



## The Daily Bulletin: Monday, February 16, 2015

### PUBLIC/HOUSE BILLS

H 91 (2015-2016) [HANDICAPPED PARKING LAW REVISIONS](#). Filed Feb 16 2015, *AN ACT TO RESTRICT PARKING IN VAN-ACCESSIBLE HANDICAPPED PARKING SPACES TO QUALIFYING VANS AND TO DIRECT THE DIVISION OF MOTOR VEHICLES TO STUDY WAYS TO DECREASE THE MISUSE OF WINDSHIELD PLACARDS ISSUED TO HANDICAPPED PERSONS.*

Enacts new GS 20-37.6(a1) concerning parking privileges for handicapped drivers and passengers, providing that only vans driven by or transporting persons who are handicapped and are displaying the proper, specified license plate or placard can park in spaces (i) designated as van-accessible and (ii) restricted to vehicles driven by or transporting the handicapped. Makes clarifying and organizational changes.

Directs the Division of Motor Vehicles (DMV) to study ways to decrease the misuse of windshield placards issued to handicapped persons. Requires the study to include the cost, feasibility, and advisability of (i) requiring the inclusion of more personally identifying information on the windshield placard, (ii) linking the windshield placard to the handicapped person's drivers license or special identification card, and (iii) linking the windshield placard to the license plate issued to the handicapped person or the owner of the vehicle in which the handicapped person is or will be transported. Requires the DMV to report its findings and recommendations, including any legislative proposals, to the Joint Legislative Transportation Oversight Committee on or before January 15, 2016.

Bill is effective when it becomes laws and applies to offenses committed on or after that date.

**Intro. by Speciale.**

[STUDY, GS 20](#)

[View summary](#)

[Government, State Agencies, Department of Transportation, Transportation](#)

H 92 (2015-2016) [NONPARTISAN REDISTRICTING COMMISSION](#). Filed Feb 16 2015, *AN ACT TO ESTABLISH A NONPARTISAN REDISTRICTING PROCESS.*

Enacts new Article 1B, Nonpartisan Redistricting Process, to GS Chapter 120. Directs the Legislative Services Office (Office) to acquire and review information, evaluate facilities, and develop programs in preparation for drawing congressional and legislative redistricting plans after each federal census. Specifies that the Office must obtain, by December 31 of each year ending in zero, Census Bureau information for geographic and political units in North Carolina. Directs the Office to use the data as described. Specifies that the Office must obtain, as soon as possible after January 1 of each year ending in one, Census Bureau population data needed for legislative districting and use the data to assign a population figure to geographic and political units. Directs the Office to make available to the public four types of information after delivering each bill embodying a districting plan to the General Assembly. Includes definitions applicable to Article 1B.

Directs the Office to deliver to the clerks' offices in the General Assembly, before April 1 of each year ending in one, identical bills embodying a plan of legislative and congressional districting prepared according to Article 1B. States that the bill will not be brought to a vote in either chamber less than three legislative days after the report from the Temporary Redistricting Advisory Commission is received and made available to members. Specifies that the bill will be voted

under a procedure or rule allowing no amendments, except purely corrective changes. Specifies that if the bill is approved on third reading by the first house, it will quickly be brought to a vote in the second house, and if the bill fails, then the clerk of the applicable chamber must, no later than seven days after the bill failed, notify the Office of reasons the bill was not approved. Details provisions applicable when the required population data is not available by the specified date and the procedures for second and third plans of legislative and congressional districting. Directs the Office to provide information about the plan to persons outside Office staff only as may be required, before the Office delivers the bill.

Requires legislative and congressional districts to be established on the basis of population. Provides that senatorial and representative districts will each have a population within 5% of the ideal population for that district. Provides that congressional districts will have a population as nearly as equal to the ideal population and within .1% of the ideal population. Requires legislative and congressional districts to be drawn in a manner that complies with requirements of federal and state law. States that the "whole county" rule will be complied with in a manner consistent with federal law. Provides that division of voting tabulation districts will also be minimized. Details additional provisions related to district division, including requiring contiguous territory and reasonably compact districts. Specifies that no district will be drawn to favor any individual, group, or political party, and the districts will not be divided using political affiliation, previous election results, or demographic information unless required by the NC or US Constitution or the Voting Rights Act of 1965.

Establishes a five-member Temporary Redistricting Advisory Commission (Commission) no later than February 15 of each year. Provides additional details regarding Commission members and timelines. Lists three detailed functions of the Commission, including answering written requests for direction from the Office and conducting public hearings after districting bills are delivered to the General Assembly.

This act applies to redistricting following the return of the 2020 federal census.

**Intro. by Stam, McGrady, Hardister, G. Martin.**

[GS 120](#)

[View summary](#)

[Government, Elections](#)

H 93 (2015-2016) [ELIMINATE TOLLING ON FERRIES](#). Filed Feb 16 2015, *AN ACT TO ELIMINATE THE ESTABLISHMENT OF TOLLS ON FERRY ROUTES*.

Amends GS 136-82(a) through (d) deleting any language referring to the establishment, collection, and use of tolls on ferries by the Board of Transportation. Establishes the Ferry Capital Improvement Account as a reserve account in the Highway Fund. Provides that the following funds will be credited to the account: (1) net receipts generated from the approved receipt-generating activities in GS 136-82(f), (2) any unallotted and unencumbered balances on the last day of the fiscal year of the funds appropriated from the Highway Fund to the Ferry Division, and (3) any other funds from General Assembly appropriations or any contributions and grants from public or private sources. Requires such funds to be used for prioritized improvements to the vessels and facilities of the NC Ferry System.

Makes technical and conforming changes.

Directs the Board of Transportation to stop collecting ferry tolls on the effective date of this bill and to take action as fast as possible to repeal its regulations implementing ferry tolls. Requires funds or commuter pass payments received after the effective date of this bill to be refunded.

Effective July 1, 2015.

**Intro. by Speciale.**

[GS 136](#)

[View summary](#)[Transportation](#)

## PUBLIC/SENATE BILLS

S 88 (2015-2016) [POLE ATTACHMENT COMPENSATION](#). Filed Feb 16 2015, *AN ACT TO CLARIFY THAT ELECTRIC MEMBERSHIP CORPORATIONS AND MUNICIPAL ELECTRIC PROVIDERS ARE EXEMPT FROM SECTION 224 OF THE COMMUNICATIONS ACT OF 1934 IN THE STATE'S REGULATION OF POLE ATTACHMENTS AND TO PROVIDE GUIDANCE IN RESOLVING DISPUTES REGARDING COMPENSATION FOR POLE ATTACHMENTS.*

Amends GS 62-350(a) to clarify that electric membership corporations and municipal electric providers which are exempt from regulation under section 224 of the Communications Act of 1934, as amended, must allow any communications service provider to use its poles, ducts, and conduits at reasonable and nondiscriminatory rates, terms, and conditions.

Amends GS 62-350(c) to provide that the meaning of the term "just and reasonable" is as determined in accordance with state law, as the term is used in providing guidance in resolving disputes regarding compensation for pole attachments.

Effective when the act becomes law and applies to any action filed on or after that date.

**Intro. by Brown.**

[GS 62](#)

[View summary](#)[Public Enterprises and Utilities](#)

## LOCAL/HOUSE BILLS

H 90 (2015-2016) [SCHOOL CALENDAR FLEX./ROWAN COUNTY](#). Filed Feb 16 2015, *AN ACT TO PROVIDE ADDITIONAL FLEXIBILITY TO THE ROWAN COUNTY BOARD OF EDUCATION IN ADOPTING THE SCHOOL CALENDAR.*

Under current law, GS 115C-84.2(d) provides authority to local boards of education to determine the dates for the opening and closing dates for public schools under GS 115C-84.2(a)(1). However, the local boards must comply with specified parameters for the opening and closing dates of public schools as provided in GS 115C-84.2(d). Subsection (d) also provides criteria under which the State Board of Education may waive those requirements upon a showing of good cause by a local board of education.

Amends GS 115C-84.2(d) as the title indicates. Deletes all provisions of subsection (d) except the authorization given to local boards of education to determine the dates for the opening and closing dates for public schools. This act applies only to the Rowan County school administrative unit beginning with the 2015-16 school year.

**Intro. by Warren.**

[Rowan](#)

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

## ACTIONS ON BILLS

**PUBLIC BILLS****H 75: NC HIGHWAY BEAUTIFICATION.**

*House: Serial Referral To Rules, Calendar, and Operations of the House Added*

**H 78: ENACT MEDICAL CANNABIS ACT.**

*House: Passed 1st Reading*

*House: Ref to the Com on Judiciary I, if favorable, Health, if favorable, Regulatory Reform*

**H 79: ALLOW CIVIL & CRIMINAL CONTEMPT/50C VIOLATION.**

*House: Passed 1st Reading*

*House: Ref To Com On Judiciary II*

**H 80: RIVERLINK PLATE BACKGROUND.**

*House: Passed 1st Reading*

*House: Ref to the Com on Transportation, if favorable, Finance, if favorable, Rules, Calendar, and Operations of the House*

**H 81: EXPAND 1%/\$80 RATE FOR MILL MACHINERY.**

*House: Passed 1st Reading*

*House: Ref To Com On Finance*

**H 82: EXECUTION/NONSECURE CUSTODY ORDER/CHILD ABUSE.**

*House: Passed 1st Reading*

*House: Ref to the Com on Children, Youth, and Families, if favorable, Judiciary III*

**H 83: SUICIDE PREVENTION RESOLUTION.**

*House: Passed 1st Reading*

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

**H 86: UTILITY LINE RELOACTION/SCHOOL BOARD.**

*House: Passed 1st Reading*

*House: Ref to the Com on Public Utilities, if favorable, Transportation*

**H 87: COMMUNITY COLLEGES PROGRAM AUDIT.**

*House: Passed 1st Reading*

*House: Ref To Com On Education - Community Colleges*

**H 89: OMNIBUS ECONOMIC DEVELOPMENT IMPROVEMENTS.**

*House: Passed 1st Reading*

*House: Ref to the Com on Commerce and Job Development, if favorable, Finance, if favorable, Appropriations*

**H 91: HANDICAPPED PARKING LAW REVISIONS.**

*House: Filed*

**H 92: NONPARTISAN REDISTRICTING COMMISSION.**

*House: Filed*

**H 93: ELIMINATE TOLLING ON FERRIES.**

*House: Filed*

**S 71: STAGGER RRC MEMBER TERMS.**

*Senate: Withdrawn From Com*

*Senate: Re-ref Com On Judiciary II*

**S 75: LABOR/UP AMUSEMENT DEVICE PENALTIES.**

*Senate: Withdrawn From Com*

*Senate: Re-ref to Judiciary II. If fav, re-ref to Agriculture/Environment/Natural Resources*

**S 78: OFF-DUTY CORRECTIONAL OFFICERS/CONCEAL CARRY.**

*Senate: Withdrawn From Com*

*Senate: Re-ref Com On Judiciary I*

**S 81: NC TOXIC-FREE KIDS ACT.**

*Senate: Passed 1st Reading*

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

**S 82: VITAL RECORDS INTEGRITY ACT.**

*Senate: Passed 1st Reading*

*Senate: Ref To Com On Judiciary II*

**S 83: CRIMINAL LAW/FILING FALSE DOCUMENT.**

*Senate: Passed 1st Reading*

*Senate: Ref To Com On Judiciary II*

**S 84: DROPOUT PREV. & RECOVERY PILOT EXPANSION.**

*Senate: Passed 1st Reading*

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

**S 86: CHANGE EEP NAME TO DIV OF MITIGATION SERVICES.**

*Senate: Passed 1st Reading*

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

**S 87: FUNDS/HEALTH INFORMATION EXCHANGE.**

*Senate: Passed 1st Reading*

*Senate: Ref To Com On Appropriations/Base Budget*

**S 88: POLE ATTACHMENT COMPENSATION.**

*Senate: Filed*

**LOCAL BILLS**

**H 84: SCHOOL CALENDAR FLEXIBILITY/KANNAPOLIS.**

*House: Passed 1st Reading*

*House: Ref To Com On Education - K-12*

**H 85: SCHOOL CALENDAR FLEXIBILITY/CABARRUS.**

*House: Passed 1st Reading*

*House: Ref To Com On Education - K-12*

**H 88: SCHOOL CALENDAR FLEXIBILITY/GUILFORD.**

*House: Passed 1st Reading*

*House: Ref To Com On Education - K-12*

**H 90: SCHOOL CALENDAR FLEX./ROWAN COUNTY.**

*House: Filed*

**S 76: WILKES FOX TRAPPING.**

*Senate: Withdrawn From Com*

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

**S 77: INCREASE WILKESBORO FIREMEN'S PENSION.**

*Senate: Withdrawn From Com*

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

**S 80: 50TH SENATORIAL DISTRICT LOCAL ACT-1.**

*Senate: Passed 1st Reading*

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

**S 85: 17TH SENATORIAL DISTRICT LOCAL ACT-1.**

*Senate: Passed 1st Reading*

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

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