

March 16, 2005

S 602. PERMIT DOT BEST-VALUE PROCUREMENT (=H 668). *TO PERMIT THE DEPARTMENT OF TRANSPORTATION TO AWARD CONTRACTS ON ALTERNATE BIDDING PROCEDURES.* Identical to H 668, introduced 3/16/05.

Intro. by Jenkins.

Ref. to St. & Local Gov.

GS 136

June 1, 2005

S 602. LIABILITY INSURANCE FOR STATE EMPLOYEES (NEW). Intro. 3/16/05. Senate committee substitute makes the following changes to 1st edition. Replaces all provisions of bill with the following: Enacts new GS 58-40-145 pertaining to professional liability insurance for State departments, agencies, and institutions and State employees and officers. Enacts new GS 58-32-15(e) establishing a committee to adopt criteria for the selection of insurance carriers from which the Comm'n may acquire professional liability insurance for State employees and officers. Prescribes, among other things, committee membership and sets out factors that committee should consider in adopting criteria. Makes technical change. Applies to pending litigation and arbitration proceedings.

August 30, 2005

S 602. 2005 TECHNICAL CORRECTIONS ACT-2 (NEW). Intro. 3/16/05. House committee substitute deletes all provisions of 2nd edition and replaces it with *AN ACT TO MAKE TECHNICAL CORRECTIONS AND CONFORMING CHANGES TO THE GENERAL STATUTES AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, AND TO MAKE VARIOUS OTHER CHANGES TO THE GENERAL STATUTES AND SESSION LAWS.* Identical to 4th edition of H 327 (2005 Technical Corrections Act), except makes the following additions and deletions:

Deletions. Deletes amendments to the following provisions: (1) GS 51-1, which allowed State superior and district court judges to perform marriages. (2) GS 58-36-65(e), which gave the NC Rate Bureau the option of obtaining annual records of convictions for moving traffic violations. (3) GS 136-89.183(a)(2), as amended by SL 2005-275, which required that the NC Turnpike Authority develop a list of Turnpike Projects that have not previously been approved by the General Assembly. (4) GS 143B-216.67(b), which added a pediatrician to the Governor's Commission on Early Childhood Vision Care. (5) New GS 160A-459, which authorized a city to adopt and enforce a stormwater control ordinance. (6) S 223, which exempted counties from certain purchasing requirements for voting systems. (7) New Section 76.5(a) of H327, which was identical to H 128, 3rd edition, except for change in effective date. (8) New GS 143B-472.80(5), which codified Section 7.44 of 3rd edition of H327 and changed the deadline for the NC Board of Science and Technology's submission of its report to February 1, 2007. (9) GS 97-18, which authorized an employer or insurer to deny an employee's right to compensation if they do not have sufficient information to approve employee's claim. (10) Section 1.1 of SL 2004-179, which would have authorized the State to incur special indebtedness under GS 142-83 at Western Carolina University for construction of the Mountain Area Health Education Consortium.

Additions. In addition to technical changes, makes the following changes: (1) Amends GS 20-7 to limit the duration of a driver's license issued to an person who holds a visa of limited duration to 30 days beyond the expiration of the visa and authorizes issuance of a limited duration license to person with a valid visa (was, to a spouse or dependent of a person with a valid visa); (2) Enacts new GS 58-50-30(g1) to provide that an insured beneficiary under a health benefit plan will be permitted to redeem a prescription drug benefit at any pharmacy and to require that the entity providing that benefit reimburse the pharmacy in the same manner and rate as it would reimburse a party to a pharmacy provider contract. States that provision is inapplicable to the NC Teachers' and State Employees' Comprehensive Major Medical Plan. (3) Amends GS 159B-44(13) to remove the three-year time limit for contracts executed by joint municipal assistance agencies. Provision expires October 1, 2007. (4) Amends SL 2005-276 (2005 Budget Act) to authorize the use of funds appropriated for the Edenton Signers Memorial to establish the Memorial at the Chowan County Courthouse or Courthouse Green to honor Hugh Williamson, a

signer of the US Constitution. (5) Amends SL 2005-307 (election of Rockingham County Board of Education) to require that act be submitted to the county attorney under Section 5 of the federal Voting Rights Act of 1965. (6) Provides that if S 612 (Amend Lobbying Laws) becomes law, then GS 120-47.7B and 147-54.39 are amended to provide that any person who is unsure as to the person's responsibilities under either Article 9A of GS Chapter 120 (Legislative Branch Lobbying) or Article 4C of GS Chapter 147 (Executive Branch Lobbying) may request a written opinion from the Secretary of State. Prohibits a person who relies upon the Secretary's opinion from being prosecuted or named in a civil action. (7) Requires that the NC High School Athletic Association (NCHSAA) create a small school conference if at least five high schools within a NCHSAA geographic region decide to form that conference. Provides that a small school conference may be created for the 2005-06 school year if the participating schools notify NCHSAA of their decision no later than September 15, 2006. Applicable only to Dare, Hyde, Martin, Tyrrell, and Washington counties.

August 30, 2005

S 602. 2005 TECHNICAL CORRECTIONS ACT-2. Intro. 3/16/05. House amendment makes the following changes to 3rd edition. Provides that amendments to Section 10.11(t) of SL 2005-276 (life estates excludable from countable resources for Medical Assistance eligibility) apply to life estates created on or after October 1, 2005.

July 26, 2006

S 602. 2005 TECHNICAL CORRECTIONS - 2. Filed 3/15/05. Conference report recommends the following changes to 4th edition to reconcile matters in controversy. Deletes proposed amendment to SL 2004-108 (allowing law enforcement officers to use all-terrain vehicles on public highways) that would have added Surry County to act's provisions. Amends GS 55A-11-04(d), as enacted by SL 2005-268, to include domestic corporation within definition of "corporation." Changes effective date of amendments to GS 58-40-50 and 58-36-4 (statistical organization is considered insurance company) in Section 45 from October 1, 2005, to October 1, 2006. Deletes proposed amendment to GS 58-50-30(g) that would have provided that an insured beneficiary under health benefit plan has the right to redeem the prescription drug benefit at any pharmacy. Makes the amendments to GS 122C-270 and 122C-289, concerning indigent counsel for mentally ill, effective for appeals filed on or after October 1, 2006 (was, 2005). Deletes proposed amendment to GS 130A-209 that would have applied that section to facilities and providers that detect, diagnose, or treat benign brain or central nervous system tumors. Makes the amendment to GS 147-33.97 (information technology procurement policy) effective for bids submitted on or after October 1, 2006. Deletes proposed amendment to GS 159B-44(13) that would have removed limitation of subdivision to contracts not exceeding three years. Deletes proposed amendments to Section 10.40D of SL 2005-276 that would have repealed Section 10.40D(f) (allows school board to use unlicensed health care personnel under certain circumstances) and would have added a provision about examining policies concerning administration of medications in schools. Deletes proposed amendments to Sections 10.11(a)(23) and 10.11(t) of SL 2005-276 concerning Medicaid provisions, including ocular prosthetists. Modifies amendment to GS 143B-267 to provide that effective August 1, 2005 (was, September 1, 2005), the Post-Release Supervision and Parole Commission will consist of one full-time member and two half-time members, and the terms of any members serving on Commission on June 30, 2005 (was, August 31, 2005), expire on that date. Deletes proposed amendments to Sections 17.25(b) (would have changed effective date), 17.30 (would have made section mandatory instead of permissive), and 28.10 (would have added provision concerning bonds for public construction) of SL 2005-276. Changes from July 1, 2005, to January 1, 2005, the effective date of an amendment to GS 105-134 stating that one of the purposes of the Individual Income Tax Act is to tax income from gambling activities in NC. Deletes proposed amendment to GS 97-25.6 relating to health care providers treating employees claiming worker's compensation. Deletes proposed amendment to SL 2005-307 (changing manner of election of Rockingham County school board) that would have provided that act will be submitted by the county attorney under section 5 of Voting Rights Act of 1965. Deletes proposed amendment to SL 2005-424 (House Bill 646) that would have made Part I (insurance fees)

effective October 1, 2005, instead of January 1, 2006. Deletes proposed amendment to Section 10.40B of SL 2005-276 concerning authorization for health care facilities to remain in operation under certain circumstances relating to certificate of need. Deletes provision authorizing Clayton Town Council to direct Johnston County Board of Elections to conduct an advisory referendum on whether the town should consider amending the manner by which voters elect council members. Deletes provision stating intent of General Assembly to provide sufficient funding for a new NC Museum of Art complex before the end of 2006 legislative session. Deletes provision, applicable only to schools located in Dare, Hyde, Martin, Tyrrell, or Washington counties, concerning formation of athletic conference of high schools in those counties. Makes many other technical, conforming, and clarifying changes.

September 14, 2006

SL 2006-264 (S 602). 2005 TECHNICAL CORRECTIONS ACT-2. AN ACT TO MAKE TECHNICAL CORRECTIONS AND CONFORMING CHANGES TO THE GENERAL STATUTES AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, AND TO MAKE VARIOUS OTHER CHANGES TO THE GENERAL STATUTES AND SESSION LAWS. Summarized in *Daily Bulletin* 8/30/05 AND 7/26/06. Enacted August 27, 2006. Effective August 27, 2006, except as otherwise provided.