individual liability in regards to such conveyances.

Adds new Section 4.163, providing the city can quitclaim any rights to property it might have in property not needed for public purposes in specified situations.

Adds new Section 4.164, providing the City Council can sell or exchange without prior notice, at a public or private sale, any personal property of the city that does not exceed \$2,500.

Amends Subchapter C of Chapter B, of Chapter VI, making clarifying and technical changes and adds a provision providing that one or more local improvements can be made in a single proceeding and assessments can be combined.

Adds a section definition section, setting out terms to be used in regards to local improvements. Adds new Sections

6.65 and 6.66 to the charter which provide for bases for making assessments and optional cost sharing by the council of local improvements.

Makes stylistic and technical changes.

**Intro. by S. Ross.**

Alamance

[View summary](#)

## LOCAL/SENATE BILLS

S 172 (2013-2014) [JACKSONVILLE OCC. TAX/WRIGHTSVILLE DEANNEX. \(NEW\)](#). Filed Mar 4 2013, *AN ACT TO MODIFY THE USE OF OCCUPANCY TAX PROCEEDS FOR THE CITY OF JACKSONVILLE, TO REMOVE DESCRIBED PARCELS FROM THE CORPORATE LIMITS OF THE TOWN OF WRIGHTSVILLE BEACH, AND TO ANNEX THOSE PARCELS TO THE CORPORATE LIMITS OF THE CITY OF WILMINGTON.*

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

Changes the short and long titles.

Amends the effective date for Section 1 of the act to becoming effective on July 1, 2014 (was, July 1, 2013).

Adds a new section to the bill, providing for the removal of specific property, as described and located in the bill, from the corporate limits of the town of Wrightsville Beach and adding it to the corporate limits of the City of Wilmington.

**Intro. by Brown.**

New Hanover, Onslow

[View summary](#)

**Development, Land Use and Housing, Land Use, Planning and Zoning, Property and Housing, Government, Tax**

S 226 (2013-2014) [REPEAL 1935 DURHAM CO. FIREARM ACT \(NEW\)](#). Filed Mar 6 2013, *A BILL TO BE ENTITLED AN ACT TO REPEAL A 1935 DURHAM COUNTY LOCAL ACT CONCERNING FIREARM REGISTRATION.*

AN ACT TO REPEAL A 1935 DURHAM COUNTY LOCAL ACT CONCERNING FIREARM REGISTRATION. Enacted June 19, 2014. Effective June 19, 2014.

**Intro. by Woodard.**

Durham

[View summary](#)

S 731 (2013-2014) [SOUTHPORT OCCUPANCY TAX MODIFICATION](#). Filed May 14 2014, *A BILL TO BE ENTITLED AN ACT TO CLARIFY THE TOURISM DEVELOPMENT AUTHORITY REQUIREMENTS PERTAINING TO THE OCCUPANCY TAX AUTHORIZED FOR THE TOWN OF SOUTHPORT.*

Senate committee substitute makes the following changes to the 2nd edition:

Makes a technical change.



**Intro. by Rabon.**

Brunswick

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

S 741 (2013-2014) **BLADEN, COLUMBUS, FRANKLIN, HOKE/TAX CERT. (NEW)**. Filed May 14 2014, *A BILL TO BE ENTITLED AN ACT TO ALLOW BLADEN COUNTY, COLUMBUS COUNTY, FRANKLIN COUNTY, AND HOKE COUNTY TO NOT ACCEPT THE REGISTRATION OF A DEED TRANSFERRING REAL PROPERTY WHEN TAXES ARE DELINQUENT.*

House committee substitute to the 2d edition makes the following change. Adds Hoke County to the act's coverage.

**Intro. by Barefoot.**

Bladen, Columbus, Franklin, Hoke

[View summary](#)

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

The Senate committee substitute to the 1st edition changes the act's effective date from January 1, 2014, to June 30, 2014.

**Intro. by Rabon.**

Brunswick

[View summary](#)

## ACTIONS ON BILLS

### PUBLIC BILLS

#### **H 183: DELAY TRANSFER/CLEVELAND COUNTY CORR. FAC. (NEW).**

*Pres. To Gov. 6/19/2014*

#### **H 189: AMEND INFO./CHILD SUPP. ORDERS**

*Senate: Reptd Fav Com Substitute*

*Senate: Com Substitute Adopted*

*Senate: Re-ref Com On Health Care*

*Senate: Withdrawn From Com*

*Senate: Placed On Cal For 06/24/2014*

#### **H 346: GOVERNING BODIES/COLLECT UNPAID JUDGMENTS.**

*Senate: Reptd Fav*

#### **H 558: SOIL & WATER/REGIONAL JAILS REFUNDS (NEW).**

*Ratified*

*Pres. To Gov. 6/19/2014*

**H 573: STORMWATER MANAGEMENT FEE USES.**

*Signed by Gov. 6/19/2014*

*Ch. SL 2014-14*

**H 698: BACKGROUND CHECKS FOR FIREFIGHTERS.**

*Ratified*

*Pres. To Gov. 6/19/2014*

**H 712: CLARIFYING CHANGES/SPECIAL ED SCHOLARSHIPS**

*Senate: Amend Adopted AI*

*Senate: Passed 2nd Reading*

*Senate: Passed 3rd Reading*

*Engrossed*

**H 777: SEX OFFENDER/EXPAND RESIDENTIAL RESTRICTIONS.**

*Ratified*

*Pres. To Gov. 6/19/2014*

**H 894: SOURCE WATER PROTECTION PLANNING (NEW)**

*Senate: Amend Adopted AI*

*Senate: Passed 2nd Reading*

*Senate: Passed 3rd Reading*

*Engrossed*

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

*Ratified*

**H 1034: VOLUNTEER FIRE AND RESCUE FINANCES (PED).**

*Senate: Reptd Fav Com Substitute*

*Senate: Com Substitute Adopted*

*Senate: Re-ref Com On Pensions & Retirement and Aging*

**H 1043: PREQUALIFICATION UPDATE.**

*Senate: Amend Adopted AI*

*Senate: Passed 2nd Reading*

*Senate: Passed 3rd Reading*

*Engrossed*

**H 1052: ADJUST THE UTILITY REGULATORY FEE.**

*House: Reptd Fav*

*House: Cal Pursuant Rule 36(b)*

*House: Added to Calendar*

*House: Passed 2nd Reading*

**H 1053: HONOR ROBYNN SPENCE.**

*House: Reptd Fav Com Substitute*

*House: Cal Pursuant Rule 36(b)*

**H 1057: DENR STUDY OF IBT/EMC ECO FLOW STUDY.**

*House: Postponed To 06/24/2014*

**H 1060: MILITARY STUDENT IDENTIFIER.**

*Signed by Gov. 6/19/2014*

*Ch. SL 2014-15*

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

*House: Placed On Cal For 06/19/2014*

*House: Concurred In S/Com Sub*

*House: Ordered Enrolled*

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

*Senate: Withdrawn From Com*

*Senate: Re-ref Com On Commerce*

**H 1088: HIGHWAY PATROL ROUTINE MAINTENANCE.**

*House: Special Message Sent To Senate*

*Senate: Special Message Received From House*

*Senate: Passed 1st Reading*

*Senate: Ref To Com On Transportation*

**H 1089: AOC CIVIL CASE MANAGEMENT SYSTEM.**

*House: Special Message Sent To Senate*

*Senate: Special Message Received From House*

*Senate: Passed 1st Reading*

*Senate: Ref To Com On Judiciary I*

**H 1090: AOC INFORMATION TECHNOLOGY POLICY.**

*House: Special Message Sent To Senate*

*Senate: Special Message Received From House*

*Senate: Passed 1st Reading*

*Senate: Ref To Com On Judiciary II*

**H 1091: STUDY SUPERVISION OF MAGISTRATES.**

*House: Special Message Sent To Senate*

*Senate: Special Message Received From House*

*Senate: Passed 1st Reading*

*Senate: Ref To Com On Judiciary II*

**H 1094: MEDIATED SETTLEMENTS/DISTRICT CT.**

*House: Special Message Sent To Senate*

*Senate: Special Message Received From House*

*Senate: Passed 1st Reading*

*Senate: Ref To Com On Judiciary I*

**H 1103: VERIFICATION/JURISDICTION IN JUVENILE CASES.**

*Signed by Gov. 6/19/2014*

*Ch. SL 2014-16*

**H 1105: LOCAL EROSION PRGRMS/TAKEOVER EXISTING PLANS.**

*House: Special Message Sent To Senate*

*Senate: Special Message Received From House*

*Senate: Passed 1st Reading*

*Senate: Ref To Com On Agriculture/Environment/Natural Resources*

**H 1106: EROSION CONTROL DESIGNER CERTIFICATION.**

*House: Special Message Sent To Senate*

*Senate: Special Message Received From House*

*Senate: Passed 1st Reading*

*Senate: Ref To Com On Agriculture/Environment/Natural Resources*

**H 1139: STATE NAT. & HIST. PRESERVE DELETIONS.**

*House: Passed 2nd Reading*

*House: Passed 3rd Reading*

*House: Special Message Sent To Senate*

**H 1145: REGISTRATION REQUIRED FOR MOPEDS (NEW).**

*House: Reptd Fav Com Sub 2*

*House: Cal Pursuant Rule 36(b)*

*House: Added to Calendar*

*House: Amend Adopted Al*

*House: Passed 2nd Reading*

*House: Passed 3rd Reading*

*House: Ordered Engrossed*

**H 1149: STATE CIO/MOBILE COMMUNICATIONS DEVICES.**

*House: Special Message Sent To Senate*

*Senate: Special Message Received From House*

*Senate: Passed 1st Reading*

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

**H 1182: UNC NONAPPROPRIATED CAPITAL PROJECTS.**

*House: Reptd Fav*

*House: Cal Pursuant Rule 36(b)*

*House: Added to Calendar*

*House: Passed 2nd Reading*

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

*Senate: Special Message Received From House*

*Senate: Passed 1st Reading*

*Senate: Ref To Com On Pensions & Retirement and Aging*

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

*House: Reptd Fav Com Substitute*

*House: Cal Pursuant Rule 36(b)*

**H 1220: HOPE 4 HALEY AND FRIENDS.**

*House: Reptd Fav Com Substitute*

*House: Cal Pursuant Rule 36(b)*

*House: Added to Calendar*

*House: Amend Adopted Al*

*House: Passed 2nd Reading*

*House: Passed 3rd Reading*

*House: Ordered Engrossed*

**H 1227: HONORING THE HIGHWAY PATROL.**

*House: Reptd Fav Com Substitute*

*House: Cal Pursuant Rule 36(b)*

**H 1259: SOLDIER'S REUNION ANNIVERSARY.**

*House: Reptd Fav*

*House: Cal Pursuant Rule 36(b)*

**H 1261: URGE CONGRESS/TERRORISM RISK INSURANCE.**

*House: Reptd Fav*

*House: Cal Pursuant Rule 36(b)*

**H 1267: ABSENTEE BALLOT/EVERETTE HARRIS ACT.**

*House: Reptd Fav*

*House: Cal Pursuant Rule 36(b)*

*House: Added to Calendar*

*House: Postponed To 06/24/2014*

**H 1268: HONOR JIM GULLEY.**

*House: Passed 1st Reading*

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

**H 1269: HONOR LEGACIES OF JAMES BEARD/GEORGE PEABODY.**

*House: Filed*

**H 1270: HONOR RIVERSIDE MASONIC LODGE.**

*House: Filed*

**S 38: AMEND ENVIRONMENTAL LAWS 2014 (NEW).**

*House: Amend Adopted A1*

*House: Amend Adopted A2*

*House: Amend Adopted A3*

*House: Amend Adopted A4*

*House: Amend Adopted A5*

*House: Amend Adopted A6*

*House: Amend Adopted A7*

*House: Passed 2nd Reading*

*House: Passed 3rd Reading*

*House: Ordered Engrossed*

**S 105: CLARIFY POLITICAL SIGN ORDINANCE AUTHORITY.**

*House: Withdrawn From Com*

*House: Re-ref Com On Finance*

**S 163: RECLAIMED WATER AS A SOURCE WATER. (NEW)**

*House: Amend Adopted A1*

*House: Passed 2nd Reading*

*House: Passed 3rd Reading*

*House: Ordered Engrossed*

**S 370: RESPECT FOR STUDENT PRAYER/RELIGIOUS ACTIVITY (NEW).**

*Signed by Gov. 6/19/2014*

*Ch. SL 2014-13*

**S 403: OMNIBUS ELECTION CLARIFICATIONS (NEW).**

*House: Reptd Fav Com Substitute*

*House: Cal Pursuant Rule 36(b)*

*House: Added to Calendar*

*House: Postponed To 06/24/2014*

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

*Senate: Concurred In H/Com Sub*

*Senate: Ordered Enrolled*

**S 516: PUBLIC SCHOOL REGULATORY REFORM.**

*House: Withdrawn From Com*

*House: Re-ref Com On Finance*

**S 574: GROUNDWATER CONTAMINATION/MODIFY RESPONSE (NEW).**

*Ratified*

**S 594: OMNIBUS JUSTICE AMENDMENTS.**

*House: Reptd Fav Com Substitute*

*House: Re-ref Com On Appropriations*

**S 719: STUDENT ORGANIZATIONS/RIGHTS & RECOGNITION.**

*Ratified*

**S 729: COAL ASH MANAGEMENT ACT OF 2104 (NEW).**

*Senate: Reptd Fav*

*Senate: Placed On Cal For 06/24/2014*

**S 742: ADJUST THE UTILITY REGULATORY FEE.**

*Senate: Reptd Fav*

**S 744: APPROPRIATIONS ACT OF 2014.**

*Senate: Senate Fail to Concur - Late Appoint Message Sent To House*

*House: Conf Com Appointed*

*House: Respond to Senate Fail to Concur - Appoint Conferees Message Sent To Senate*

**S 761: CREDIT FOR MILITARY TRAINING.**

*Senate: Passed 2nd Reading*

*Senate: Passed 3rd Reading*

**S 790: CAPE HATTERAS/GAS CITIES/INFRASTRUCTURE LAND (NEW).**

*House: Reptd Fav Com Substitute*

*House: Cal Pursuant Rule 36(b)*

*House: Added to Calendar*

*House: Passed 2nd Reading*

*House: Passed 3rd Reading*

*House: Special Message Sent To Senate*

**S 794: DIS APPROVE INDUSTRIAL COMMISSION RULES.**

*Senate: Amend Adopted AI*  
*Senate: Passed 2nd Reading*  
*Senate: Passed 3rd Reading*  
*Engrossed*

**S 797: 911 BOARD/BACK-UP PSAP.**

*House: Passed 1st Reading*  
*House: Ref To Com On Appropriations Subcommittee on Information Technology*

**LOCAL BILLS**

**H 531: WEAVERVILLE, BUNCOMBE & HENDERS ON.**

*House: Concurred On 2nd Reading*

**H 569: FOXFIRE/SATELLITE ANNEXATIONS.**

*House: Cal Pursuant 36(b)*  
*House: Ruled Material*  
*House: Placed On Cal For 06/23/2014*

**H 1033: SPECIAL ASSESSMENT/DAM REPAIR/RICHMOND CO.**

*House: Passed 2nd Reading*

**H 1044: AVERASBORO TOWNSHIP TDA CHANGES.**

*House: Special Message Sent To Senate*  
*Senate: Special Message Received From House*  
*Senate: Passed 1st Reading*  
*Senate: Ref to State and Local Government. If fav, re-ref to Finance*

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

*House: Reptd Fav Com Sub 2*  
*House: Cal Pursuant Rule 36(b)*  
*House: Added to Calendar*  
*House: Passed 2nd Reading*  
*House: Passed 3rd Reading*  
*House: Special Message Sent To Senate*

**H 1070: TOWN OF DUCK/EMINENT DOMAIN.**

*House: Reptd Fav*  
*House: Cal Pursuant Rule 36(b)*  
*House: Added to Calendar*  
*House: Passed 2nd Reading*  
*House: Passed 3rd Reading*  
*House: Special Message Sent To Senate*

**H 1080: WATHA DEANNEXATION.**

*Senate: Reptd Fav*

**H 1114: ELK PARK/DEED TRANSFERRING PROPERTY.**

*House: Special Message Sent To Senate*  
*Senate: Special Message Received From House*  
*Senate: Passed 1st Reading*

*Senate: Ref to State and Local Government. If fav, re-ref to Finance*

**H 1154: MOORE CO. SCHOOLS TRANSFER OF PROPERTY.**

*House: Reptd Fav*

*House: Cal Pursuant Rule 36(b)*

*House: Added to Calendar*

*House: Passed 2nd Reading*

*House: Passed 3rd Reading*

*House: Special Message Sent To Senate*

**H 1158: MORGANTON CHARTER AMENDMENT.**

*Ratified*

*Ch. SL 2014-12*

**H 1159: CITY OF GREENVILLE/PRIVATE SALE.**

*House: Special Message Sent To Senate*

*Senate: Special Message Received From House*

*Senate: Passed 1st Reading*

*Senate: Ref To Com On State and Local Government*

**H 1168: YANCEY RIGHT-OF-WAY SAFETY.**

*House: Special Message Sent To Senate*

*Senate: Special Message Received From House*

*Senate: Passed 1st Reading*

*Senate: Ref To Com On State and Local Government*

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

*House: Special Message Sent To Senate*

*Senate: Special Message Received From House*

*Senate: Passed 1st Reading*

*Senate: Ref To Com On State and Local Government*

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

*House: Passed 3rd Reading*

*House: Special Message Sent To Senate*

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

*House: Reptd Fav Com Sub 2*

*House: Cal Pursuant Rule 36(b)*

*House: Placed On Cal For 06/23/2014*

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

*House: Special Message Sent To Senate*

*Senate: Special Message Received From House*

*Senate: Passed 1st Reading*

*Senate: Ref To Com On State and Local Government*

**H 1244: WILSON COUNTY OCCUPANCY TAX INCREASE.**

*House: Passed 3rd Reading*

*House: Special Message Sent To Senate*



**H 1246: ARMED DETENTION OFFICERS/FORSYTH COUNTY.**

*Senate: Special Message Received From House*

*Senate: Passed 1st Reading*

*Senate: Ref To Com On Judiciary II*

**H 1247: ASHEVILLE REGIONAL AIRPORT.**

*House: Special Message Sent To Senate*

*Senate: Special Message Received From House*

*Senate: Passed 1st Reading*

*Senate: Ref To Com On State and Local Government*

**S 172: JACKSONVILLE OCC. TAX/WRIGHTSVILLE DEANNEX. (NEW).**

*House: Reptd Fav Com Substitute*

*House: Re-ref Com On Finance*

**S 226: REPEAL 1935 DURHAM CO. FIREARM ACT (NEW).**

*Ratified*

*Ch. SL 2014-11*

**S 731: SOUTHPORT OCCUPANCY TAX MODIFICATION.**

*Senate: Reptd Fav Com Substitute*

*Senate: Com Substitute Adopted*

**S 741: BLADEN, COLUMBUS, FRANKLIN, HOKE/TAX CERT. (NEW).**

*House: Reptd Fav Com Substitute*

*House: Cal Pursuant Rule 36(b)*

*House: Added to Calendar*

*House: Passed 2nd Reading*

*House: Passed 3rd Reading*

*House: Special Message Sent To Senate*

**S 846: SHALLOTTE DEANNEXATIONS.**

*Senate: Reptd Fav Com Substitute*

*Senate: Com Substitute Adopted*

**S 864: YANCEYVILLE ATV USE.**

*Senate: Regular Message Sent To House*

*House: Regular Message Received From Senate*

**S 870: DURHAM/PAYMENTS FOR ON-STREET PARKING.**

*Senate: Regular Message Sent To House*

*House: Regular Message Received From Senate*

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