

## The Daily Bulletin: 2018-07-24

### PUBLIC/HOUSE BILLS

H 1 (2018 Extra) [HOUSE RULES - 2018 FIRST EXTRA SESSION](#). Filed Jul 24 2018, *A HOUSE RESOLUTION ADOPTING THE PERMANENT RULES OF THE 2018 FIRST EXTRA SESSION OF THE NORTH CAROLINA HOUSE OF REPRESENTATIVES.*

Adopts the permanent rules of the 2017 Regular Session of the House of Representatives as the permanent rules of the 2018 First Extra session with the following changes.

Amends Rule 1 to set the House to convene at 10:00 a.m. on the next legislative day when the house adjourns without having fixed an hour for reconvening.

Provides that the membership of the Committee on Rules, Calendar, and Operations of the House; the Ethics Committee; the Judiciary I, II, III, and IV Committees; the Finance Committee; and the Appropriations Committee consists of those who were appointed during the Regular Session and other members as the Speaker may appoint at the beginning of the First Extra Session and that the committee Chairs are those appointed by the Speaker during the Regular Session.

Establishes the standing committees of the House as: Rules, Calendar, and Operations of the House; Ethics, Judiciary I; Judiciary II; Judiciary III; Judiciary IV; Finance; and Appropriations.

Requires that bills and resolutions be introduced by submitting the bill or resolution to the Principal Clerk's Office.

Limits resolutions that may be introduced or considered to a resolution adjourning the session.

Limits bills that may be introduced or considered to those considering election laws.

Exempts adjournment resolutions and election law bills from Rule 31.1 (concerning deadlines on introduction and receipt of bills; prohibiting blank bills; and imposing the 15-bill limit).

Allows a resolution or bill to be placed on the calendar without being referred to a committee and on the same legislative day of its introduction or receipt from the Senate.

Allows a bill a bill reported favorably by a committee or received for concurrence to be placed on the favorable calendar on the same day it is reported and does not require a proposed committee substitute to be distributed electronically to committee members before it is considered by the committee.

Provides that the the first reading and reference to a standing committee of a House bill occurs on the legislative day of its introduction and that the first reading and reference to a committee of a Senate bill occurs on the legislative day of its receipt on messages from the Senate. Requires the Speaker to give notice at each subsequent reading whether it is the second or third reading. Allows a bill to be read more than once on the same day, unless it is governed by Section 23 of Article II of the NC Constitution.

Allows a conference report to be placed on the calendar for the legislative day on which the report is received.

Allows a veto override vote to be taken on the same legislative day of notice of its placement on the calendar.

Allows any member who wants to cosponsor an introduced bill or resolution to do so on the day during which the bill or resolution was first read and referred, but only while the House has possession of the bill or resolution.

**Intro. by Lewis.**

[HOUSE RES](#)

[View summary](#)

[Government, General Assembly](#)

H 2 (2018 Extra) [ADJOURN 2018 FIRST EXTRA SESSION SINE DIE](#). Filed Jul 24 2018, *A JOINT RESOLUTION PROVIDING FOR ADJOURNMENT SINE DIE OF THE 2018 FIRST EXTRA SESSION*.

Provides that when the House of Representatives and the Senate adjourn the 2018 First Extra Session of the General Assembly, they stand adjourned sine die.

**Intro. by Lewis.**

[JOINT RES](#)

[View summary](#)

[Government, General Assembly](#)

H 3 (2018 Extra) [BALLOT DESIGNATIONS/REFERENDA](#). Filed Jul 24 2018, *AN ACT TO CLARIFY THE DESIGNATIONS TO APPEAR ON THE BALLOT FOR CONSTITUTIONAL AMENDMENTS AND OTHER REFERENDA*.

Amends GS 163A-1114(h), concerning the order in which referendum questions to be voted on are to be arranged on the ballot to specify that there cannot be a reference to a numerical order or other reference of order by category or within a category. Instead of requiring that proposed Constitutional amendments be designated by the short caption provided by the Constitutional Amendments Publication Commission, requires that the amendments be designated only by the phrase "Constitutional Amendment" before setting out the referendum question.

The above applies to ballots used in the 2018 general election and thereafter. Specifies that no numerical order or other reference of order for referenda, by category or within a category, will appear on the 2018 general election ballot. Makes null and void any captions adopted by the Constitutional Amendments Publication Commission before this bill becomes law.

Makes a conforming change to GS 147-54.10(a) by removing the requirement that the Constitutional Amendments Publication Commission's explanation of the amendment, revision, or new Constitution to be voted on include a short caption reflecting the contents to be used on the ballot and the printed summary.

**Intro. by Lewis, Burr, J. Bell, Corbin.**

[GS 147, GS 163A](#)

[View summary](#)

[Constitution, Government, Elections](#)

H 4 (2018 Extra) [CANDIDATE CHALLENGE/FELONY/SHERIFF](#). Filed Jul 24 2018, *AN ACT TO REQUIRE THAT THE BURDEN OF PROOF IN CERTAIN CHALLENGES TO CANDIDACY BE PLACED ON THE CHALLENGER UNDER THE LAWS GOVERNING ELECTIONS*.

Amends GS 163A-1029 to provide that the burden of proof in a challenge to candidacy is on the challenger, except when the challenge is based on residency (was, the burden of proof is on the candidate, no matter the basis for the challenge to candidacy). Makes additional clarifying changes.

**Intro. by Clampitt.**

[GS 163A](#)

[View summary](#)

[Government, Elections](#)

## **PUBLIC/SENATE BILLS**

S 1 (2018 Extra) [SENATE RULES - 2018 FIRST EXTRA SESSION](#). Filed Jul 24 2018, *A SENATE RESOLUTION ADOPTING THE PERMANENT RULES OF THE SENATE FOR THE 2018 FIRST EXTRA SESSION OF THE GENERAL ASSEMBLY*.

Adopts the permanent rules of the 2017 Regular Session as the permanent rules of the 2018 First Extra session with the following changes.

Amends Rule 10, concerning points of order, to allow the Vice-Chair of the Committee on Rules and Operations of the Senate to act when the Chairman of the Committee is absent.

Limits the standing committees to the Senate Select Committee on Elections and the Rules and Operations of the Senate, to be comprised of the members appointed during the 2017 Regular Session.

Requires introduced bills to include on the e-jacket the title of the document and the name of the Senator or Senators presenting it. Requires the Principal Clerk of the Senate to receive, number, and present each bill to the Senate for first reading on the day it is filed.

Limits resolutions that may be introduced or considered in the Senate to those establishing the rules governing the First Extra Session and adjourning the First Extra Session sine die.

Limits the bills, parts of bills, or amendments to bills that may be introduced or considered in the Senate to those considering election laws.

Requires all bills introduced and all House bills received upon a message from the House of Representatives, upon presentation to the Senate, to be read in the regular order of business by their number and title, constituting first reading of the bill on the day on which they are received.

Requires all bills reported by committee to be placed before the Senate for second reading and immediate consideration upon passage.

Provides that if any committee recommends adoption of an amendment or committee substitute of a bill or resolution, the amendment or committee substitute is considered adopted upon the reading of the committee report. Allows the bill or resolution, as amended, or its adopted committee substitute to be placed on the calendar for the same legislative day or re-referred if the bill or resolution was serially referred.

Requires that when a bill or resolution has passed its second reading, it be placed on the calendar for immediate consideration on its third reading, unless prohibited by Section 23 of Article II of the North Carolina Constitution.

Provides that when the House has adopted an amendment or a committee substitute for a Senate bill and the bill has been returned for concurrence, the Senate may concur on the same legislative day.

Allows a designated employee to receive bills vetoed by the Governor if the Senate Principal Clerk is absent. Provides that if the veto message is received on a day when the Senate is in session, it may be read in the Senate on the day of its receipt, but if it is received on a day when the Senate is not in session, or if was not read on the legislative day when it was received, then it must be read on the next legislative day.

**Intro. by Brown.**

[SENATE RES](#)

[View summary](#)

[Government, General Assembly](#)

S 2 (2018 Extra) [BALLOT DESIGNATIONS/REFERENDA](#). Filed Jul 24 2018, *AN ACT TO CLARIFY THE DESIGNATIONS TO APPEAR ON THE BALLOT FOR CONSTITUTIONAL AMENDMENTS AND OTHER REFERENDA*.

Identical to [H 3](#), filed 7/24/18.

Amends GS 163A-1114(h), concerning the order in which referendum questions to be voted on are to be arranged on the ballot to specify that there cannot be a reference to a numerical order or other reference of order by category or within a category. Instead of requiring that proposed Constitutional amendments be designated by the short caption provided by the

Constitutional Amendments Publication Commission, requires that the amendments be designated only by the phrase "Constitutional Amendment" before setting out the referendum question.

The above applies to ballots used in the 2018 general election and thereafter. Specifies that no numerical order or other reference of order for referenda, by category or within a category, will appear on the 2018 general election ballot. Makes null and void any captions adopted by the Constitutional Amendments Publication Commission before this bill becomes law.

Makes a conforming change to GS 147-54.10(a) by removing the requirement that the Constitutional Amendments Publication Commission's explanation of the amendment, revision, or new Constitution to be voted on include a short caption reflecting the contents to be used on the ballot and the printed summary.

**Intro. by Hise, Brown.**

[GS 147, GS 163A](#)

[View summary](#)

[Constitution, Government, Elections](#)

S 3 (2018 Extra) [PARTY DISCLOSURE/2018 JUDICIAL RACES](#). Filed Jul 24 2018, *AN ACT TO CLARIFY POLITICAL PARTY DISCLOSURE ON THE BALLOT FOR JUDICIAL RACES IN 2018*.

Amends SL 2017-214, Section 4(b), which requires a candidate for justices of the supreme court and judges of the court of appeals and superior and district courts to indicate at the time of filing the notice of candidacy on the notice the political party with which the candidate is affiliated or any unaffiliated status. Adds that if the candidate's party affiliation or unaffiliated status is the same as on their voter registration at the time they filed to run for office and 90 days prior to that filing, then the party designation or unaffiliated status is to be included on the ballot.

Amends SL 2018-13, Section 2(a), by amending the General Assembly's findings to state that ballot language above the sections of the 2018 general election ballots regarding offices of district court judge, superior court judge, judge of the court of appeals, and supreme court justice setting forth a candidate's listed party affiliation at least 90 days prior to the time of filing, consistent with GS 163A-973, would aid voters' understanding of the 2018 judicial races. GS 163A-973 prohibits a person from filing as a candidate in a party primary unless that person has been affiliated with that party for at least 90 days as of the date of that person filing notice of candidacy and makes a person registered as "unaffiliated" ineligible to file as a candidate in a party primary election.

Amends SL 2018-13 by amending the language that appears on the ballot before the listing of district court judge, superior court judge, judge of the court of appeals, and supreme court justice offices to state that, "No primaries for judicial office were held in 2018. The party information by each of the following candidates' names is shown only if the candidates' party affiliation or unaffiliated status is the same as on their voter registration at the time they filed to run for office and 90 days prior to that filing."

Amends SL 2017-214, Section 4(c), which allows a person who has filed a notice of candidacy for justices of the supreme court and judges of the court of appeals and superior and district courts to withdraw at any time prior to the close of business on the third business day prior to the date on which the right to file for that office expires, to now also allow for withdrawal before the close of business on August 8, 2018.

Applies to the 2018 elections only.

**Intro. by Hise, Brown.**

[UNCODIFIED](#)

[View summary](#)

[Courts/Judiciary, Government, Elections](#)

S 3 (2018 Extra) [PARTY DISCLOSURE/2018 JUDICIAL RACES](#). Filed Jul 24 2018, *AN ACT TO CLARIFY POLITICAL PARTY DISCLOSURE ON THE BALLOT FOR JUDICIAL RACES IN 2018*.

Senate amendment makes the following changes to the 1st edition.

Requires that the State Board of Elections and Ethics Enforcement notify, as expeditiously as possible, all candidates for justice and judges of the General Court of Justice for the 2018 general election who have changed party affiliation or unaffiliated status during the period of 90 days before the time the candidate filed to run for office and the date the candidate filed to run of the act's requirements. Sets out acceptable means of providing notice. Makes additional technical changes.

**Intro. by Hise, Brown.**

UNCODIFIED

[View summary](#)

[Courts/Judiciary, Court System, Government, Elections, State Agencies, State Board of Elections](#)

S 4 (2018 Extra) [SINE DIE ADJOURNMENT - 2018 EXTRA SESSION](#). Filed Jul 24 2018, *A JOINT RESOLUTION PROVIDING FOR ADJOURNMENT SINE DIE OF THE 2018 FIRST EXTRA SESSION*.

Provides that when the House of Representatives and the Senate adjourn the 2018 First Extra Session of the General Assembly on Wednesday, July 25, they stand adjourned sine die.

**Intro. by McKissick.**

JOINT RES

[View summary](#)

[Government, General Assembly](#)

S 5 (2018 Extra) [PUBLIC SCHOOL BUILDING BOND ACT OF 2018](#). Filed Jul 24 2018, *AN ACT TO ENACT THE PUBLIC SCHOOL BUILDING BOND ACT OF 2018*.

Section 1 of the act is the "Public School Building Bond Act of 2018."

Defines several terms.

Provides for an election to be held in November of 2018 on the question of the issuance of the bonds authorized by this section. Provides for the text of the question on the ballot.

Authorizes the State Treasurer, upon an affirmative majority vote on the referendum as described, to issue and sell general obligation bonds of the State, or notes of the State, in an aggregate principal amount not exceeding \$1.9 billion, for the purpose of providing funds, with any other available funds, for the purposes described in this Act. Provides that the proceeds of the bonds and notes, including premium thereon, if any, are to be used to make grants to counties for paying the cost of public school capital outlay projects. Provides an itemized list of grant amounts to each public school system. Provides for the disposal of funds received by other means for this purpose, without regard to the restrictions imposed by this act. Provides for the proportional allocation of funds for local school administrative units located in more than one county, and for local school administrative units that consolidate into one unit. Provides for matching funds from the counties for specified portions of the allocated grants, at a specified rate. Requires counties to document and report their matching funds as required. Provides for the reallocation of certain portions of the grants from counties that do not meet the match requirements by January 1, 2024, to those that do meet the match requirements.

Directs the State Treasurer to put proceeds from the bonds and notes, including premium, into a special fund designated the "Public School Building Bonds Fund" (Fund). Provides that money in the Fund may be invested by the State Treasurer, and that investment earnings may be credited to the Fund or used to satisfy compliance with applicable requirements of federal tax law. Provides for the disbursement of the funds under the supervision of the Director of the Budget, the State Treasurer, and the State Controller, in compliance with the State Budget Act. Authorizes and directs the State Treasurer to set up a system to track the proceeds of the bonds and notes to properly account for the use of the proceeds. Requires recipients of the proceeds to comply with the tracking system. Authorizes the State Treasurer to withhold proceeds from recipients who fail to comply with the tracking system.

Provides for the issuance and form of the bonds and notes. Directs the State Treasurer to determine the manner in which the bonds or notes shall be offered for sale, and authorizes the Treasurer to sell the bonds. Directs the State Treasurer to pay the

cost of preparing, selling, and issuing the bonds or notes.

Authorizes the State Treasurer to borrow money and execute and issue notes of the State under specified conditions relating to the sale of the bonds. Authorizes the State Treasurer, by and with the consent of the Council of State, to issue and sell refunding bonds to refund bonds or notes pursuant to this section.

Exempts the bonds and notes from all State, county, and municipal tax assessments. Interest on the bonds and notes is not taxable as income.

Authorizes all public officers, agencies, and public bodies of the state, all insurance companies, trust companies, investment companies, banks, savings banks, savings and loan associations, credit unions, pension or retirement funds, other financial institutions, executors, administrators, trustees, and other fiduciaries to properly and legally invest funds in the bonds and notes.

Pledges the faith and credit and taxing power of the State for the payment of the principal and interest on the bonds and notes.

Authorizes the State Treasurer to provide that the bonds or notes may be made payable on demand or tender for purchase by the owner, subject to a credit facility agreement; be additionally supported by a credit facility agreement; be made subject to redemption or a mandatory tender for purchase prior to maturity; bear interest at variable rates; and be made the subject of a remarketing agreement whereby an attempt is made to remarket the bonds or notes to new purchasers prior to their presentment for payment to the provider of the credit facility agreement to the State. Provides that if the aggregate principal amount repayable by the State under a credit facility agreement is in excess of the aggregate principal amount of bonds or notes secured by the credit facility agreement, then the amount of authorized but unissued bonds or notes shall not be less than the amount of the excess, unless the payment of the excess is otherwise provided for by agreement of the State.

Provides clarification for the interpretation of the section, including clauses on additional methods of carrying out the section, statutory references, statutory construction, inconsistent provisions, and severability.

Authorizes the State Treasurer to authorize, execute, obtain, or otherwise provide for other related interests and matters the State Treasurer determines to be desirable in connection with the issuance of bonds and notes.

Directs the State Board of Education to administer, supervise, and ensure that use of the proceeds comport with the purposes provided in this act. Directs each school administrative unit to submit to the State Board of Education its plans for the expenditure of proceeds under this act. Directs the State Board of Education to verify that the planned expenditures are within the allowed purposes, and if so, to make the proceeds to which the plans apply available to the school administrative unit. Directs local school administrative units to report by January 1, 2019, and quarterly thereafter, to the Department of Public Instruction on the projects funded from the proceeds of the bonds and notes. Directs the Department of Public Instruction to submit the reports to the Joint Legislative Capital Oversight Committee on Appropriations/Base Budget. Provides requirements for the reports.

Provides for the custody and disbursement of funds to address unforeseen contingencies for a specific project, or to address inflation costs for a specific project.

Provides for funds retained by the Office of State Budget and Management at the time a project is completed to be retained by the Office of State Budget and Management, and to be reported within 90 days of a project's completion.

Provides that any funds from the Public School Building Bond expended for school technology shall be reported to the Department of Public Instruction and credited against the judgment in *NC Sch. Bds. Ass'n. v. Moore*.

**Intro. by Smith, Chaudhuri, Foushee.**

**UNCODIFIED**

[View summary](#)

**Education, Elementary and Secondary Education,  
Government, Budget/Appropriations**

## **PUBLIC BILLS**

### **H 1: HOUSE RULES - 2018 FIRST EXTRA SESSION.**

*House: Filed*

*House: Passed 1st Reading*

*House: Added to Calendar*

*House: Adopted*

### **H 2: ADJOURN 2018 FIRST EXTRA SESSION SINE DIE.**

*House: Filed*

*House: Passed 1st Reading*

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

### **H 3: BALLOT DESIGNATIONS/REFERENDA.**

*House: Filed*

*House: Passed 1st Reading*

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

*House: Reptd Fav*

*House: Cal Pursuant Rule 36(b)*

*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: Ref to Select Committee on Elections. If fav, re-ref to Rules and Operations of the Senate*

*Senate: Reptd Fav*

*Senate: Re-ref Com On Rules and Operations of the Senate*

*Senate: Reptd Fav*

*Senate: Placed on Today's Calendar*

*Senate: Passed 2nd Reading*

*Senate: Passed 3rd Reading*

*Senate: Ordered Enrolled*

### **H 4: CANDIDATE CHALLENGE/FELONY/SHERIFF.**

*House: Filed*

*House: Passed 1st Reading*

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

### **S 1: SENATE RULES - 2018 FIRST EXTRA SESSION.**

*Senate: Filed*

*Senate: Passed 1st Reading*

*Senate: Placed on Today's Calendar*

*Senate: Adopted*

### **S 2: BALLOT DESIGNATIONS/REFERENDA.**

*Senate: Filed*

*Senate: Passed 1st Reading*

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

### **S 3: PARTY DISCLOSURE/2018 JUDICIAL RACES.**

*Senate: Filed*

*Senate: Passed 1st Reading*

*Senate: Ref to Select Committee on Elections. If fav, re-ref to Rules and Operations of the Senate*

*Senate: Reptd Fav*  
*Senate: Re-ref Com On Rules and Operations of the Senate*  
*Senate: Reptd Fav*  
*Senate: Placed on Today's Calendar*  
*Senate: Amendment Withdrawn A1*  
*Senate: Amend Adopted A2*  
*Senate: Passed 2nd Reading*  
*Senate: Passed 3rd Reading*  
*Senate: Engrossed*  
*Senate: Special Message Sent To House*  
*House: Special Message Received From Senate*  
*House: Passed 1st Reading*  
*House: Ref To Com On Rules, Calendar, and Operations of the House*  
*House: Reptd Fav*  
*House: Cal Pursuant Rule 36(b)*  
*House: Added to Calendar*  
*House: Passed 2nd Reading*  
*House: Passed 3rd Reading*  
*House: Ordered Enrolled*

**S 4: SINE DIE ADJOURNMENT - 2018 EXTRA SESSION.**

*Senate: Filed*  
*Senate: Passed 1st Reading*  
*Senate: Ref To Com On Rules and Operations of the Senate*

**S 5: PUBLIC SCHOOL BUILDING BOND ACT OF 2018.**

*Senate: Filed*  
*Senate: Passed 1st Reading*  
*Senate: Ref To Com On Rules and Operations of the Senate*

**No local actions on bills**

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