



The Daily Bulletin: 2017-02-07

PUBLIC/HOUSE BILLS

H 39 (2017-2018) [AMEND APPOINTMENTS/UNC BD OF GOVERNORS](#). Filed Feb 2 2017, *AN ACT TO REDUCE THE NUMBER OF MEMBERS OF THE BOARD OF GOVERNORS ELECTED EACH REGULAR SESSION BY THE GENERAL ASSEMBLY FROM SIXTEEN TO TWELVE AND TO MAKE CONFORMING CHANGES*.

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

Adds a new section extending the time in which the House of Representatives and the Senate of the 2017 Regular Session of the General Assembly are required to hold their elections for the Board of Governors from within 30 legislative days to within 45 legislative days after appointments to their education committees are complete. Removes language in proposed Section 4 which provided that the proposed changes to GS 116-6(a) in Section 1 of the act apply beginning with the election of members of the Board of Governors during the 2018 Regular Session, clarifying that those changes are effective when the act becomes law.

Intro. by Lewis, Fraley, Jordan.

[GS 116](#)

[View summary](#)

[Education, Higher Education, Government, General Assembly, State Agencies, UNC System](#)

H 44 (2017-2018) [APPLICATION FOR A CONVENTION OF THE STATES](#). Filed Feb 7 2017, *A JOINT RESOLUTION APPLYING TO CONGRESS FOR AN ARTICLE V CONVENTION OF THE STATES WITH THE PURPOSE OF PROPOSING AMENDMENTS TO THE UNITED STATES CONSTITUTION*.

Includes several whereas clauses.

Effective upon ratification, formally applies to Congress for the calling of a Convention of the States (Convention) under the provisions of Article V of the Constitution of the United States (Constitution). Limits the scope of the Convention to proposing amendments to the Constitution that (1) impose fiscal restraints on the federal government, (2) limit the power and jurisdiction of the federal government, and (3) limit the terms of office for its officials and for members of Congress. Sets forth that this application is a continuing application in accordance with Article V of the Constitution until the legislatures of at least two-thirds of the States have made applications on the same subject. Sets this application to expire December 31, 2026.

Directs the Secretary of State to transmit copies of this application to the President of the United States, Secretary of the United States Senate, the Speaker and Clerk of the United States House of Representatives, the members of North Carolina's congressional delegation, and the presiding officers of all state legislatures in the several States requesting their cooperation.

Intro. by Bert Jones, Millis, Riddell, Setzer.

[JOINT RES](#)

[View summary](#)

[Constitution](#)

H 46 (2017-2018) [ALLISON'S LAW/GPS TRACKING PILOT PROG/DV](#). Filed Feb 7 2017, *AN ACT TO ESTABLISH A PILOT PROGRAM ON ALLOWING THE USE OF A GPS TRACKING DEVICE ON A PERSON WHO HAS COMMITTED ACTS OF DOMESTIC VIOLENCE*.

Requires the Department of Public Safety (DPS), in consultation with specified entities, to conduct a pilot program in Forsyth County for the use of global positioning system tracking devices on domestic violence offenders. Makes the offender subject to

the monitoring responsible for the costs associated with the device. Specifies issues that must be considered in implementing the program. Requires DPS to report to the Joint Legislative Oversight Committee on Justice and Public Safety on the effectiveness of the program by April 1, 2020. Effective January 1, 2018.

Intro. by Lambeth, Conrad, Hanes, Terry.

STUDY

[View summary](#)

Courts/Judiciary, Civil, Family Law, Criminal Justice, Corrections (Sentencing/Probation), Criminal Law and Procedure, Government, State Agencies, Department of Public Safety

H 48 (2017-2018) **LEGISLATOR-LOBBYIST REFORM ACT**. Filed Feb 7 2017, *AN ACT TO STRENGTHEN PUBLIC CONFIDENCE IN GOVERNMENT BY EXTENDING THE REVOLVING DOOR PERIOD.*

Amends GS 120C-304 by prohibiting a legislator or former legislator from registering as a lobbyist while in office, and before the later of the close of session in which the legislator served or for one year (was, six months) after leaving office. Prohibits Constitutional officers of the State and individuals elected or appointed as constitutional officers of the State prior to taking office from registering as a lobbyist while in office or within for a period of one year (was, six months) after leaving office. Also prohibits heads of all principal State departments, who are appointed by the Governor from registering as a lobbyist while in office or within for a period of one year (was, six months) after separation from employment. Further prohibits other employees of any State agency from registering as a lobbyist to lobby the agency that previously employed the employee for a period of one year (was, six months) after voluntary separation or separation for cause from that State agency. Makes conforming changes. Effective October 1, 2017.

Intro. by Stone, Faircloth, Howard, Setzer.

GS 120C

[View summary](#)

Government, Ethics and Lobbying, General Assembly, State Agencies, State Government, State Personnel

H 49 (2017-2018) **GLOW CHARTER SCHOOL IN STATE HEALTH PLAN**. Filed Feb 7 2017, *AN ACT TO AUTHORIZE GIRLS LEADERSHIP ACADEMY OF WILMINGTON TO ELECT TO PARTICIPATE IN THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES.*

Authorizes the Board of Directors of Girls Leadership Academy of Wilmington, a charter school, to elect to become a participating employing unit in the State Health Plan for Teachers and State Employees in accordance with Article 3B of GS Chapter 135, notwithstanding the time limitation contained in GS 135-48.54. Requires the election authorized by this act to be made no later than 30 days after this act becomes law, and must be made in accordance with all other requirements of GS 135-48.54.

Intro. by Iler, Grange, Butler.

New Hanover

[View summary](#)

Education, Elementary and Secondary Education, Health and Human Services, Health, Health Insurance

H 52 (2017-2018) **RESCIND CALLS FOR CONSTITUTIONAL CONVENTION**. Filed Feb 7 2017, *A JOINT RESOLUTION (1) RESCINDING ALL EXTANT APPLICATIONS BY THE GENERAL ASSEMBLY HERETOFORE MADE DURING ANY SESSION THEREOF TO THE CONGRESS OF THE UNITED STATES OF AMERICA TO CALL A CONVENTION PURSUANT TO THE TERMS OF ARTICLE V OF THE UNITED STATES CONSTITUTION FOR PROPOSING ONE OR MORE AMENDMENTS TO THAT*

CONSTITUTION, (2) URGING THE LEGISLATURES OF OTHER STATES TO DO THE SAME, AND (3) DIRECTING THAT COPIES OF THIS RESOLUTION BE SENT TO SPECIFIED PERSONS.

As the title indicates, revokes all existing applications made by the North Carolina General Assembly to the United States Congress, which call for a convention to propose amendments to the US Constitution. Additionally, the Generally Assembly urges all other state legislatures that have applied to Congress to call a constitutional convention to also repeal and withdraw their respective applications. Directs the North Carolina Secretary of State to send certified copies of this joint resolution to the secretary of each state, to the presiding officers of both houses of the legislatures of each state, to the Secretary of the United States Senate, to the Clerk of the United States House of representatives, to the members of Congress of the United States representing North Carolina, and to the Administrator of the US General Services Administration, Washington, D.C.

Presents a series of "whereas" clauses setting forth the reasons offered to support the need for this proposed joint resolution.

Provides that this resolution is effective upon ratification.

Intro. by Elmore, Jordan, Jackson.

JOINT RES

[View summary](#)

Constitution, Government, General Assembly

H 53 (2017-2018) **SCHOOL CALENDAR MODIFICATION**. Filed Feb 7 2017, *AN ACT TO PROVIDE ADDITIONAL FLEXIBILITY TO PUBLIC SCHOOLS IN ADOPTING THEIR SCHOOL CALENDARS.*

Amends GS 115C-84.2 to require the school calendar adopted by each local board of education to include a minimum of 1,025 hours of instruction (was, 185 days of instruction or 1,025 hours) covering at least nine calendar months. Makes conforming changes to GS 115C-218.85(a)(1), GS 115C-238.53(d), GS 115C-238.66(1)d, and GS 116-239.8(2)c to reflect the change from minimum days or hours to minimum hours of instruction.

Allows local boards to approve school improvement plans that include days with varying amounts of instructional time, which can mean varying number of instructional hours in instructional days occurring in different semesters of the school year, and varying the number of days per instructional semester if hours of instruction remain equivalent between semesters. Provides that, if a local board adopts a school calendar of less than 185 days of instruction, teachers employed for a 10-month term who work or use annual leave or sick leave for the designated instructional days are deemed to have been employed the equivalent of 185 days of instruction, and must be compensated as if they had worked those days. Further provides that annual leave, sick leave, workdays, holidays, salary, and longevity for teachers who are employed at schools with instructional calendars of less than 185 days are to be equivalent to those of other teachers employed for the same number of months, respectively.

Changes the earliest date a local board may set for the opening date of its public schools to no earlier than August 10 (was, no earlier than the Monday closest to August 26). Makes conforming changes to delete provisions allowing the State Board of Education to allow a local board to set an earlier opening date on a showing of good cause. Makes further conforming changes to GS 115C-84.2(d).

Amends GS 115C-174.12(a)(4), which requires all annual assessments of student achievement and all final exams for courses to be administered within the final 5 or 10 instructional days of the school year for semester or year-long courses, respectively, to allow a local board of education that has implemented a school calendar that concludes the fall semester prior to December 31 to administer assessments prior to the conclusion of that semester.

Directs the Joint Legislative Education Oversight Committee to study local school administrative units that have successfully used calendar flexibility under GS 115C-84.2 to hold semester exams prior to December 31, and to report its findings to the 2018 Regular Session of the General Assembly.

Applies beginning with the 2017-18 school year.

Intro. by Henson, Setzer, Corbin, Presnell.

GS 115C, GS 116

[View summary](#)

Education, Elementary and Secondary Education, Government, General Assembly

H 54 (2017-2018) [PROTECT THE HARDWORKING TAXPAYERS ACT](#). Filed Feb 7 2017, *AN ACT TO REMOVE THE LIMITATION ON THE INCOME TAX DEDUCTION FOR MORTGAGE EXPENSE AND PROPERTY TAX.*

Current law, GS 105-153.5(a), provides that in calculating North Carolina taxable income, a taxpayer may deduct from adjusted gross income either the standard deduction amount provided in subsection (1) or the itemized deduction amount provided in subsection (2) that the taxpayer claimed under the Internal Revenue Code. This act amends the itemized deduction amount provided in subsection (2) that the taxpayer may claim for mortgage expense and real estate property taxes by eliminating the limitation amount of no more than \$20,000. Makes conforming changes.

Effective for taxable years beginning on or after January 1, 2017.

Intro. by Hastings, Saine, Howard, Setzer.

[GS 105](#)

[View summary](#)

[Development, Land Use and Housing, Property and Housing, Government, State Agencies, Department of Revenue, Tax](#)

H 56 (2017-2018) [AMEND ENVIRONMENTAL LAWS](#). Filed Feb 7 2017, *AN ACT TO AMEND VARIOUS ENVIRONMENTAL LAWS.*

Current law, GS 143-215.31(a1), requires the owner of a dam classified by the Department of Environmental Quality (Department) as a high-hazard dam or an intermediate-hazard dam to develop an Emergency Action Plan for the dam and sets out four specifications an Emergency Action Plan must minimally include. This act amends the fourth specification, which requires an Emergency Action Plan to contain a downstream inundation map depicting areas affected by a dam failure and sudden release of the impoundment. Requires a professional engineer (previously, licensed professional engineer) or person under the reasonable charge of a professional engineer to prepare the downstream inundation map if (1) the dam is associated with a coal combustion residuals surface impoundment as defined by GS 130A-309.201, or (2) the Department determines that it is necessary to protect public health, safety, and welfare, the environment, or natural resources (previously, only required licensed professional engineer if the dam is associated with a coal combustion residuals surface impoundment).

Intro. by McElraft, Yarborough.

[GS 143](#)

[View summary](#)

[Development, Land Use and Housing, Land Use, Planning and Zoning, Environment, Environment/Natural Resources, Government, State Agencies, Department of Environmental Quality \(formerly DENR\)](#)

H 57 (2017-2018) [ENACT PHYSICAL THERAPY LICENSURE COMPACT](#). Filed Feb 7 2017, *AN ACT ESTABLISHING A PHYSICAL THERAPY LICENSURE COMPACT TO FACILITATE THE INTERSTATE PRACTICE OF PHYSICAL THERAPY.*

Recodifies Article 18B (Physical Therapy) of GS Chapter 90, GS 90-270.24 through GS 90-270.44, as Article 18E of GS Chapter 90, GS 90-270.90 through GS 90-270.110.

Enacts new Article 18F of GS Chapter 90, entitled Physical Therapy Licensure Compact (Compact). Establishes that the purpose of this Compact is to facilitate the interstate practice of physical therapy with the goal of improving public access to physical therapy services. Sets out objectives that are to be achieved by the Compact. Sets out definitions for terms used in the new Article.

Establishes seven requirements a state must meet to participate in the Compact. Grants a member state the authority to obtain biometric-based information from each physical therapy licensure applicant and submit the information to the FBI for a criminal background check. Requires a member state to grant the compact privilege to a licensee holding a valid unencumbered license in

another member state in accordance with the terms of the Compact. Authorizes member states to charge a fee for granting a compact license.

Sets out eight qualifications a licensee must meet to exercise the compact privilege under the terms and provisions of the Compact, including licensure in the home state. Sets further parameters for the compact privilege, including the expiration of the compact privilege, conditions for providing physical therapy in a remote state, and conditions for restoring encumbered licenses. Allows a licensee who is active duty military or is the spouse of an individual who is active duty military to designate as the home state (1) home of record, (2) permanent change of station (PCS), or (3) state of current residence if it is different than the PCS state or home of record.

Establishes that a home state has the exclusive power to impose adverse against a license issued by the home state. Allows member states to participate in an alternative program in lieu of adverse action. Allows any member state to investigate actual or alleged violations of the statutes and rules authorizing the practice of physical therapy in any other member state in which a physical therapist assistant holds a license or compact privilege. Grants a remote state limited authority to take adverse actions, issue subpoenas, and recover costs of investigations and disposition of cases, as specified. Provides for joint investigations under the Compact.

Establishes the Physical Therapy Compact Commission (Commission) as a joint public agency of the Compact states. Sets out parameters for the Commission's membership, voting, meetings, and financing. Specifies 18 powers and duties of the Commission, including promulgating rules, prosecuting legal proceedings, and leasing, purchasing, selling, or conveying property. Establishes an Executive Board to act on behalf of the Commission, and sets out its membership, duties and responsibilities. Provides qualified immunity, defense, and indemnification for Commission members, officers, the executive director, employees and representatives of the Commission.

Requires the Commission to develop, maintain, and use a coordinated database and reporting system containing licensure, adverse action, and investigative information on all licensed individuals in member states. Requires member states to submit uniform data sets to the data system of all individuals to whom the Compact applies. Provides for the availability of certain information, as specified.

Grants the Commission rule-making authority, with an avenue for member states to reject a rule by majority. Requires notice of proposed rule making, a comment period, and an opportunity for a public hearing before the adoption of a final rule. Sets out provisions relating to emergency rules and revisions of previously adopted rules.

Requires the state government of member states to enforce the Compact, and all courts to take judicial notice of the Compact. Authorizes the Commission to take action against defaulting member states, including providing written notice of the default, providing remedial training and specific technical assistance, or terminating the member state from the Compact. Establishes a right of appeal for a defaulting state from the action of the Commission. Sets out provisions relating to dispute resolution and enforcement of the Compact.

Provides for the date of implementation of the Commission and associated rules, withdrawal and amendment. Includes a severability clause.

Effective October 1, 2017.

Intro. by Szoka, G. Martin, Grange.

GS 90

[View summary](#)

**Business and Commerce, Occupational Licensing,
Government, State Government, Health and Human Services,
Health, Health Care Facilities and Providers**

PUBLIC/SENATE BILLS

S 34 (2017-2018) [EMINENT DOMAIN CONST. AMENDMENT](#). Filed Feb 7 2017, *AN ACT TO AMEND THE NORTH CAROLINA CONSTITUTION TO PROHIBIT CONDEMNATION OF PRIVATE PROPERTY EXCEPT FOR A PUBLIC USE AND TO PROVIDE FOR THE PAYMENT OF JUST COMPENSATION WITH THE RIGHT OF TRIAL BY JURY IN ALL CONDEMNATION CASES.*

Identical to [H 3](#), filed 1/25/17.

Subject to approval by the voters at the November 6, 2018, statewide election, amends Article I of the North Carolina Constitution by adding a new Sec. 38 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.

Intro. by B. Jackson.

[CONST](#)

[View summary](#)

[Constitution, Courts/Judiciary, Civil, Civil Law, Development, Land Use and Housing, Property and Housing, Government, State Government](#)

S 35 (2017-2018) [EMINENT DOMAIN STATUTORY REVISIONS](#). Filed Feb 7 2017, *AN ACT TO PROVIDE THAT CONDEMNATION OF PRIVATE PROPERTY SHALL ONLY BE FOR A PUBLIC USE AND TO EXPAND THE PURPOSES FOR WHICH CONDEMNORS MAY EXERCISE THEIR CONDEMNATION POWERS.*

Identical to [H 10](#), filed 1/25/17.

Amends GS 40A-3(a), (b), 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 corporations, bodies politic or persons exercising eminent domain for communication facilities (was, specified telegraphs and telephones), facilities related to the distribution of petroleum products, coal, natural gas, and pipelines or mains (no longer required to originate in North Carolina) for the transportation of petroleum products, coal, natural gas (was, gas), limestone or minerals.

Also amends subsection (c) to limit takings by political 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, for the public use, possess the power of eminent domain and may acquire any property for the connection of any customer(s) via purchase, gift, or condemnation.

Effective when the act becomes law, applying to takings occurring on or after that date.

Intro. by B. Jackson.

[GS 40A](#)

[View summary](#)

[Development, Land Use and Housing, Property and Housing, Government, State Government](#)

S 36 (2017-2018) [CONVENTION OF THE STATES](#). Filed Feb 7 2017, *A JOINT RESOLUTION APPLYING TO CONGRESS FOR AN ARTICLE V CONVENTION OF THE STATES WITH THE PURPOSE OF PROPOSING AMENDMENTS TO THE UNITED STATES CONSTITUTION.*

Identical to [H 44](#), filed 2/7/17.

Includes several whereas clauses.

Effective upon ratification, formally applies to Congress for the calling of a Convention of the States (Convention) under the provisions of Article V of the Constitution of the United States (Constitution). Limits the scope of the Convention to proposing amendments to the Constitution that (1) impose fiscal restraints on the federal government, (2) limit the power and jurisdiction of the federal government, and (3) limit the terms of office for its officials and for members of Congress. Sets forth that this

application is a continuing application in accordance with Article V of the Constitution until the legislatures of at least two-thirds of the States have made applications on the same subject. Sets this application to expire December 31, 2026.

Directs the Secretary of State to transmit copies of this application to the President of the United States, Secretary of the United States Senate, the Speaker and Clerk of the United States House of Representatives, the members of North Carolina's congressional delegation, and the presiding officers of all state legislatures in the several States requesting their cooperation.

Intro. by Sanderson, Hise, Tucker.

[JOINT RES](#)

[View summary](#)

[Constitution](#)

S 38 (2017-2018) [ALLOW COUNTY-WIDE CHALLENGES/ABSENTEE BALLOTS](#). Filed Feb 7 2017, *AN ACT TO AMEND THE LAWS PERTAINING TO PROCEDURES FOR CHALLENGING ABSENTEE BALLOTS TO ALLOW A REGISTERED VOTER TO CHALLENGE AN ABSENTEE BALLOT BY COUNTY VERSUS PRECINCT.*

Amends GS 163-89(b) as the title indicates.

Intro. by Cook.

[GS 163](#)

[View summary](#)

[Government, Elections](#)

S 39 (2017-2018) [CHARTER SCHOOLS/CIHSS](#). Filed Feb 7 2017, *AN ACT TO ADD CHARTER SCHOOLS TO THE PUBLIC SCHOOLS ELIGIBLE TO ESTABLISH COOPERATIVE INNOVATIVE HIGH SCHOOLS.*

Enacts GS 115C-218.12, *Operation of a cooperative innovative high school*, to authorize the board of directors of a charter school to establish a cooperative innovative high school under Part 9 of Article 16 of GS Chapter 115C (provisions for the application, approval and operation of cooperative innovative high schools). Establishes that a charter school that is approved as a cooperative innovative high school is subject to the statutes and rules applicable to those schools.

Makes conforming changes to GS 115C-238.50A(3a) to expand the definition of local board of education, as the term is used in Part 9 of Article 16 of GS Chapter 115C, to include a board of directors of a charter school as provided in GS 115C-218.15 (provisions for charter school operation).

Amends GS 115C-238.53(f)(1), which provides that innovative cooperative high schools have the same exemptions from statutes and rules as charter schools operating under Article 14A of GS Chapter 115C, to clarify that a local board of education is not exempt from applicable statutes and rules pertaining to its personnel.

Applies to applications to establish a cooperative innovative high school program submitted on or after the date this act becomes law.

Intro. by Cook, Tillman.

[GS 115C](#)

[View summary](#)

[Education, Elementary and Secondary Education](#)

S 40 (2017-2018) [CONSTITUTIONAL AMEND. CONVENTION/COUNTERMAND](#). Filed Feb 7 2017, *A JOINT RESOLUTION RELATING TO THE DUTIES OF DELEGATES SELECTED BY THE LEGISLATURE TO ATTEND A CONVENTION OF THE STATES CALLED UNDER ARTICLE V OF THE CONSTITUTION OF THE UNITED STATES TO CONSIDER A COUNTERMAND AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES; ESTABLISHING AS A JOINT COMMITTEE OF THE LEGISLATURE THE DELEGATE CREDENTIAL COMMITTEE AND RELATING TO THE DUTIES OF THE COMMITTEE; PROVIDING FOR AN OATH FOR DELEGATES AND ALTERNATES TO A COUNTERMAND AMENDMENT CONVENTION; PROVIDING FOR A CHAIR AND ASSISTANT CHAIR OF THE STATE'S COUNTERMAND AMENDMENT DELEGATION;*

PROVIDING FOR THE DUTIES OF THE CHAIR AND ASSISTANT CHAIR; PROVIDING INSTRUCTIONS FOR THE SELECTION OF A CONVENTION PRESIDENT; AND PROVIDING SPECIFIC LANGUAGE FOR THE COUNTERMAND AMENDMENT ON WHICH THE STATE'S CONVENTION DELEGATES ARE AUTHORIZED BY THE LEGISLATURE TO VOTE TO APPROVE.

Includes whereas clauses. Authorizes delegates to be summoned and appointed to participate at the convened convention according to the terms and conditions set out in this resolution. Instructs and authorizes the state's delegates to the convention to vote to send the countermand amendment, as specified in the act, back to the states for ratification by way of the United States Congress. Prohibits delegates from voting in favor of any alternate amendment or modified version of the countermand amendment that might be introduced at the convention and instructs them to do all in their power at the convention to secure a vote that approves sending the countermand amendment back to the states for ratification. Specifies that only the countermand amendment is to be considered by the legislature for ratification. Provides that upon the enactment of this resolution and after a total of 34 states place a call under Article V of the Constitution of the United States for a countermand convention, the Speaker of the House of Representatives and the President of the Senate must appoint members to a legislative Delegate Credential Committee (Committee). Specifies the Committee's 13 duties. Charges the chair of the state delegation with joining with other state delegations to open the convention for business, identifying other state legislatures that have approved a delegate resolution for their delegates, and working with those delegations to find agreement to each of the eight specified items. Specifies delegate duties.

Intro. by Hise, Krawiec, Rabin.

[JOINT RES](#)

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[Constitution, Government, General Assembly](#)

S 41 (2017-2018) [AMENDMENT CONVENTION PROCEDURES](#). Filed Feb 7 2017, *A JOINT RESOLUTION TO APPLY TO CONGRESS FOR THE CALLING OF A CONVENTION PURSUANT TO ARTICLE V OF THE CONSTITUTION OF THE UNITED STATES.*

Applies to Congress for the calling of a convention of the states to decide whether the proposed countermand amendment should be sent back to the state legislatures for ratification. Specifies that this application is a continuing application until the legislatures of at least two-thirds of the states have made identical or substantially similar applications. Directs congress to call the convention within 60 days of receiving the 34th call for the convention. Requires the Secretary of State to transmit copies of this act to specified entities.

Intro. by Hise, Krawiec, Rabin.

[JOINT RES](#)

[View summary](#)

[Constitution](#)

S 42 (2017-2018) [REDUCE COST & REG. BURDEN/HOSP. CONSTRUCTION](#). Filed Feb 7 2017, *AN ACT DIRECTING THE MEDICAL CARE COMMISSION TO ADOPT THE RECOMMENDATIONS OF THE AMERICAN SOCIETY OF HEALTHCARE ENGINEERING'S FACILITY GUIDELINES INSTITUTE.*

Directs the Secretary of Health and Human Services and the Medical Care Commission to repeal the Hospital Facilities Rules within 120 days after this act becomes law. Defines Medical Care Commission (Commission) as the Medical Care Commission created by Part 10 of Article 3 of GS Chapter 143B. Defines Hospital Facilities Rules as 29 specified administrative rules related to physical plants and construction requirements. Requires the Commission to adopt temporary rules to replace the Hospital Facilities Rules and incorporate by reference all applicable rules, standards, and requirements of the most current edition of the Guidelines prior to the effective date of the repeal of the rules pursuant to this act's directive. Defines Guidelines to mean the American Society for Healthcare Engineering's Facility Guidelines Institute "Guidelines for Design and Construction of Hospitals and Outpatient Facilities." Provides that, if temporary rules are not adopted before the effective date of the repeal, the Commission must use the 2014 Edition of the Guidelines until temporary rules are adopted. Directs the Commission to adopt permanent rules pursuant to the act.

Directs the Commission to adopt rules to replace the Hospital Facilities Rules conforming to the provisions of this act. Provides that rules adopted pursuant to this act are not subject to Part 3 of Article 2A of GS Chapter 150B, become effective as provided in GS 150B-21.3(b1) as though 10 or more written objections have been received as provided in GS 150B-21.3(b2). Further, exempts rules adopted pursuant to this act from the provisions of GS Chapter 150B that require the preparation of fiscal notes for any rule proposed to incorporate the Guidelines by reference. Exempts the Hospital Facilities Rules from the periodic review process required by GS 150B-21.3A until they are repealed pursuant to this act.

Intro. by Hise, Krawiec, Pate.

UNCODIFIED

[View summary](#)

Government, State Agencies, Department of Health and Human Services, Health and Human Services, Health, Health Care Facilities and Providers

S 43 (2017-2018) **SOG PILOT PROJECT STANDARDS/PED**. Filed Feb 7 2017, *AN ACT TO REQUIRE THE SCHOOL OF GOVERNMENT AT THE UNIVERSITY OF NORTH CAROLINA TO DEVELOP STANDARDS FOR STATE AGENCIES TO USE WHEN DESIGNING AND IMPLEMENTING PILOT PROJECTS MANDATED BY THE GENERAL ASSEMBLY, TO REQUIRE THE OFFICE OF STATE BUDGET AND MANAGEMENT TO ADOPT RULES IMPLEMENTING THOSE STANDARDS, AND TO REQUIRE ALL PILOT PROJECTS MANDATED BY THE GENERAL ASSEMBLY TO USE THOSE STANDARDS, AS RECOMMENDED BY THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE.*

Requires the UNC School of Government (SOG) to research existing evaluation standards and identify approaches for designing projects that collect appropriate and adequate data for sound evaluation of pilot projects. Requires the SOG to make a preliminary report on the research findings to the Joint Legislative Program Evaluation Oversight Committee, the Director of the Program Evaluation Division, and the Office of State Budget and Management by December 1, 2017. Requires SOG to coordinate a working group to develop standards for state agencies to use in designing and implementing pilot projects required by the General Assembly. Requires the working group to include representatives from state agencies and the UNC constituent institutions. Requires a report on the proposed standards to the Joint Legislative Program Evaluation Oversight Committee, the Director of the Program Evaluation Division, and the Office of State Budget and Management by December 1, 2018.

Enacts new GS 143-162.3, directing the Office of State Budget and Management to adopt rules to implement the standards proposed by the SOG and to report to the Joint Legislative Program Evaluation Oversight Committee after adoption of the rules. Provides that, at a minimum, proposed standards must offer a range of options for designing evaluations of pilot projects, taking into account an agency's available resources and time.

Provides that beginning June 1, 2019, unless specifically exempted by law, all departments, agencies, bureaus, divisions, and institutions of the state must conduct and complete pilot projects requested by the General Assembly in accordance with the rules adopted by the Office of State Budget and Management. Allows the SOG to prepare proposed updates to the standards as necessary. Requires proposed updates to be submitted to the Office of State Budget and Management for review and adoption, and requires the Office to report rule changes to the Joint Legislative Program Evaluation Oversight Committee. Requires the SOG to publish proposed updates on its website at least 90 days before submitting the proposed standards.

Intro. by Hise, McInnis, Waddell.

GS 143

[View summary](#)

Government, State Agencies, UNC System

S 44 (2017-2018) **BOR/INDEPENDENT STAFF/DATA TRACKING**. Filed Feb 7 2017, *AN ACT TO ENHANCE THE INDEPENDENCE AND EFFICIENCY OF THE BOARD OF REVIEW, AS RECOMMENDED BY THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE.*

Identical to [H 22](#) filed on 1/25/17.

Amends GS 96-15.3 to specify that the purpose of the Board of Review (BOR) also includes developing, documenting, and adopting the policies, procedures, and standards necessary to ensure consistency and continuity of higher-level appeals operations. Requires that the BOR be supported by adequate legal and support staff and requires staff to report to the Chair of the BOR. BOR staff is required to perform its duties and responsibilities independent of the Governor, General Assembly, Department of Commerce (Department), and the Division of Employment Security (DES) and in accordance with any written guidance from the US Department of Labor. Requires DES to assist BOR in collecting and tracking data needed to support appeals operations and to make improvements to those operations. Specifies minimum data that is to be tracked.

Effective July 1, 2017, requires DES to transfer at least two attorney and four administrative staff positions within DES to the control of BOR. Requires DES to transfer \$415,000 for the 2017-18 fiscal year from the funds appropriated to DES for the administration of the Unemployment Insurance program to pay the BOR staff costs. Requires the Department to report on the transfer by October 1, 2017, to the chairs of the Joint Legislative Oversight Committee on Unemployment Insurance and the chairs of the Joint Natural and Economic Resources Committee of the Senate and House Appropriations Committees.

Requires the BOR, by October 1, 2017, to adopt policies, procedures, and standards for higher level appeals in accordance with GS 96-15.3.

Requires the BOR, by November 1, 2017, to track data in accordance with GS 96-15.3.

Intro. by Hise, Edwards, D. Davis.

GS 96

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**Employment and Retirement, Government, State Agencies,
Department of Commerce**

S 48 (2017-2018) **CLINICAL EDUCATORS FOR STUDENT TEACHING**. Filed Feb 7 2017, *AN ACT TO BROADEN THE POTENTIAL PLACEMENT OF STUDENT TEACHERS WITH CLINICAL EDUCATORS TO INCLUDE DEPARTMENT OF DEFENSE SCHOOLS*.

Amends GS 115C-296.11 to require educator preparation programs to establish and maintain partnerships with elementary and secondary partner schools (was, elementary and secondary schools). Adds and defines the term partner school as a public school governed by a local board of education or a Department of Defense Elementary and Secondary School located in the state and established under 10 USC § 2164. Requires educator preparation programs to work with the elementary or secondary partner schools and enter into a memorandum of understanding with the local school administrative unit or the partner school where students are placed. Makes conforming changes to the requirements for the memorandum of understanding. Amends the requirements that must be met by clinical educators supervising students in residencies or internships, to allow them to have been rated at least at the accomplished level as part of the North Carolina Teacher Evaluation System System, or the equivalent on an evaluation system used by another state or a partner school, as applicable, and requires the individual to have met expectations as part of a student growth assessment system used by a school in the field of licensure sought by the student.

Applies beginning with the 2017 fall academic semester.

Intro. by Meredith.

GS 115C

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**Education, Elementary and Secondary Education, Military
and Veteran's Affairs**

LOCAL/HOUSE BILLS

H 45 (2017-2018) **ROANOKE ISLAND FIRE DISTRICT CHANGES**. Filed Feb 7 2017, *AN ACT TO CLARIFY THE AUTHORITY OF THE ROANOKE ISLAND VOLUNTEER FIRE DEPARTMENT*.

Currently, SL 1937-246 authorizes the Board of Commissioners of Dare County to levy taxes to be paid over to the governing authorities of the Town of Manteo for the purpose of providing and maintaining fire equipment and providing fire protection within that fire district. This act clarifies that the Roanoke Island Volunteer Fire Department or its successor (was, the governing authorities of the Town of Manteo) are authorized and empowered to receive the proceeds of the taxes levied under the Act to provide fire protection to the fire district. Makes conforming changes.

Applies to taxes levied or collected on or after the date this act becomes law.

Intro. by Boswell.

Dare

[View summary](#)

Government, Public Safety

H 47 (2017-2018) [SCHOOL CALENDAR FLEX./CERTAIN SCHOOL SYSTEMS](#). Filed Feb 7 2017, *AN ACT TO PROVIDE ADDITIONAL FLEXIBILITY TO BEAUFORT COUNTY SCHOOLS, CRAVEN COUNTY SCHOOLS, DARE COUNTY SCHOOLS, HYDE COUNTY SCHOOLS, PAMLICO COUNTY SCHOOLS, AND WASHINGTON COUNTY SCHOOLS IN ADOPTING THE SCHOOL CALENDAR.*

Under current law, GS 115C-84.2(d) sets the parameters within which local boards of education must determine the opening and closing dates of public schools under subdivision (a)(1) of this statute. Amends GS 115C-84.2(d) to provide the specified local board of education with additional flexibility in adopting its school calendar. Limits application of this provision to the Beaufort County Schools, Craven County Schools, Dare County Schools, Hyde County Schools, Pamlico County Schools, and Washington County Schools. Applies beginning with the 2017-18 school year.

Intro. by Speciale, Boswell.

Beaufort, Craven, Dare, Hyde, Pamlico, Washington

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Education, Elementary and Secondary Education

H 50 (2017-2018) [SCHOOL CALENDAR FLEX./STANLY COUNTY](#). Filed Feb 7 2017, *AN ACT TO PROVIDE ADDITIONAL FLEXIBILITY TO THE STANLY COUNTY BOARD OF EDUCATION IN ADOPTING THE SCHOOL CALENDAR.*

Under current law, GS 115C-84.2(d) sets the parameters within which local boards of education must determine the opening and closing dates of public schools under subdivision (a)(1) of this statute. Amends GS 115C-84.2(d) to provide the local board of education for the Stanly County schools with additional flexibility in adopting its school calendar. Limits application of this provision to the Stanly County School System.

Applies beginning with the 2017-18 school year.

Intro. by Burr.

Stanly

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Education, Elementary and Secondary Education

H 51 (2017-2018) [SCHOOL CALENDAR FLEX./MONTGOMERY COUNTY](#). Filed Feb 7 2017, *AN ACT TO PROVIDE ADDITIONAL FLEXIBILITY TO THE MONTGOMERY COUNTY BOARD OF EDUCATION IN ADOPTING THE SCHOOL CALENDAR.*

Under current law, GS 115C-84.2(d) sets the parameters within which local boards of education must determine the opening and closing dates of public schools under subdivision (a)(1) of this statute. Amends GS 115C-84.2(d) to provide the local board of education for the Montgomery County schools with additional flexibility in adopting its school calendar. Limits application of this provision to the Montgomery County School System.

Applies beginning with the 2017-18 school year.

Intro. by Burr.[Montgomery](#)[View summary](#)[Education, Elementary and Secondary Education](#)

H 55 (2017-2018) [APEX/CARY/POLICE ASSISTANCE ON SCHOOL GROUNDS](#). Filed Feb 7 2017, *AN ACT AUTHORIZING THE POLICE DEPARTMENT OF THE TOWN OF APEX TO PROVIDE LAW ENFORCEMENT ASSISTANCE TO THE POLICE DEPARTMENT OF THE TOWN OF CARY ON THE GROUNDS OF THE TEMPORARY APEX HIGH SCHOOL IN CARY.*

Applicable only to the Towns of Apex and Cary, enacts GS 160A-288.2A, *Municipalities have concurrent jurisdiction on public school property*. Authorizes the chief of police to provide assistance to another municipal police department located in an adjacent municipality in enforcing the laws of North Carolina on property owned by the county board of education. Requires assistance to be in accordance with the rules, policies, or guidelines officially adopted by the governing body of the municipality providing assistance and subject to any conditions or restriction included therein. Allows the assistance to include allowing officers of the assisting police department to work in the adjacent police department's jurisdiction and lending equipment and supplies.

Confers upon an officer working under this authority the same jurisdiction, powers, rights, privileges, and immunities as the officers of the adjacent police department, in addition to those the officer normally possesses. Specifically confers those rights, privileges, and immunities relating to the defense of civil actions and the payment of judgments. Places an officer on duty with the adjacent police department under the lawful operational commands of the superior officers of the assisting police department. Provides that the officer will remain under the control of the assisting police department for personnel and administrative purposes, including pay, and remains entitled to workers' compensation and the same benefits when acting pursuant to this statute as though the officer was functioning within the normal scope of the officer's duties. Clarifies that nothing in the statute should be interpreted as reducing the jurisdiction or authority of State law enforcement officers.

Expires July 1, 2020.

Intro. by Adcock, Williams, Dollar, Duane Hall.[Wake](#)[View summary](#)[Education, Elementary and Secondary Education, Government, Public Safety, Local Government](#)

LOCAL/SENATE BILLS

S 33 (2017-2018) [50TH SENATORIAL DISTRICT LOCAL ACT-1](#). Filed Feb 7 2017, *AN ACT RELATING TO THE 50TH SENATORIAL DISTRICT.*

Blank bill.

Intro. by J. Davis.[Cherokee, Clay, Graham, Haywood, Jackson, Macon, Swain](#)[View summary](#)

S 37 (2017-2018) [ROANOKE ISLAND FIRE DISTRICT CHANGES](#). Filed Feb 7 2017, *AN ACT TO CLARIFY THE AUTHORITY OF THE ROANOKE ISLAND VOLUNTEER FIRE DEPARTMENT.*

Identical to [H 45](#), filed 2/7/17.

Currently, SL 1937-246 authorizes the Board of Commissioners of Dare County to levy taxes to be paid over to the governing authorities of the Town of Manteo for the purpose of providing and maintaining fire equipment and providing fire protection within that fire district. This act clarifies that the Roanoke Island Volunteer Fire Department or its successor (was, the governing

authorities of the Town of Manteo) are authorized and empowered to receive the proceeds of the taxes levied under the Act to provide fire protection to the fire district. Makes conforming changes.

Applies to taxes levied or collected on or after the date this act becomes law.

Intro. by Cook.

Dare

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Government, Public Safety

S 45 (2017-2018) [8TH SENATORIAL DISTRICT LOCAL ACT-1](#). Filed Feb 7 2017, *AN ACT RELATING TO THE 8TH SENATORIAL DISTRICT.*

Blank bill.

Intro. by Rabon.

Bladen, Brunswick, New Hanover, Pender

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S 46 (2017-2018) [13TH SENATORIAL DISTRICT LOCAL ACT-1](#). Filed Feb 7 2017, *AN ACT RELATING TO THE 13TH SENATORIAL DISTRICT.*

Blank bill.

Intro. by Britt.

Columbus, Robeson

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S 47 (2017-2018) [19TH SENATORIAL DISTRICT LOCAL ACT-1](#). Filed Feb 7 2017, *AN ACT RELATING TO THE 19TH SENATORIAL DISTRICT.*

Blank bill.

Intro. by Meredith.

Cumberland

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S 49 (2017-2018) [29TH SENATORIAL DISTRICT LOCAL ACT-1](#). Filed Feb 7 2017, *AN ACT RELATING TO THE 29TH SENATORIAL DISTRICT.*

Blank bill.

Intro. by Tillman.

Moore, Randolph

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S 50 (2017-2018) [32ND SENATORIAL DISTRICT LOCAL ACT-1](#). Filed Feb 7 2017, *AN ACT RELATING TO THE 32ND SENATORIAL DISTRICT.*

Blank bill.

Intro. by Lowe.

Forsyth

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S 51 (2017-2018) [WINSTON-SALEM/SERVICE BY PUBLICATION COST](#). Filed Feb 7 2017, *AN ACT PROVIDING THAT THE CITY OF WINSTON-SALEM MAY RECOVER THE COST OF SERVING COMPLAINTS AND ORDERS BY PUBLICATION IN HOUSING CODE ENFORCEMENT CASES.*

Amends GS 160-443, as title indicates.

Intro. by Lowe, Krawiec.

Forsyth

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Development, Land Use and Housing, Property and Housing

S 52 (2017-2018) [40TH SENATORIAL DISTRICT LOCAL ACT-1](#). Filed Feb 7 2017, *AN ACT RELATING TO THE 40TH SENATORIAL DISTRICT.*

Blank bill.

Intro. by Waddell.

Mecklenburg

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ACTIONS ON BILLS

PUBLIC BILLS

H 13: CLASS SIZE REQUIREMENT CHANGES.

House: Reptd Fav

House: Re-ref Com On Appropriations

H 15: PUBLIC AUTHORITY/PERMANENT PLATES.

House: Reptd Fav

House: Re-ref Com On Finance

H 30: COLORECTAL CANCER AWARENESS LICENSE PLATE.

House: Reptd Fav

House: Re-ref Com On Finance

H 39: AMEND APPOINTMENTS/UNC BD OF GOVERNORS.

House: Reptd Fav Com Substitute

House: Cal Pursuant Rule 36(b)

House: Placed On Cal For 02/08/2017

H 40: HIGH SCHOOL DROPOUT AGE PILOT/MCDOWELL COUNTY.

House: Passed 1st Reading

House: RefTo Com On Education - K-12

H 43: AUTOMOBILE INSURANCE REGULATORY MODERNIZATION.

House: Passed 1st Reading

House: Ref to the Com on Insurance, if favorable, Judiciary I

H 44: APPLICATION FOR A CONVENTION OF THE STATES.

House: Filed

H 46: ALLISON'S LAW/GPS TRACKING PILOT PROG/DV.

House: Filed

H 48: LEGISLATOR-LOBBYIST REFORM ACT.

House: Filed

H 49: GLOW CHARTER SCHOOL IN STATE HEALTH PLAN.

House: Filed

H 52: RESCIND CALLS FOR CONSTITUTIONAL CONVENTION.

House: Filed

H 53: SCHOOL CALENDAR MODIFICATION.

House: Filed

H 54: PROTECT THE HARDWORKING TAXPAYERS ACT.

House: Filed

H 56: AMEND ENVIRONMENTAL LAWS.

House: Filed

H 57: ENACT PHYSICAL THERAPY LICENSURE COMPACT.

House: Filed

S 34: EMINENT DOMAIN CONST. AMENDMENT.

Senate: Filed

S 35: EMINENT DOMAIN STATUTORY REVISIONS.

Senate: Filed

S 36: CONVENTION OF THE STATES.

Senate: Filed

S 38: ALLOW COUNTY-WIDE CHALLENGES/ABSENTEE BALLOTS.

Senate: Filed

S 39: CHARTER SCHOOLS/CIHSS.

Senate: Filed

S 40: CONSTITUTIONAL AMEND. CONVENTION/COUNTERMAND.

Senate: Filed

S 41: AMENDMENT CONVENTION PROCEDURES.

Senate: Filed

S 42: REDUCE COST & REG. BURDEN/HOSP. CONSTRUCTION.

Senate: Filed

S 43: SOG PILOT PROJECT STANDARDS/PED.

Senate: Filed

S 44: BOR/INDEPENDENT STAFF/DATA TRACKING.

Senate: Filed

S 48: CLINICAL EDUCATORS FOR STUDENT TEACHING.

Senate: Filed

LOCAL BILLS

H 41: SCHOOL CALENDAR FLEX./ROWAN COUNTY.

House: Passed 1st Reading

House: RefTo Com On Education - K-12

H 42: ROWAN-SALISBURY BD. OF ED. ELECTION METHOD.

House: Passed 1st Reading

House: RefTo Com On Elections and Ethics Law

H 45: ROANOKE ISLAND FIRE DISTRICT CHANGES.

House: Filed

H 47: SCHOOL CALENDAR FLEX./CERTAIN SCHOOL SYSTEMS.

House: Filed

H 50: SCHOOL CALENDAR FLEX./STANLY COUNTY.

House: Filed

H 51: SCHOOL CALENDAR FLEX./MONTGOMERY COUNTY.

House: Filed

H 55: APEX/CARY/POLICE ASSISTANCE ON SCHOOL GROUNDS.

House: Filed

S 32: 22ND SENATORIAL DISTRICT LOCAL ACT-1.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 33: 50TH SENATORIAL DISTRICT LOCAL ACT-1.

Senate: Filed

S 37: ROANOKE ISLAND FIRE DISTRICT CHANGES.

Senate: Filed

S 45: 8TH SENATORIAL DISTRICT LOCAL ACT-1.

Senate: Filed

S 46: 13TH SENATORIAL DISTRICT LOCAL ACT-1.

Senate: Filed

S 47: 19TH SENATORIAL DISTRICT LOCAL ACT-1.

Senate: Filed

S 49: 29TH SENATORIAL DISTRICT LOCAL ACT-1.

Senate: Filed

S 50: 32ND SENATORIAL DISTRICT LOCAL ACT-1.

Senate: Filed

S 51: WINSTON-SALEM/SERVICE BY PUBLICATION COST.

Senate: Filed

S 52: 40TH SENATORIAL DISTRICT LOCAL ACT-1.

Senate: Filed

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