



The Daily Bulletin: Thursday, July 3, 2014

PUBLIC/HOUSE BILLS

H 1220 (2013-2014) [HOPE 4 HALEY AND FRIENDS](#). Filed May 27 2014, *A BILL TO BE ENTITLED AN ACT TO CREATE AN INTRACTABLE EPILEPSY ALTERNATIVE TREATMENT PILOT STUDY PROGRAM AND REGISTRY FOR THE SCIENTIFIC INVESTIGATION OF THE SAFETY AND EFFICACY OF HEMP EXTRACT TREATMENT FOR INTRACTABLE EPILEPSY.*

A BILL TO BE ENTITLED AN ACT TO CREATE AN INTRACTABLE EPILEPSY ALTERNATIVE TREATMENT PILOT STUDY PROGRAM AND REGISTRY FOR THE SCIENTIFIC INVESTIGATION OF THE SAFETY AND EFFICACY OF HEMP EXTRACT TREATMENT FOR INTRACTABLE EPILEPSY.

Enacted July 3, 2014. Section 3 is effective upon adoption of rules pursuant to Section 4 of the act. The remainder is effective July 3, 2014.

Intro. by McElraft, Avila, Carney, Fulghum.

[STUDY, GS 90](#)

[View summary](#)

[Courts/Judiciary, Criminal Justice, Criminal Law and Procedure, Government, State Agencies, Department of Health and Human Services](#)

H 1275 (2013-2014) [FELLOWSHIP OF CHRISTIAN ATHLETES](#). Filed Jul 3 2014, *A HOUSE RESOLUTION HONORING THE FELLOWSHIP OF CHRISTIAN ATHLETES AND THE LIVES THIS ORGANIZATION HAS TOUCHED, WHILE HONORING THE MEMORY OF MICHAEL CAFFEY AND COACH JOHN LOTZ FOR THEIR PARTICIPATION IN THIS ORGANIZATION.*

As the title indicates.

Intro. by Brandon, S. Martin, Bryan.

[HOUSE RES](#)

[View summary](#)

[Cultural Resources and Museums](#)

PUBLIC/SENATE BILLS

S 729 (2013-2014) [COAL ASH MANAGEMENT ACT OF 2014 \(NEW\)](#). Filed May 14 2014, *AN ACT TO (1) PROHIBIT RECOVERY OF COSTS RELATED TO UNLAWFUL DISCHARGES FROM COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (2) ESTABLISH A MORATORIUM ON CERTAIN RATE CASES; (3) CREATE THE COAL ASH MANAGEMENT COMMISSION TO REVIEW AND APPROVE COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS CLASSIFICATIONS AND CLOSURE PLANS AND OTHERWISE STUDY AND MAKE RECOMMENDATIONS ON LAWS GOVERNING MANAGEMENT OF COAL COMBUSTION RESIDUALS; (4) REQUIRE EXPEDITED REVIEW BY THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES OF ANY PERMIT NECESSARY TO CONDUCT ACTIVITIES REQUIRED BY THIS ACT; (5) ESTABLISH VARIOUS REPORTING*

REQUIREMENTS TO THE GENERAL ASSEMBLY, INCLUDING A QUARTERLY REPORT FROM THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES ON ITS OPERATIONS, ACTIVITIES, PROGRAMS, AND PROGRESS WITH RESPECT TO ITS OBLIGATIONS UNDER THIS ACT FOR COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (6) PROHIBIT LOCAL GOVERNMENT REGULATION OF MANAGEMENT OF COAL COMBUSTION RESIDUALS OR COAL COMBUSTION PRODUCTS; (7) PROHIBIT CONSTRUCTION OF NEW OR EXPANSION OF EXISTING COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS EFFECTIVE JULY 1, 2014; (8) PROHIBIT THE DISPOSAL OF COAL COMBUSTION RESIDUALS INTO COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS AT COAL-FIRED GENERATING UNITS THAT ARE NO LONGER PRODUCING COAL COMBUSTION RESIDUALS EFFECTIVE OCTOBER 1, 2014; (9) PROHIBIT DISPOSAL OF STORMWATER TO COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS EFFECTIVE DECEMBER 31, 2018; (10) REQUIRE ALL ELECTRIC GENERATING FACILITIES TO CONVERT TO GENERATION OF DRY FLY ASH ON OR BEFORE DECEMBER 31, 2017, AND DRY BOTTOM ASH ON OR BEFORE DECEMBER 31, 2020, OR RETIRE; (11) REQUIRE THE ASSESSMENT OF GROUNDWATER AT COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (12) REQUIRE CORRECTIVE ACTION FOR THE RESTORATION OF GROUNDWATER QUALITY AT COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (13) REQUIRE A SURVEY OF DRINKING WATER SUPPLY WELLS AND REPLACEMENT OF CONTAMINATED WATER SUPPLIES; (14) REQUIRE THE IDENTIFICATION, ASSESSMENT, AND CORRECTION OF UNPERMITTED DISCHARGES FROM COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (15) REQUIRE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO, AS SOON AS PRACTICABLE BUT NO LATER THAN AUGUST 1, 2015, PRIORITIZE FOR THE PURPOSE OF CLOSURE AND REMEDIATION COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS, INCLUDING ACTIVE AND RETIRED SITES, BASED ON THESE SITES' RISKS TO PUBLIC HEALTH, SAFETY, WELFARE, THE ENVIRONMENT, AND NATURAL RESOURCES; (16) REQUIRE OWNERS OF COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS TO SUBMIT A PROPOSED PLAN FOR CLOSURE OF ALL IMPOUNDMENTS TO THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES; (17) REQUIRE CLOSURE AND REMEDIATION OF CERTAIN COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS AS SOON AS PRACTICABLE, BUT NO LATER THAN AUGUST 1, 2019; (18) REQUIRE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO ESTABLISH A SCHEDULE AND PROCESS FOR CLOSURE AND REMEDIATION OF ALL COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS BASED UPON THE DEPARTMENT'S RISK ASSESSMENT OF THESE SITES, BASELINE REQUIREMENTS SET BY THE GENERAL ASSEMBLY, EVALUATION OF PROPOSED CLOSURE PLANS SUBMITTED BY IMPOUNDMENT OWNERS, AND INPUT FROM THE PUBLIC AND OTHER STAKEHOLDERS; (19) ESTABLISH MINIMUM STATUTORY REQUIREMENTS FOR STRUCTURAL FILL PROJECTS USING COAL COMBUSTION PRODUCTS AND REQUIRE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO INVENTORY AND INSPECT CERTAIN STRUCTURAL FILL PROJECTS; (20) PLACE A MORATORIUM ON CERTAIN PROJECTS USING COAL COMBUSTION PRODUCTS AS STRUCTURAL FILL UNTIL AUGUST 1, 2015, AND DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES AND THE ENVIRONMENTAL MANAGEMENT COMMISSION TO STUDY THE ADEQUACY OF CURRENT LAW GOVERNING USE OF COAL COMBUSTION PRODUCTS AS STRUCTURAL FILL AND FOR BENEFICIAL USE; (21) PLACE A MORATORIUM ON THE EXPANSION AND CONSTRUCTION OF COAL COMBUSTION RESIDUALS LANDFILLS UNTIL AUGUST 1, 2015, AND DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO ASSESS THE RISKS TO PUBLIC HEALTH, SAFETY, WELFARE, THE ENVIRONMENT, AND NATURAL RESOURCES OF COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS LOCATED BENEATH THESE LANDFILLS TO DETERMINE THE ADVISABILITY OF CONTINUED OPERATION OF THESE LANDFILLS; (22) STRENGTHEN THE REPORTING AND NOTIFICATION REQUIREMENTS APPLICABLE TO DISCHARGES OF WASTEWATER TO WATERS OF THE STATE; (23) REQUIRE CERTAIN EMERGENCY CALLS TO BE RECORDED; (24) REQUIRE DEVELOPMENT OF EMERGENCY ACTION PLANS FOR HIGH AND INTERMEDIATE HAZARD DAMS AND AMEND OTHER DAM SAFETY LAW REQUIREMENTS APPLICABLE TO COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (25) TRANSFER SOLID WASTE RULE-MAKING AUTHORITY FROM COMMISSION FOR PUBLIC HEALTH TO ENVIRONMENTAL MANAGEMENT COMMISSION; (26) PROVIDE FOR VARIOUS STUDIES; (27) REQUIRE THE STATE CONSTRUCTION OFFICE AND THE DEPARTMENT OF TRANSPORTATION TO DEVELOP TECHNICAL SPECIFICATIONS FOR USE OF COAL COMBUSTION PRODUCTS; AND (28) PROVIDE RESOURCES FOR IMPLEMENTATION OF THIS ACT.

House amendments make the following changes to the 4th edition, as amended:

Amendment #22

Amends the membership of the Coal Ash Management Commission, providing that the member to be appointed by the General Assembly, upon recommendation of the Speaker of the House, with special training or scientific expertise in waste management, including solid waste disposal, hauling, or beneficial use, can also be qualified for appointment for this specific appointment if the person is a representative of or on the faculty of a state college or university that conducts coal ash research without the special training or scientific expertise in waste management (previously, did not provide for alternative qualification for appointment by being a faculty member or representative of the specified college or university).

Amendment #24

Section 13.(b) of this act charges the Department of Environment and Natural Resources (DENR) with responsibility for reviewing and making recommendations on all the deadlines established under Part 21 of Article 9 of GS Chapter 130A as enacted by Section 3.(a) of this act. Amendment #24 directs DENR, at minimum, to identify (1) all the permits that may be required for the closure requirements set under this act and (2) the expected time-frames for issuing those permits.

Amendment #28

Adds new Subpart 4 to new *Part 21. Coal Ash Management*, to provide that except as otherwise provided in Subpart 4, the provisions of Part 21 are to be enforced as provided in Article 1 of GS Chapter 130A. Sets the penalty for knowingly making false statements, representations, or certifications in any document filed or required to be maintained under Part 21 or a rule implementing Part 21. Makes the violation a Class 2 misdemeanor and provides that the penalty may include a fine of not more than \$10,000.

Intro. by Apodaca, Berger.

GS 62, GS 130A, GS 143

[View summary](#)

Development, Land Use and Housing, Building and Construction, Environment, Environment/Natural Resources, Government, State Agencies, Department of Environment and Natural Resources, Health and Human Services, Health, Public Health

LOCAL/SENATE BILLS

S 851 (2013-2014) [ALLOW ABSENTEE VOTING/1ST CRAVEN SANITARY DIS.](#) Filed May 27 2014, *AN ACT TO ALLOW FIRST CRAVEN SANITARY DISTRICT TO PROVIDE FOR ABSENTEE VOTING IN THE SAME MANNER AS A MUNICIPALITY.*

AN ACT TO ALLOW FIRST CRAVEN SANITARY DISTRICT TO PROVIDE FOR ABSENTEE VOTING IN THE SAME MANNER AS A MUNICIPALITY. Enacted July 3, 2014. Effective July 3, 2014.

Intro. by Sanderson.

Craven

[View summary](#)

S 874 (2013-2014) [SPRUCE PINE DEANNEXATION](#). Filed May 28 2014, *AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF SPRUCE PINE.*

AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF SPRUCE PINE. Enacted July 3, 2014. Effective June 30, 2014.

Intro. by Hise.

[Mitchell](#)

[View summary](#)

S 875 (2013-2014) [BAKERSVILLE/STAGGER TERMS OF TOWN COUNCIL](#). Filed May 28 2014, *AN ACT TO STAGGER THE TERMS OF THE MEMBERS OF THE TOWN COUNCIL OF THE TOWN OF BAKERSVILLE.*

AN ACT TO STAGGER THE TERMS OF THE MEMBERS OF THE TOWN COUNCIL OF THE TOWN OF BAKERSVILLE. Enacted July 3, 2014. Effective July 3, 2014.

Intro. by Hise.

[Mitchell](#)

[View summary](#)

ACTIONS ON BILLS

PUBLIC BILLS

H 330: PLANNED COMMUNITY ACT/DECLARANT RIGHTS.

Pres. To Gov. 7/3/2014

H 366: NC FARM ACT OF 2014 (NEW).

House: Withdrawn From Com

House: Added to Calendar

House: Failed Concur In S Com Sub

House: Conf Com Appointed

House: Fail To Concur - Appoint Conferees Message Sent To Senate

H 1025: DOT/DMV CHANGES (NEW).

Ratified

Pres. To Gov. 7/3/2014

H 1048: AG SELECTION CRITERIA/NCNG AMENDMENTS (NEW).

House: Fail To Concur - Appoint Conferees Message Sent To Senate

H 1144: STUDY 1%/\$80 RATE FOR MILL MACHINERY (NEW).

House: Special Message Sent To Senate

H 1181: NORTH CAROLINA MEDICAID MODERNIZATION (NEW).

Senate: Special Message Received From House

Senate: Passed 1st Reading

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

H 1220: HOPE 4 HALEY AND FRIENDS.

Signed by Gov. 7/3/2014

Ch. SL 2014-53

H 1234: FERRY TOLLING/REPLACEMENT FUNDS.

House: Special Message Sent To Senate

H 1262: SUICIDE PREVENTION RESOLUTION.

House: Special Message Sent To Senate

H 1274: TOLLING REFERENDUM.

House: Passed 1st Reading

House: Ref To Com On House Select Committee on Ways and Means

H 1275: FELLOWSHIP OF CHRISTIAN ATHLETES.

House: Filed

S 42: CONFIDENTIALITY OF UC INFORMATION (NEW).

House: Special Message Sent To Senate

S 78: LAW ENFORCEMENT PRIVACY/PUBLIC WEB SITES.

House: Special Message Sent To Senate

S 105: ADD TOWNS TO SHP.

Senate: Special Message Received For Concurrence in H Com Sub

Senate: Ref To Com On Insurance

S 614: Military Lands Protection Act.

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

S 729: COAL ASH MANAGEMENT ACT OF 2014 (NEW).

House: Amend Adopted A22

House: Amend Adopted A24

House: Amend Failed A25

House: Amend Failed A27

House: Amend Failed A26

House: Amend Adopted A28

House: Amendment Withdrawn A23

House: Passed 3rd Reading

House: Ordered Engrossed

S 794: DIS APPROVE INDUSTRIAL COMMISSION RULES.

Senate: Special Message Received For Concurrence in H Com Sub

Senate: Placed On Cal For 07/09/2014

S 797: 911 BOARD/BACK-UP PSAP.

Ratified

S 853: BUSINESS COURT MODERNIZATION.

House: Special Message Sent To Senate

LOCAL BILLS

S 846: SHALLOTTE DEANNEXATIONS/SOUTHPORT OCC TAX.

House: Passed 3rd Reading

House: Special Message Sent To Senate

S 851: ALLOW ABSENTEE VOTING/1ST CRAVEN SANITARY DIS.

Ratified

Ch. SL 2014-54

S 874: SPRUCE PINE DEANNEXATION.

House: Passed 3rd Reading

House: Ordered Enrolled

Ratified

Ch. SL 2014-55

S 875: BAKERSVILLE/STAGGER TERMS OF TOWN COUNCIL.

Ratified

Ch. SL 2014-56

[Print Version](#)