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[Home](#) » The Daily Bulletin: Wednesday, July 23, 2014

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PUBLIC/HOUSE BILLS

H 201 (2013-2014) **BUILDING REUTILIZATION FOR ECONOMIC DEV. ACT.** Filed Mar 4 2013, *A BILL TO BE ENTITLED AN ACT TO AMEND THE APPLICABILITY OF THE ENERGY CONSERVATION CODE TO CERTAIN EXISTING NONRESIDENTIAL BUILDINGS, TO CLARIFY STORMWATER PROGRAM IMPERVIOUS SURFACE CALCULATIONS FOR REDEVELOPMENT, TO CREATE AN EXEMPTION FROM THE NORTH CAROLINA ENVIRONMENTAL PROTECTION ACT FOR THE REOCCUPATION OF AN EXISTING BUILDING OR FACILITY, AND TO AMEND THE STATUTE GOVERNING THE DEPARTMENT OF COMMERCE RURAL ECONOMIC DEVELOPMENT DIVISION.*

Senate amendment #3 amends Senate amendment #1 to the 5th edition. Deletes proposed subsection (b4), added to GS 143-214.7 in Senate amendment #1, which required stormwater programs authorized under this section to approve and incorporate data provided by an applicant meeting specified qualifications when determining "built-upon area."

Senate amendment #4 also amends amendment #1 to the 5th edition. Amends GS 143-214.7(b3) to provide that stormwater runoff rules and programs do not require private property owners to install new or increased stormwater controls for pre-existing development or redevelopment activities that do not remove or decrease existing stormwater controls.

Intro. by Torbett.

GS 113A, GS 143, GS 143B

[View summary](#)

Development, Land Use and Housing, Building and Construction, Community and Economic Development, Environment, Government, State Agencies, Department of Environment and Natural Resources

H 369 (2013-2014) **CRIMINAL LAW CHANGES**. Filed Mar 20 2013, *A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO VARIOUS CRIMINAL LAWS AND TO CLARIFY TO WHICH LOCAL GOVERNMENT CONTRACTS E-VERIFY APPLIES.*

Senate committee substitute makes the following changes to the 5th edition.

Amends GS 15A-145.5(a)(7a), concerning expunction of certain misdemeanors and felonies, deleting language which provided that a person could remain eligible to receive an expunction, for offenses under GS 14-54(a), 14-54(a1), or 14-56 that are considered nonviolent misdemeanors or nonviolent felonies, if the offense was committed on or before the person's 21st birthday.

Amends GS 15A-1342, Incidents of probation, deleting authorization for the court to order the Section of Community Corrections of the Division of Adult Correction to supervise an offender's compliance with the terms of a conditional discharge given pursuant to GS 15A-1341(a5), conditional discharge for the purpose of a drug treatment program court program.

Deletes proposed changes to GS 90-113.22(b) conforming changes.

Amends proposed language for GS 90-113.22A, Possession of marijuana drug paraphernalia, adding language that provides that beyond a violation of this section being considered a Class 3 misdemeanor, it will also be considered as a lesser included offense of GS 90-113.22, Possession of drug paraphernalia.

Intro. by Waddell, Brody, Langdon, Dixon.

Anson, Caswell, Chowan, Cleveland, Harnett, Stanly, Surry, GS 7A, GS 14, GS 15A, GS 90, GS 143B, GS 153A, GS 160A

[View summary](#)

Courts/Judiciary, Civil, Evidence, Criminal Justice, Criminal Law and Procedure, Government, Local Government

H 1181 (2013-2014) **NORTH CAROLINA MEDICAID MODERNIZATION (NEW)**. Filed May 21 2014, *AN ACT TO MODERNIZE AND STABILIZE NORTH CAROLINA'S MEDICAID PROGRAM THROUGH FULL-RISK CAPITATED HEALTH PLANS TO BE MANAGED BY A NEW DEPARTMENT OF MEDICAL BENEFITS.*

Senate committee substitute makes the following changes to the 4th edition.

Amends Section 2 of this act to add to the principal building blocks of the Medicaid reform as directed by Section 1 (Intent and Goals) of this act. Provides that the capitated health plans (a health care system in which the provider is given a set fee per patient regardless of the treatment required) authorized by this act may work in collaboration with the Local Management Entity/Managed Care Organizations (LME/MCOs) created to serve the Medicaid population (in SL 2011-264).

Amends Section 3 of this act regarding the timeline for the milestones for Medicaid reform under this act. Provides that the new legislative oversight committee to oversee the Medicaid and NC Health Choice programs is to be created when this act becomes law (was, no later than August 1, 2014). Declares that the new Department of Medical Benefits (DMB) is to be created no later than September 1, 2014 (was, August 1, 2014). Moves the dates forward for additional milestones on the timeline as follows: (1) requires the DMB to submit its initial report on reform plan details by April 15, 2015 (was, March 1, 2015), and (2) requires final approvals from the Centers for Medicare & Medicaid Services (CMS) for the reform plan by February 1, 2016 (was, January 1, 2016). Makes conforming changes to amend additional occurrences of these changes in milestone dates. Provides that if the detailed plan cannot be reasonably completed by the April 15 deadline, the DMB is to inform the General Assembly by March 15 that the April 15 report will be a progress report and provide an update on the progress made on completing a plan and report on the parts of the plan that have been completed by April 15.

Corrects a statutory citation in Section 9, deleting a reference to GS 143B-1410(a)(8) and replacing it with GS 143B-1410(a)(10) as enacted by Section 10 of this act.

Amends GS 143B-1415 to correct a statutory reference, deleting a reference to GS 143B-1410(a)(8) and replacing it with GS 143B-1410(a)(10) as enacted by Section 10 of this act.

Amends new GS 143B-1405(d) to further clarify which individuals may not serve on the Board of the DMB. Makes technical changes to renumber the subdivision provisions in subsection (d) accordingly. Inserts the words "North Carolina" before each occurrence of the word "Medicaid" in this subsection. Amends subsection (d) of this section to define the term *provider* to have the same meaning as in GS 108C-2.

Amends new GS 143B-1410(a)(10) to require the Board of the DMB to develop and present information as specified in this subdivision for the Medicaid and NC Health Choice programs to the General Assembly and the Office of State Budget and Management by January 1 of each year, beginning in 2016 (was, present the information to the General Assembly).

Provides that Sections 10 (creating the DMB) and 11 (regarding initial board compensation) become

effective September 1, 2014 (was, Sections 10, 11, and 12 become effective August 1, 2014).

Intro. by Dollar, Burr, Avila, Lambeth.

[GS 120, GS 126, GS 143B](#)

[View summary](#)

Government, State Agencies, Department of Health and Human Services, Health and Human Services, Social Services, Public Assistance

H 1224 (2013-2014) [LOCAL SALES TAX OPTIONS/ECON. DEVPT. CHANGES \(NEW\)](#). Filed May 27 2014, *A BILL TO BE ENTITLED AN ACT TO LIMIT THE TOTAL LOCAL GOVERNMENT SALES AND USE TAX RATE TO TWO AND ONE-HALF PERCENT; TO GIVE COUNTIES THE FLEXIBILITY TO USE UP TO ONE-HALF PERCENT OF THE LOCAL SALES AND USE TAX FOR PUBLIC TRANSPORTATION, FOR PUBLIC EDUCATION, FOR GENERAL PURPOSES, OR FOR A COMBINATION THEREOF; AND TO MAKE VARIOUS CHANGES TO TAX AND ECONOMIC DEVELOPMENT LAWS.*

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

Amends GS 143B-437.55, enacting a new subsection (c1) that requires the Economic Investment Committee, which administers the Job Development Investment Program (Program), to report electronically on the Program on the last day of each month other than the month of April. Specifies that when the General Assembly is in session, the reports due during that time are to go to the House of Representatives Finance Committee, the Senate Finance Committee, and the Fiscal Research Division. Provides that when the legislature is not in session, the reports are to be submitted to the Revenue Laws Study Committee and the Fiscal Research Division. Specifies the information and data that the monthly reports are to contain.

Intro. by Presnell.

[GS 78A, GS 105, GS 143B, GS 150B](#)

[View summary](#)

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

H 1277 (2013-2014) [HONOR JIM FULGHUM](#). Filed Jul 23 2014, *A HOUSE RESOLUTION HONORS THE LIFE AND MEMORY OF REPRESENTATIVE JAMES SPENCER "JIM" FULGHUM III, MD.*

As title indicates.

Intro. by T. Moore.

HOUSE RES

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**Government, Cultural Resources and
Museums, General Assembly**

LOCAL/HOUSE BILLS

H 1054 (2013-2014) [SPINDALE/CAPE FEAR SEWER FEE COLLECTION](#). Filed May 14 2014, *A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF SPINDALE TO ATTACH PERSONAL PROPERTY, GARNISH WAGES, AND PLACE LIENS ON CERTAIN REAL PROPERTY TO COLLECT UNPAID FEES FOR SEWER AVAILABILITY.*

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

Changes the long title.

Deletes provisions which previously allowed the Cape Fear Utility Authority to adopt ordinances to provide for the collection of a delinquent sewer availability fee in the same manner as delinquent property taxes after the fee has remained unpaid for 90 days. Deletes all other provisions concerning the Cape Fear Utility Authority including provisions that allowed delinquent fees collected pursuant to this section to be considered a lien on the real property and that any debt due the Cape Fear Public Utility Authority is expressly subordinate to any city or county tax.

Makes technical and conforming changes.

Intro. by Hager.

Rutherford

[View summary](#)

Public Enterprises and Utilities

LOCAL/SENATE BILLS

S 859 (2013-2014) **CITIES/REGULATION OF VACATION RENTALS**. Filed May 27 2014, *AN ACT RELATING TO MUNICIPAL REGULATION OF VACATION RENTALS AND OTHER TRANSIENT OCCUPANCIES*.

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

Deletes General Assembly findings and intent provisions in proposed GS 160A-394, concerning zoning regulations for residential vacation rentals. Makes organizational and clarifying changes. Sets out nine (was, 12) limits or conditions that can be included in adopted zoning regulations (limits and conditions in previous edition were required to be included), including prohibition of vacation rentals or other transient occupancy in certain residential zoning districts (previously included as "prohibition in certain residential zoning districts") and completion and filing of financial reports and payment of any occupancy taxes (previously included as "financial reports and payment of any occupancy taxes").

Deletes the following previously included limits or conditions from the list: location of trash containers, fire marshal inspection, and minimum and maximum occupancy.

Uncodifies but retains the provision stating that nothing in the act affects or repeals any ordinance that was adopted under a city's general police powers or zoning authority before the enactment of the act.

Deletes proposed changes to GS 160A-424.

Provides that the act is effective when it becomes law and expires on December 31, 2021.

Intro. by Tarte.

Mecklenburg

[View summary](#)

Development, Land Use and Housing, Land Use, Planning and Zoning, Property and Housing

ACTIONS ON BILLS

PUBLIC BILLS

H 101: SPECIAL LICENSE PLATE DEVELOPMENT PROCESS.

House: Withdrawn From Cal

House: Re-ref to the Com on Finance, if favorable, Rules, Calendar, and Operations of the House

H 1224: LOCAL SALES TAX OPTIONS/ECON. DEVPT. CHANGES (NEW).

Senate: Amend Failed A1

Senate: Amend Adopted A2

Senate: Passed 2nd Reading

H 1277: HONOR JIM FULGHUM.

House: Filed

S 763: OMNIBUS TAX LAW CHANGES.

Senate: Passed 2nd Reading

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

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

H 1059: NEW HANOVER OCCUP. TAX USE.

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

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