

The Daily Bulletin: 2016-06-13

PUBLIC/HOUSE BILLS

H 242 (2015-2016) [VARIOUS CHARTER SCHOOL LAW CHANGES \(New\)](#) Filed Mar 16 2015, *AN ACT TO MAKE VARIOUS CHANGES TO THE CHARTER SCHOOL LAWS.*

Senate amendment makes the following change to the 4th edition.

Provides that Section 2 of the act, which amends Section 6.5 of SL 2014-101, concerning the fast-track replication process, applies beginning with the applications submitted for fast-track replication of schools opening in the 2018-19 school year, instead of the 2017-18 school year.

Intro. by Faircloth, Stam.

[GS 115C](#)

[View summary](#)

[Education, Elementary and Secondary Education](#)

H 870 (2015-2016) [CERT. OF TITLE/MANUF. HOME CHANGES](#). Filed Apr 14 2015, *AN ACT TO CLARIFY THE RENEWAL, RELEASE, AND CANCELLATION PROCESS FOR SECURITY INTERESTS ON A CERTIFICATE OF TITLE FOR A MANUFACTURED HOME AND TO CLARIFY THE CALCULATION OF THE COST OF THE UNDERTAKING FOR THE INSTALLATION OF A MANUFACTURED HOME.*

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

Changes the long title.

Amends GS 20-58(c), concerning perfection by indication of security interest on a certificate of title, by removing the specified date after which an application for the notation of a security interest on a certificate of title for a manufactured home must state the maturity date of the secured obligation.

Amends GS 20-58.3A, concerning the automatic expiration of a security interest in a manufactured home, by changing the definition of the term *borrower* in subsection (a) to mean the homeowner or the debtor on the obligation (previously, the borrower of the obligation) secured by the security interest noted on the certificate of title for a manufactured home. Adds an exception to subsection (b), which establishes a 30 year automatic expiration of a security interest in a manufactured home that is perfected by a notation on the certificate of title, to allow a different maturity date to control if one is stated on the title. Amends subsection (c) to account for the extension of the original maturity date of the security interest in the provisions setting out automatic expiration of a security interest. Makes clarifying changes to subsections (b) and (c).

Amends subsection (d) to provide that, prior to the date of the perfection of a secured party's security interest in a manufactured home automatically expires pursuant to subsection (b) or (c) (previously, only pursuant to subsection (c)) of the statute, the secured party may deliver an application for renewal of perfection to the Division.

Amends the requirements of the Division of Motor Vehicles (Division) in subsection (e), upon receipt of the application for renewal of the perfection of the secured party's security interest, as follows.

Requires the Division to issue a new certificate of title bearing the original or extended maturity date of the security interest (previously, required the new title to also bear the date of the original security interest, a notation of the renewed perfection, the maturity date of the security interest, and the date of renewal), if the existing certificate of title is included with the application for renewal.

Allows the Division to request the certificate of title from the party in possession for the purpose of notating the original or

extended maturity date of the security interest (previously, required the Division to obtain title from the party to notate the date of the original security interest, the renewal of the perfection, and the date of renewal) if the existing certificate of title is in the possession of a prior secured party.

Requires the Division to cancel the existing certificate of title and issue a new certificate of title if the existing certificate is not obtained upon request (previously, if title cannot be obtained). Requires the new certificate of title to list all known security interests and bear notation that shows the original or extended maturity date of the security interest (previously, also required notation to show the date of the original security interest, the renewal of the perfection, and the date of renewal).

Amends subsection (f) to require each renewed security interest to retain its original date of perfection, and the perfection is to thereafter expire on the earlier of: (1) 10 years after the date of renewal of the perfection of the security interest, (2) 90 days after the original maturity date of the security interest if the original maturity date has not been extended, or (3) 90 days after any extended maturity date state on the application of renewal (previously, either 10 years after the date of renewal of perfection or the original or extended maturity date).

Enacts new subsection (g) to establish that the Division is not subject to a claim under Article 31 of GS Chapter 143 (Tort Claims against State Departments and Agencies) related to the renewal of the perfection of a security interest on a certificate of title for a manufactured home pursuant to the statute if the claim is based on a reliance by the Division on any application for renewal submitted to the Division by a third party pursuant to the statute.

Amends GS 20-58.4, concerning the release of a security interest in a vehicle, to make technical changes by reformatting the revisions provided in the previous edition to subsection (e), but retains the language of the previous edition. Also moves part of the revisions of the previous edition to subsection (e) to new subsection (e1). Makes clarifying changes. Deletes the previous language of new subsection (f) and replaces it with language identical to new GS 20-58.3A(g), as described above, concerning claims under Article 31 of GS Chapter 143.

Amends GS 20-85(a), which sets out a fee schedule for certificate of title, registration card, and registration plate concerns for a motor vehicle, by making the \$15 fee in subdivision (8) applicable to each application for renewing a security interest on a certificate of title or removing a lien or security interest from a certificate of title (currently, fee is applicable to each application for removing a lien from a certificate of title).

Amends GS 20-109.2(d), concerning the application for title after cancellation of title under the statute, to add that the owner must also submit to the Division verification of the identity of the current owner of the real property upon which the manufactured home was located, in addition to the existing requirements. Requires the Division, upon receipt of the required information, together with a title application and required fee, to issue a new title for the manufactured home in the name of the current owner of the real property upon which the manufactured home was located (previously, authorizes the Division to issue a new title for the manufactured home). Effective August 1, 2016, and applies to titles issued on or after that date.

Deletes the provisions of Section 8 of the previous edition, which allowed the Legislative Research Commission to study the law and process related to manufactured housing title and security interests.

Effective July 1, 2017, unless otherwise provided (previously, January 1, 2016).

Intro. by Jordan.

[GS 20, GS 44A, GS 153A, GS 160A](#)

[View summary](#)

[Banking and Finance, Courts/Judiciary, Motor Vehicle, Development, Land Use and Housing, Property and Housing, Government, General Assembly, Local Government](#)

H 992 (2015-2016) [AMEND INDUSTRIAL HEMP PROGRAM](#). Filed Apr 27 2016, *AN ACT TO MODIFY THE INDUSTRIAL HEMP RESEARCH PROGRAM BY CLARIFYING THE DEFINITION OF RESEARCH PURPOSES AND THE RESPONSIBILITIES OF LICENSEES, CREATING CIVIL AND CRIMINAL PENALTIES FOR VIOLATIONS OF THE INDUSTRIAL HEMP PROGRAM, AND GRANTING RULE-MAKING AUTHORITY TO THE INDUSTRIAL HEMP COMMISSION*

House amendments make the following changes to the 2nd edition.

House amendment #1 amends GS 106-568.53(2), concerning the powers and duties of the North Carolina Industrial Hemp Commission, to establish limits on licenses issued and plot size, providing that in the 2017 growing season no license can be issued for demonstration plots greater than a combined 50 acres, with all licensed demonstration plots not to exceed 2,500 acres in size. Establishes for the 2018 growing season that licenses will only be issued for demonstration plots that are a combined 100 acres or less, with total allowable licensed demonstration plots not to exceed 5,000 acres in size.

Provides that the number of acres a person is allowed to have licensed to cultivate also includes any acres held by a corporation which the person has a controlling interest in. Also provides that there are no exemptions or exceptions to the applicable license acreage limit established by these provisions.

House amendment #2 amends proposed GS 106-568.57 by increasing the criminal penalties associated with violations. Increases the punishment for any person that manufactures, distributes, dispenses, delivers, purchases, aids, abets, attempts, or conspires to manufacture, distribute, dispense, deliver, purchase, or possesses with the intent to manufacture, distribute, dispense, deliver, or purchase marijuana on property used for industrial hemp production, or in a manner intended to disguise the marijuana due to its proximity to industrial hemp to a Class I felony (was, Class 2 misdemeanor). Further provides that any person that provides the Commission with false or misleading information in relation to a license application or renewal, inspection, or investigation authorized by the Article or any person that tampers with or adulterates an industrial hemp crop lawfully planted pursuant to the Article will be deemed guilty of a Class 1 misdemeanor (was, Class 2 misdemeanor).

Intro. by Brody, Dixon, Langdon, Steinburg.

[GS 106](#)

[View summary](#)

[Agriculture, Courts/Judiciary, Civil, Civil Law, Criminal Justice, Criminal Law and Procedure](#)

PUBLIC/SENATE BILLS

S 895 (2015-2016) [DISAPPROVE ENVIRON. MANAGEMENT COMM. RULES](#). Filed Jun 13 2016, *AN ACT TO DISAPPROVE RULES ADOPTED BY THE NORTH CAROLINA ENVIRONMENTAL MANAGEMENT COMMISSION.*

Disapproves the following four rules, pursuant to GS 150B-21.6(b1), adopted by the North Carolina Environmental Management Commission on January 14, 2016, and approved by the Rules Review Commission on February 18, 2016: (1) 15 NCAC 02Q .0102 (Activities Exempted From Permit Requirements), (2) 15A NCAC 02Q .0302 (Facilities Not Likely to Contravene Demonstration), (3) 15 NCAC 02Q .0318 (Changes Not Requiring Permit Revisions), and (4) 15 NCAC 02Q .0903 (Emergency Generators and Stationary Reciprocating Internal Combustion Engines).

Intro. by Van Duyn.

[UNCODIFIED](#)

[View summary](#)

[Environment, Environment/Natural Resources](#)

S 896 (2015-2016) [CONFIRM BEN SHELTON/AGRICULTURE BOARD](#). Filed Jun 13 2016, *A SENATE RESOLUTION CONFIRMING THE APPOINTMENT OF BEN SHELTON TO THE BOARD OF AGRICULTURE.*

At title indicates.

Provides that the Senate confirms the appointment of Ben Shelton, as the dairy and cattle representative, to the Board of Agriculture, with a term to expire May 1, 2021.

Intro. by B. Jackson.

[SENATE RES](#)

[View summary](#)

[Agriculture](#)

ACTIONS ON BILLS

PUBLIC BILLS

H 19: MODIFY DEFINITION OF FIREFIGHTER. (NEW)

Senate: Withdrawn From Cal

Senate: Re-ref Com On Insurance

H 169: REGULATORY REDUCTION ACT OF 2016 (NEW)

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

H 242: VARIOUS CHARTER SCHOOL LAW CHANGES (New)

Senate: Amend Adopted A1

Senate: Passed 2nd Reading

H 283: PREVENT SQUATTING IN FORECLOSED REAL PROPERTY (NEW).

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

H 299: OCC.LIC./PRIVATE PROTECTIVE SVCS. ACT CHANGES-AB

House: Placed On Cal For 06/14/2016

H 567: NC AIRCRAFT REPAIR ACT.

Senate: Withdrawn From Com

Senate: Re-ref Com On State and Local Government

H 591: STUDY ROANOKE ISLAND FESTIVAL PARK GOVERNANCE (NEW).

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

H 657: MATH STANDARD COURSE OF STUDY REVISIONS (New)

Senate: Withdrawn From Cal

Senate: Placed On Cal For 06/15/2016

H 817: ENACT UNIFORM LAW ON ADULT GUARDIANSHIP.

House: Cal Pursuant 36(b)

House: Placed On Cal For 06/14/2016

H 870: CERT. OF TITLE/MANUF. HOME CHANGES.

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

H 884: REINSTATE SETOFF DEBT COLLECTION/UNC HEALTH.

Senate: Withdrawn From Com

Senate: Re-ref Com On State and Local Government

H 962: DISTINGUISHED FLYING CROSS PLATE/NO FEE.

House: Passed 2nd Reading

House: Passed 3rd Reading

H 977: CONFIRM GREGORY MCGUIRE/SPECIAL SC JUDGE.

Senate: Withdrawn From Com

Senate: Re-ref Com On Select Committee on Nominations

H 978: BILL DAUGHTRIDGE/INDUSTRIAL COMMISSION.

Senate: Withdrawn From Com

Senate: Re-ref Com On Select Committee on Nominations

H 979: CONFIRM CHARLES VISER/SPECIAL SC JUDGE.

Senate: Withdrawn From Com

Senate: Re-ref Com On Select Committee on Nominations

H 980: LINDA CHEATHAM/INDUSTRIAL COMMISSION.

Senate: Withdrawn From Com

Senate: Re-ref Com On Select Committee on Nominations

H 981: CONFIRM MIKE ROBINSON/SPECIAL SC JUDGE.

Senate: Withdrawn From Com

Senate: Re-ref Com On Select Committee on Nominations

H 992: AMEND INDUSTRIAL HEMP PROGRAM.

House: Amend Adopted A1

House: Amend Adopted A2

House: Passed 2nd Reading

House: Ordered Engrossed

H 1035: LGC/TRAINING FOR LOCAL GOV'T FINANCE OFFICERS.

House: Passed 2nd Reading

House: Passed 3rd Reading

H 1047: WELFARE REFORM/FOOD AND NUTRITION BENEFITS.

House: Placed On Cal For 06/14/2016

H 1055: STATE ETHICS COMM. REVISIONS.

Senate: Regular Message Received From House

Senate: Passed 1st Reading

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

H 1148: GUN RIGHTS AMENDMENT.

House: Passed 1st Reading

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

S 29: COUNTY EUGENICS COMPENSATION AUTHORITY. (NEW)

House: Passed 2nd Reading

House: Passed 3rd Reading

S 160: OFFICIAL STATE VETERANS DAY PARADE. (NEW)

Senate: Withdrawn From Cal

Senate: Placed On Cal For 06/14/2016

S 382: RFI/PRIVATIZATION OF FERRY SYSTEM.

House: Serial Referral To Regulatory Reform Stricken

House: Withdrawn From Com

House: Re-ref Com On Rules, Calendar, and Operations of the House

S 734: STATEWIDE STANDING ORDER/OPIOID ANTAGONIST.

House: Passed 2nd Reading

House: Passed 3rd Reading

S 791: LPA COMM. CONTRACTOR RATE REVISION & STUDY.

Senate: Withdrawn From Com

Senate: Re-ref Com On Finance

S 895: DISAPPROVE ENVIRON. MANAGEMENT COMM. RULES.

Senate: Filed

S 896: CONFIRM BEN SHELTON/AGRICULTURE BOARD.

Senate: Filed

Senate: Passed 1st Reading

Senate: Ref To Com On Select Committee on Nominations

LOCAL BILLS

H 1017: NORWOOD DEANNEXATIONS/ANNEXATION.

Senate: Regular Message Received From House

Senate: Passed 1st Reading

Senate: Ref To Com On State and Local Government

H 1022: MAXTON DEANNEX/SILER CITY SATELLITE ANNEX. (NEW)

House: Passed 2nd Reading

H 1039: INCREASE SAMPSON COUNTY OCCUPANCY TAX.

Senate: Regular Message Received From House

Senate: Passed 1st Reading

Senate: Ref To Com On Finance

H 1045: NEW BERN CHARTER/REVISED & CONSOLIDATED.

House: Passed 2nd Reading

H 1056: YADKIN OCCUPANCY TAX MODIFICATION.

Senate: Regular Message Received From House

Senate: Passed 1st Reading

Senate: Ref To Com On Finance

H 1132: GLEN ALPINE DEANNEXATION.

House: Passed 2nd Reading

S 878: JONESVILLE/BOONVILLE/EAST BEND/EVEN-YR ELEC'N.

Senate: Regular Message Sent To House

House: Regular Message Received From Senate

S 880: ABOLISH CASWELL COUNTY CORONER.

House: Passed 1st Reading

House: Ref To Com On Local Government

S 883: CHADBURN CHARTER/TOWN APPOINTMENT. (NEW)

Senate: Regular Message Sent To House

House: Regular Message Received From Senate

