

The Daily Bulletin: Wednesday, January 14, 2015

PUBLIC/HOUSE BILLS

H 1 (2015-2016) [HOUSE RULES](#). Filed Jan 14 2015, *A HOUSE RESOLUTION ADOPTING THE TEMPORARY RULES OF THE HOUSE OF REPRESENTATIVES FOR THE 2015 REGULAR SESSION.*

Adopts the permanent rules for the 2013 Session as the temporary rules for the 2015 Session, with the following exceptions. Amends Rule 1 to provide that no votes can be held on Sunday, except for votes on motions to approve the journal and to adjourn (previously, no session could be held on Sunday). Amends Rule 2 to require the Sergeant-at-Arms to clear the House five minutes before session convenes. Amends Rule 16 to give the proponent of a matter that is subject to a motion to table up to two minutes to explain the subject matter if the proponent previously did not explain the matter before the motion to table. Amends Rule 19 to allow the Vice-Chair of the Rules Committee to call the previous question if the Chair of the Rules Committee is not in the chamber or able to participate in debate. Amends Rule 24 providing that leave of the House to change a vote will not be given if the session in which the vote was taken has been adjourned. Amends Rule 27 establishing the standing committees and permanent subcommittees for the session. Creates the following new standing committees: Aging; Alcoholic Beverage Control; Children Youth and Families; Education K-12, Education – Community Colleges, Education – Universities (replacing the Education standing committee); Health (was, Health and Human Services); Judiciary I, II, III, IV (previously, one Judiciary standing committee with three subcommittees); Local Government; Pensions and Retirement; Public Utilities (previously the Public Utilities and Energy Committee); University Board of Governors Nominating; and Wildlife Resources. Removes the following subcommittees from the Commerce and Job Development standing committee: Alcoholic Beverage Control, Biotechnology and Health Care, Energy and Emerging Markets, and the Military and Agriculture subcommittees. Also removes the Mental Health subcommittee from Health and Human services as well as the Business and Labor, Environmental, and Local Government subcommittees from the Regulatory Reform Committee. Amends Rule 28 to require the committee chair to set an agenda for each committee meeting. Also allows, after April 1, 2015, a committee to place a bill on the committee's agenda for the next scheduled committee meeting if there is a written request which has been signed by at least 2/3 of the members of the committee.

Amends Rule 31.1 to establish bill filing and crossover deadlines. Local bills must be requested by March 18 and introduced by April 1, by the specified time. Bills recommended by commissions or standing committees must be requested by February 17 and introduced by February 25, by the specified time. Bills requested by state agencies must be requested by March 10 and introduced by March 18, by the specified time. Public bills that do not go to the Appropriations or Finance committees, joint resolutions, and House resolutions must be requested by March 26 and introduced by April 8, 2015, by the specified time. Public bills that must go to the Appropriations or Finance committee must be requested by April 2 and introduced by April 15, by the specified time. Sets the bill crossover deadline as May 7. Allows members to assign a portion of their ten bill introduction limit to another member electronically in accordance with the procedures established and published by the Principal Clerk. Amends Rule 34 to require bills or resolutions filed for introduction to comply with the procedures established and published by the Principal Clerk (previously, required specified number of copies of bill/resolution in order to be accepted). Amends Rule 35.1, concerning assessment reports, providing that bills or resolutions which propose a new occupational or professional licensing board or a study to establish such a board is needed, is required to have an assessment report from the Joint Legislative Commission on Government Operations attached to the jacket of the original at the times of the second and third readings. Amends Rule 36 to require that proposed committee substitutes must have been distributed electronically no later than 9 PM of the preceding calendar day to all of the members of the committee and to the member listed as first sponsor, except by leave of the committee. Amends Rule 60 to allow the Legislative Services Officer to correct specified typographical errors appearing in House amendments to Senate bills.

Makes technical changes.

Intro. by Lewis.

HOUSE RES

[View summary](#)

Government, General Assembly

H 2 (2015-2016) **ADJOURN ORGANIZATIONAL SESSION**. Filed Jan 14 2015, *A JOINT RESOLUTION ADJOURNING THE 2015 REGULAR SESSION OF THE GENERAL ASSEMBLY TO A DATE CERTAIN, AS PROVIDED BY LAW.*

Provides that when the House of Representative and Senate adjourn on January 14, they are adjourned until January 28, 2015, at noon.

Intro. by Lewis.

JOINT RES

[View summary](#)

Government, General Assembly

H 3 (2015-2016) **EMINENT DOMAIN**. Filed Jan 14 2015, *AN ACT TO AMEND THE NORTH CAROLINA CONSTITUTION TO PROHIBIT CONDEMNATION OF PRIVATE PROPERTY EXCEPT FOR A PUBLIC USE, TO PROVIDE FOR THE PAYMENT OF JUST COMPENSATION WITH RIGHT OF TRIAL BY JURY IN ALL CONDEMNATION CASES, AND TO MAKE SIMILAR STATUTORY CHANGES.*

Subject to approval by the voters at the May 3, 2016 statewide election, amends Article I of the North Carolina Constitution by adding a new Sec. 19.1 to prohibit the taking by eminent domain of private property except for a public use. Directs that just compensation be paid to the private property owner and provides that either party may request that the amount of just compensation be determined by a jury. Provides that if the majority of votes are in favor of the amendment, the State Board of Elections is to certify the amendment to the Secretary of State and the amendment will become effective upon certification and apply to takings of private property by eminent domain after the certification date.

Amends GS 40A-3(a) and (b1) to restrict private condemners and local public condemners to exercising the power of eminent domain for a public use (was, for a public use or benefit). Amends the list of private condemners permitted to exercise the power of eminent domain to include communication facilities (was, specified telegraphs and telephones), facilities related to the distribution of natural gas, and pipelines or mains originating in North Carolina for the transportation of natural gas.

Also amends subsection (c) to limit takings by public entities (other public condemners) to the exercise of eminent domain for the public use (was, public use or benefit). Enacts a new subsection (d) to GS 40A-3 to provide that private condemners, local public condemners, and other public condemners in subsections (a), (b), (b1), and (c) of this statute possess the power of eminent domain and may acquire any property for the connection of any customer(s) via purchase, gift, or condemnation.

Makes additional technical changes to punctuation.

Statutory changes become effective when this act becomes law and apply to takings occurring on or after that date.

Intro. by McGrady.

CONST, GS 40A

[View summary](#)

Constitution, Development, Land Use and Housing, Property and Housing

PUBLIC/SENATE BILLS

S 1 (2015-2016) [2015 SENATE PERMANENT RULES](#). Filed Jan 14 2015, *A SENATE RESOLUTION ADOPTING THE PERMANENT RULES OF THE SENATE FOR THE REGULAR SESSION OF THE 2015 GENERAL ASSEMBLY*.

Adopts the 2013 permanent rules as the Senate permanent rules with the following exceptions.

Amends Rule 2, adding a subsection (b) that specifies conditions under which the Principal Clerk of the Senate may convene the Senate to announce to the chamber that the Senate is in recess until a later, specified hour. Makes a conforming change to Rule 4.

Adds Rule 24.1 to provide that a motion to adjourn or stand in recess subject to the standard stipulations constitutes a motion to adjourn or stand in recess subject to (1) the introduction of bills, (2) referral and re-referral of bills, (3) the reading of Senatorial Statements, and (4) messages from the Governor.

Amends Rule 32 to add Workforce and Economic Development to the list of standing/select committees.

Amends Rule 38 to clarify that all the rules' provisions that apply to bills (as well as resolutions, memorials, and petitions) include, but are not limited to, provisions governing the introduction, eligibility, and filing of bills.

Amends subsection (a) of Rule 40 to provide for the filing on January 14, 2015, pursuant to GS 120-11.1, a simple resolution to establish the Senate Permanent Rules, and a joint resolution to adjourn to January 28, 2015. Prohibits the filing of any other bills on January 14, 2015. Makes a technical correction to Rule 40.

Amends Rule 40.1 to update deadlines for filing bills for introduction to dates in 2015. Provides that all local bills must be filed for introduction no later than Tuesday, March 3, 2015, except that local bills submitted to the Bill Drafting Division by 4:00 P.M. on March 3, 2015, and filed for introduction in the Senate by 3:00 P.M. on Wednesday, March 11, 2015, are to be treated as if they had been filed for introduction under this rule. Provides that all public bills, except for those for action on gubernatorial nominations or appointments or adjourning the General Assembly must be filed no later than Friday, March 13, 2015. However, public bills submitted to the Bill Drafting Division by 4:00 P.M. on March 13, 2015, and filed in the Senate before 3:00 P.M. on Thursday, March 26, 2015, are to be treated as if they had been filed for introduction under this rule.

Amends Rule 41 to set the crossover bill deadline as Thursday, May 7, 2015.

Amends Rule 44, which provides that every bill must receive three readings before it is passed, to provide that unless a member of the Senate objects, a bill may be referred and presented to the Senate by its bill number and short title.

Amends Rule 63 regarding providing legislative assistants and other Senate staff. Assigns one legislative assistant position to each Senate member, and provides that additional staff positions may be allocated to members at the discretion of the President Pro Tempore of the Senate. Provides that the selection of a person to fill a staff position assigned to an individual member's office is his or her prerogative.

Makes additional technical corrections and conforming changes.

Intro. by Apodaca.

[SENATE RES](#)

[View summary](#)

[Government, General Assembly](#)

ACTIONS ON BILLS

PUBLIC BILLS

H 1: HOUSE RULES.

House: Filed

House: Passed 1st Reading

House: Added to Calendar

House: Adopted

H 2: ADJOURN ORGANIZATIONAL SESSION.

House: Filed

House: Passed 1st Reading

House: Added to Calendar

House: Passed 2nd Reading

House: Passed 3rd Reading

House: Special Message Sent To Senate

Senate: Special Message Received From House

Senate: Passed 1st Reading

Senate: Placed on Today's Calendar

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

Senate: Ordered Enrolled

Ratified

Ch. Res 2015-1

H 3: EMINENT DOMAIN.

House: Filed

S 1: 2015 SENATE PERMANENT RULES.

Senate: Filed

Senate: Passed 1st Reading

Senate: Placed on Today's Calendar

Senate: Adopted

No local actions on bills