

The Daily Bulletin: 2019-06-18

PUBLIC/HOUSE BILLS

H 483 (2019-2020) [LET THEM SPAWN](#). Filed Mar 27 2019, *AN ACT TO REQUIRE A MINIMUM SIZE LIMIT FOR EVERY COMMERCIALY AND RECREATIONALLY IMPORTANT SPECIES OF MARINE FISH TO ENSURE THAT SEVENTY-FIVE PERCENT OF THE JUVENILE FISH OF EACH SPECIES WILL HAVE AN OPPORTUNITY TO REACH MATURITY AND SPAWN AT LEAST ONCE.*

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

Amends proposed GS 113-182.1(b)(8) to require the addition of a minimum size limit for every species that has contributed historically and significantly to the the fisheries of the state, including six specified species, to ensure that 75% of juvenile fish at the minimum size limit will reach maturity and will have an opportunity to spawn at least once (previously, to ensure the juvenile fish at the minimum size limit have reached the size of maturity and have had an opportunity to spawn at least once). Makes conforming changes throughout the act and to the long title concerning the minimum size limit requirement. Requires the minimum size limit established to be based on the best available biological and life history data for each species, and in the event data for a particular species is unavailable for the state, the Marine Fisheries Commission (Commission) must use data from other Atlantic coast states until North Carolina specific studies can be done. Eliminates the statutory requirement that the Division of Marine Fisheries (Division) and the Commission follow the size limit requirement for any new Fisheries Management Plans developed for species without a size limit or with a size limit that does not meet the 75% threshold. Also eliminates the statutory requirement that the Division and the Commission review all current size limits in current Fishery Management Plans to ensure compliance with the 75% threshold.

Concerning the Commission's rulemaking directive, eliminates the requirement that the Commission establish a minimum size limit for every marine fish species listed in the Division Stock Status Report and accompanying guidelines concerning the data to be used (now incorporated in the minimum size limit requirement set forth in proposed GS 113-182.1(b)(8) and the temporary management measure directives of the act). Makes conforming deletions.

Now requires the Director of the Division and the Commission to develop and adopt temporary management measures to be set in place until Fishery Management Plans are adopted that include the newly required minimum size limits. Requires the Director to review the biological and life history data currently available for every marine fish species that has contributed historically and significantly to the fisheries of the state, included six specified species (corresponding to those identified in proposed GS 113-182.1(b)(8)), and to present the Director's findings by December 1, 2019 (was, August 1, 2019). Now requires the Commission to adopt temporary management measures that establish minimum size limits based on the Director's findings to ensure that 75% of the juvenile fish at the minimum size limit established for each species will reach the size of maturity and will have an opportunity to spawn at least once (previously, required the Director to also authorize the Commission to impose these temporary management measures, as modified).

Allocates \$10,000 of the funds appropriated to the Division of NC Aquariums by Section 14.19 of SL 2017-57, as amended, for the planning and permitting of a satellite aquarium area, to be used instead for the act's implementation.

Intro. by Yarborough, Saine, Wray, B. Turner.

GS 113

[View summary](#)

[Environment, Aquaculture and Fisheries](#)

H 747 (2019-2020) [NC MISSING PERSON INFORMATION SHARING](#). Filed Apr 15 2019, *AN ACT TO REQUIRE LAW ENFORCEMENT AGENCIES TO ENTER MISSING OR UNIDENTIFIED PERSONS INFORMATION INTO THE NATIONAL MISSING AND UNIDENTIFIED PERSONS SYSTEM AFTER THIRTY DAYS HAVE PASSED AND THE PERSON HAS NOT BEEN FOUND OR IDENTIFIED.*

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

Amends the new provisions of GS 143B-1015 to specify that a law enforcement agency can enter information from a missing person report, which is defined to include a missing child or person, into NamUS at any time, and must enter the information into NamUS upon a missing child having been missing for more than 30 days (previously, did not specifically include missing child information in the authorization and mandate to enter missing or unidentified person information). Also specifies that a law enforcement agency must enter both listed categories of information when entering missing child information into NamUS. Amends GS 143B-1016, making a technical change regarding the responsibilities prescribed to the NC Center for Missing Persons.

Intro. by McNeill, Faircloth, Floyd, C. Smith.

[GS 143B](#)

[View summary](#)

[Government, Public Safety and Emergency Management](#)

PUBLIC/SENATE BILLS

S 362 (2019-2020) [ANNUAL REPORT STANDARDIZATION](#). Filed Mar 26 2019, *AN ACT REVISING THE LAWS GOVERNING THE SUBMISSION OF ANNUAL REPORTS BY VARIOUS ENTITIES TO THE SECRETARY OF STATE*.

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

Part VI.

Eliminates the proposed changes to GS 105-164.14, concerning certain authorized refunds of sales and use taxes for nonprofit entities, to authorize the Secretary of Revenue to deny the refund request of a nonprofit entity that is delinquent for failure to file its annual report, and notify the entity of the denial and reasoning. Instead, amends the statute to require a nonprofit entity's refund request to specifically include the name, mailing address, email address, and if applicable, the registration number issued by the Secretary of State of the entity, in addition to any other information and documentation required by the Secretary of Revenue. Amends GS 105-259 to allow disclosure of tax information for the purpose of annually furnishing the Secretary of State the specified information regarding nonprofit entities receiving a refund of sales and use tax under GS 105-164.14(b), as amended. Applies to requests for refunds submitted on or after January 1, 2021.

Intro. by Wells, Perry.

[GS 55, GS 55A, GS 55D, GS 57D, GS 59, GS 105](#)

[View summary](#)

[Business and Commerce, Corporation and Partnerships, Courts/Judiciary, Criminal Justice, Criminal Law and Procedure, Government, State Agencies, Department of Revenue, Secretary of State, Tax, Nonprofits](#)

S 391 (2019-2020) [EXPAND YOUTH INTERNSHIP OPPORTUNITIES](#). Filed Mar 27 2019, *AN ACT TO PROVIDE A LIMITED EXCEPTION TO THE PROHIBITION ON YOUTH PARTICIPATING IN SUPERVISED, PRACTICE EXPERIENCES WITH EMPLOYERS IN OCCUPATIONS FOUND DETRIMENTAL BY THE COMMISSIONER OF LABOR UNDER CERTAIN CIRCUMSTANCES*.

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

Amends proposed GS 95-25.5(1) specifying that the Commissioner of Labor is the one who must make the required findings of the stated conditions in order to exempt children who are at least 16 but less than 18 who are participating in a supervised, practice experience in an occupation with an employer from the prohibition from occupations found to be detrimental to the health and well-being of youth.

Intro. by Ballard, Gunn, Newton.

[GS 95](#)

[View summary](#)

Business and Commerce, Education, Elementary and Secondary Education, Employment and Retirement, Health and Human Services, Health, Social Services, Child Welfare

S 392 (2019-2020) **VARIOUS CHARTER SCHOOL CHANGES (NEW)** Filed Mar 27 2019, *AN ACT TO MAKE VARIOUS CHANGES TO THE LAWS AFFECTING CHARTER SCHOOLS.*

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

Amends the act's titles. Places the previous provisions into new Part I, and adds the following.

Part II.

Amends GS 115C-218.6, to allow the State Board to renew a charter for less than the standard 10-year period, if the percent of students who scored at or above proficient for all end-of-grade and end-of-course tests taken in the previous school year is at least five percentage points lower than in the local school administrative unit in which the charter school is located (previously, if the charter school's student academic outcomes for the preceding three years have not been comparable to those of students in the local school administrative unit in which the charter school is located). Maintains the remaining situations in which the renewal period can be less than the standard period.

Part III.

Amends GS 115C-218.1 to require charter applications to include a nationwide criminal background check for each member of the board of directors of the proposed charter to ensure no member has a conviction of a crime listed in GS 115C-332 or a substantially similar crime in another state. Requires the check to include a Social Security number trace and any known aliases. Also requires charter applications to certify whether each board member has been convicted of any felony or misdemeanor, and if so, include the the charge, the year of the charge, and its disposition.

Part IV.

Amends Section 8.35 of SL 2014-100, as amended, concerning the virtual charter schools pilot program. Modifies the enrollment cap at participating schools to be no greater than 1,500 in its first year of operation with an allowable annual increase by 20% for each school to a maximum enrollment of 3,000 in the eighth year of the pilot (was, an increase by 20% for each school to a maximum enrollment of 2,592 in the fourth year of the pilot). Authorizes the State Board of Education to waive the 3,000-student maximum enrollment beginning in the eighth year of the school's operation (previously, authorized waiver of the the maximum enrollment threshold beginning in the fourth year of the school's operation) if the State Board determines it to be in the State's best interest. Applies beginning with the 2019-20 school year.

Intro. by Ballard, Brown, Newton.

GS 115C

Business and Commerce, Corporation and Partnerships, Education, Elementary and Secondary Education, Government, State Agencies, State Board of Education, Nonprofits

[View summary](#)

S 399 (2019-2020) **REHIRE HIGH-NEED TEACHERS.** Filed Mar 28 2019, *AN ACT TO ALLOW FOR RETIRED TEACHERS TO RETURN TO WORK IN HIGH-NEED SCHOOLS WITHOUT ADVERSELY IMPACTING THE RETIRED TEACHERS' BENEFITS.*

House committee substitute to the 3rd edition makes the following changes.

Modifies and adds to the directives set forth in Section 5 as follows. Now directs the State Treasurer to seek a private letter ruling from the IRS to determine if the provisions of the section relating to the computation of postretirement earnings of retired teachers jeopardizes the status of the Teachers' and State Employees' Retirement System (previously, more generally sought the ruling regarding the act's provisions). Maintains the authorization for the Retirement Systems Division to increase

receipts from the assets of the Teachers' and State Employees' Retirement System (Retirement System) or pay associated administrative costs directly from the retirement assets to pay costs associated with the administration, but now caps the amount authorized to be used to obtain a private ruling from the IRS at \$50,000 rather than \$75,000. Additionally, deems any beneficiary of the Retirement System employed to teach by a local board of education (was, a local school administrative unit) as a high-need retired teacher ineligible to elect into a position that would lead him or her to be eligible to accrue any additional benefits under specified state law concerning members retiring on or after July 1, 1963. Requires the Retirement System to correct any failure to comply with this provision, as appropriate, and places correction costs upon the local board of education (was, local school administrative unit). Makes further technical changes.

Intro. by Horner, Berger, Chaudhuri.

[GS 115D, GS 135](#)

[View summary](#)

[Education, Elementary and Secondary Education, Employment and Retirement, Government, State Government, State Personnel, Health and Human Services, Health, Health Insurance](#)

LOCAL/HOUSE BILLS

H 6 (2019-2020) [BURLINGTON AIRPORT/LEASE/CONTRACT AUTHORITY](#). Filed Jan 30 2019, *AN ACT AUTHORIZING THE BURLINGTON-ALAMANCE AIRPORT AUTHORITY TO ENTER INTO LEASES AND CONTRACTS WITH TERMS NOT TO EXCEED FORTY YEARS.*

Senate committee substitute amends the 2nd edition by making a technical change to the lead in language concerning the session law amended and changing the effective date of the act to the date the act becomes law (was, effective June 1, 2019) and specifying that the act applies to contracts entered into, renewed, or modified on or after that date.

Intro. by Ross.

[Alamance](#)

[View summary](#)

[Transportation](#)

LOCAL/SENATE BILLS

S 262 (2019-2020) [UNION/PROHIBIT CERTAIN HUNTING ACTS](#). Filed Mar 14 2019, *AN ACT TO PROHIBIT HUNTING AND FISHING ON PRIVATE PROPERTY WITHOUT WRITTEN PERMISSION FROM THE LANDOWNER OR LESSEE AND TO PROHIBIT HUNTING ON PRIVATE PROPERTY WHILE UNDER THE INFLUENCE OF AN IMPAIRING SUBSTANCE IN UNION COUNTY.*

House committee substitute to the 2nd edition removes Granville County from the scope of the act. Makes conforming changes to the act's long title.

Intro. by Johnson.

[Union](#)

[View summary](#)

[Animals](#)

ACTIONS ON BILLS

PUBLIC BILLS

H 219: NAIC ACCREDITATION AMENDMENTS.-AB

Senate: Reptd Fav

H 329: EXEMPT EV STATIONS/PUBLIC UTILITIES REGS.

Senate: Withdrawn From Com

Senate: Re-ref to Agriculture/Environment/Natural Resources. If fav, re-ref to Rules and Operations of the Senate

H 415: PHOTOS OF JUVENILES/SHOW-UPS.

House: Pres. To Gov. 6/18/2019

H 432: WATER/SEWER TO CONTIGUOUS DWELLING UNITS.

Senate: Reptd Fav

H 483: LET THEM SPAWN.

House: Reptd Fav Com Sub 2

House: Cal Pursuant Rule 36(b)

House: Placed On Cal For 06/19/2019

H 495: NO MUNICIPAL REG/OFF-SITE WASTEWATER SYSTEMS. (NEW)

Senate: Reptd Fav

H 511: NC NATIONAL GUARD/COURTS-MARTIAL.

Senate: Withdrawn From Com

Senate: Re-ref to Judiciary. If fav, re-ref to Rules and Operations of the Senate

H 537: ALT. HWY USE TAX VEHICLE SUBSCRIPTIONS.

Senate: Reptd Fav

H 548: MODIFY PHYSICAL THERAPY DEFINITION.

House: Pres. To Gov. 6/18/2019

H 578: MODIFY LEGITIMATIONS PROVISIONS.

House: Pres. To Gov. 6/18/2019

H 607: MASSAGE BOARD MEMBERSHIP.

House: Withdrawn From Cal

House: Placed On Cal For 06/20/2019

H 617: ALLOW REPEAT REFERRAL TO TEEN COURT.

House: Pres. To Gov. 6/18/2019

H 656: MEDICAID CHANGES FOR TRANSFORMATION.

Senate: Reptd Fav

H 747: NC MISSING PERSON INFORMATION SHARING.

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

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

H 820: HONOR ARLIE CULP, FORMER MEMBER OF THE GA.

House: Ratified

House: Ch. Res 2019-12

H 871: FAIR CONTRACTS. (NEW)

Senate: Reptd Fav

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

H 924: TEACHER CONTRACT CHANGES.

Senate: Regular Message Sent To House

House: Regular Message Received For Concurrence in S Com Sub

H 934: RIGHT TO TRY ADULT STEM CELL TREATMENTS.

Senate: Reptd Fav

H 1015: CONFIRM CHRIS AYERS/EX. DIR. UTILITES COMM PS.

House: Ratified

House: Ch. Res 2019-13

H 1017: SPECIAL MASTER WAKE HOUSE PLAN.

Senate: Reptd Fav

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

S 123: PORTABILITY OF LEAVE/CHARTER SCHOOLS.

House: Reptd Fav

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

S 148: PUBLIC RECORDS/RELEASE OF LEO RECORDINGS.

Senate: Ratified

S 225: REPEAL TUITION SURCHARGE.

House: Reptd Fav

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

S 290: DISTILLER REGULATORY REFORM BILL.

Senate: Reptd Fav

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

S 315: NORTH CAROLINA FARM ACT OF 2019.

Senate: Regular Message Sent To House

House: Regular Message Received From Senate

S 362: ANNUAL REPORT STANDARDIZATION.

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

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

S 391: EXPAND YOUTH INTERNSHIP OPPORTUNITIES.

House: Reptd Fav Com Substitute

House: Re-ref Com On Commerce

S 392: VARIOUS CHARTER SCHOOL CHANGES (NEW)

House: Reptd Fav Com Substitute

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

S 399: REHIRE HIGH-NEED TEACHERS.

House: Reptd Fav Com Substitute

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

S 420: NC SERVICEMEMBERS CIVIL RELIEF ACT.

House: Withdrawn From Com

House: Re-ref to the Com on Judiciary, if favorable, Rules, Calendar, and Operations of the House

S 429: UTILITIES/WATER AND WASTEWATER CONSUMPTION.

House: Withdrawn From Com

House: Re-ref to the Com on Regulatory Reform, if favorable, Rules, Calendar, and Operations of the House

S 466: EDPNC MODIFICATIONS.

House: Withdrawn From Com

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

House: Reptd Fav

House: Cal Pursuant Rule 36(b)

House: Placed On Cal For 06/19/2019

S 500: MODIFY ADVANCED MATH COURSE ENROLLMENT.

Senate: Conf Com Appointed

S 546: OPIOID EPIDEMIC RESPONSE ACT.

Senate: Withdrawn From Com

Senate: Re-ref to Health Care. If fav, re-ref to Judiciary. If fav, re-ref to Rules and Operations of the Senate

S 590: MODIFY CONTINUING ED FOR REAL ESTATE BROKERS.

Senate: Withdrawn From Com

Senate: Re-ref to Commerce and Insurance. If fav, re-ref to Finance. If fav, re-ref to Rules and Operations of the Senate

LOCAL BILLS

H 4: CLAREMONT DEANNEXATION.

Senate: Reptd Fav

Senate: Re-ref Com On Finance

H 6: BURLINGTON AIRPORT/LEASE/CONTRACT AUTHORITY.

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

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

H 170: VARIOUS SATELLITE ANNEXATIONS. (NEW)

Senate: Reptd Fav

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

H 240: ALBEMARLE/CITY LABOR FOR BUSINESS CTR.

Senate: Reptd Fav

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

H 285: CITY OF SANFORD/TOWN OF BEAUFORT VOL ANNEX. (NEW)

Senate: Reptd Fav

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

H 349: WILKES COUNTY FIRE TAX-PROCEDURE.

Senate: Reptd Fav

Senate: Re-ref Com On Finance

H 383: TOPSAIL BEACH CHARTER/BOARD VACANCIES.

Senate: Regular Message Sent To House

House: Regular Message Received For Concurrence in S Com Sub

S 30: STANLY CC/CONTRACTING DATE EXTENSION. (NEW)

House: Passed 2nd Reading

House: Passed 3rd Reading

S 190: EXPAND SPECIAL ASSESSMENTS FOR DAM REPAIR.

Senate: Reptd Fav

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

S 201: TOWN OF BOLTON/DEANNEXATION.

Senate: Reptd Fav

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

S 235: FRANKLIN/NASH MUNICIPALITIES/UNFIT DWELLINGS. (NEW)

House: Passed 2nd Reading

House: Passed 3rd Reading

House: Ordered Enrolled

S 262: UNION/PROHIBIT CERTAIN HUNTING ACTS.

House: Reptd Fav Com Substitute

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

S 267: BUNCOMBE 1/4 CENT SALES TAX USE RESTRICTION.

Senate: Reptd Fav

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

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