

February 25, 1999

**H 162. 1999 TECHNICAL CORRECTIONS (=S 127).** *TO MAKE TECHNICAL CORRECTIONS AND CONFORMING CHANGES TO THE GENERAL STATUTES AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.* Identical to S 127, introduced 2/18/99.

**Intro. by Culpepper.**

Ref. to Judiciary IV

GS 143

April 23, 1999

**H 162. 1999 TECHNICAL CORRECTIONS.** Intro. 2/25/99. House committee substitute makes the following changes to 1st edition. Changes title to "AN ACT TO MAKE TECHNICAL CORRECTIONS AND CONFORMING CHANGES TO THE GENERAL STATUTES AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION AND OTHERS." Adds technical corrections to GS 32A-14.1, 122C-57, 122C-211, 74C-5, 74C-6, 74D-5, and 74D-5.1.

July 19, 1999

**H 162. 1999 TECHNICAL CORRECTIONS.** Intro. 2/25/99. Senate committee substitute makes the following changes to 2nd edition. Makes numerous technical amendments and the following substantive changes.

Changes definition of "entity" for purposes of NC Business Corporation Act to include limited liability company.

Amends GS 122C-57(e) and (f) in mental health law to delete references to "attorney-in-fact named pursuant to a valid instruction" or "valid advance instruction for mental health treatment," and makes other changes to conform references to the phrase "valid advance instruction for mental health treatment."

Specifies in new GS 1-539.2A(b), as enacted by SL 1999-212, effective Dec. 1, 1999, that personal jurisdiction may be exercised pursuant to GS 1-75.4 (list of methods for acquiring jurisdiction; was, 1-75.4(13)).

Amends GS 7A-292, if Senate Bill 974, 1999 Regular Session, becomes law, to rewrite, effective Jan. 1, 2000, one of magistrate's additional powers (number 14) as the power to accept the filing of complaints and to issue summons pursuant to GS Ch. 42A, Art. 4, in expedited eviction proceedings when the office of the clerk of superior court is closed.

Amends GS 18B-603(d) to provide that if a county or city holds a mixed beverage election and an ABC store election at the same time and the voters do not approve the establishment of an ABC store, the State ABC Commission may issue mixed beverages permits in that county or city. The mixed beverage purchase-transportation permit authorized by GS 18B-404(b) is to be issued by a local ABC board operating a store located in the county.

Amends GS 20-28.5(a) to delete requirement that notice of sale under that subsection be given not only to all motor vehicle owners of the vehicle to be sold at the address shown by the records of the Div'n of Motor Vehicles, but also at any other address of the motor vehicle owner as may be found in the criminal file in which the forfeiture was ordered. (underlined words deleted).

Amends GS 47-108.11, validation of recorded instruments where seals have been omitted, to specify that it does not apply to any instrument recorded or registered after Jan. 1, 1999 (was, Jan. 1, 1995) or to pending litigation or any such instruments now directly or indirectly involved in pending litigation.

Changes rate of interest paid under GS 62A-25(d) when invoices submitted to Wireless 911 Board and approved for payment exceed amount in Wireless Fund

in any month from rate set out in GS 24-1 (legal rate; currently 8%) to a rate equal to the rate earned by the Wireless Fund.

Amends GS 74C-5 and GS 74D-5(a) to add to the powers of the Private Protective Services Board and the Alarm Systems Licensing Board, the power to contract for services as necessary to carry out the functions of the cited Boards. Amends GS 74C-6 and 74D-5.1 to specify that positions of Administrator of the Private Protective Services Board and of the Alarm Systems Licensing Board, respectively, are within Dep't of Justice (were, within SBI).

Amends GS Ch. 90, Art.9G, effective July 1, 2000, to specify that article is applicable only to nurses whose home states are determined by the NC Board of Nursing to have licensure requirements that are substantially equivalent or more stringent than those of North Carolina.

Amends various statutory references to the State guard, NC State guard, and to guard units, to substitute instead NC Defense Militia.

Adds new provision in GS 115C-325(c) (dealing with career status of teachers) to provide that if a probationary teacher in a full-time permanent position does not work for at least 120 workdays in a school year because the teacher is on sick leave, disability leave, or both, that school year does not count as either a consecutive year of service or a break in consecutive years of service for the teacher.

Provides that if Senate Bill 746, 1999 Regular Session, becomes law, then it becomes effective Oct. 1, 1999, and that GS 1-543.12, enacted by it, is amended to specify that structured settlement payment rights arising from a workers' compensation claim are not to be authorized.

Repeals GS 58-79-30, requiring Att'y General to submit annual reports to the General Assembly of his official action under GS Ch. 58, Art. 79 (investigation of fires and inspection of premises), including fires investigated, value of property destroyed, etc.

Reduces appropriation to Rural Economic Development Center, Inc., by \$12,662, for each year of 1999-2001 biennium; allocation to center administration, oversight, and other programs is reduced for each year from \$350,000 to \$337,338.

Amends G.S. 128-21(11) to include as an "employer" any separate, juristic political subdivision of the State as approved by the Bd. Of Trustees of the N.C. Local Government Employees' Retirement System, on advice of the Attorney General.

Amends G.S. 143-135.9(a) to add governing boards of any county, city or other subdivision of the State to state "Best Value" information technology procurement procedures.

Amends G.S. 143-138 to require nonbusiness occupancy buildings built before adoption of the 1953 Building Code and not in compliance with Secs. 402.1.3.5 of Vol. IX or 3407.2.2 of Vol. I of the Building Code to comply by Dec. 31, 2006.

Repeals section 6 (consumer education on predatory lending) of S. 1149 (Prohibit Predatory Lending) if it is signed by Governor into law.

Amends G.S. 143B-426.24(j) to provide that assets in the State Deferred Compensation Plan shall be held in trust for the exclusive benefit of Plan participants and beneficiaries.

Adds to scope of development projects permitted in the City of Charlotte's charter those public-private projects in or along a major transportation corridor or in a development zone under G.S. 105-129.3A. Restricts exclusion of projects from state purchase and contract procedures to projects where city funds are less than 50% of the total project costs.

Alters evidence rule for admissibility of "written hearsay" and other purposes by deleting exclusion for magnetic tape, CD-R and CD-RW and by directing that nonerasable, computer

readable storage media shall not be used for preservation duplicates or archiving of permanently valuable records except as expressly approved by the Dep't of Cultural Resources. Effective Dec. 1, 1999.

Amends G.S. 57C-2-20 to delete provision making persons executing the articles of organization the members of the limited liability company on filing of the articles of organization. Provides that initial members may be identified in a meeting called by the majority of the organizers or by written consent of all the organizers. Deletes requirement of G.S. 57C-3-301(4) requiring consent of all members to merge a limited liability company into another limited liability company.

Adds new subsection to budget bill provisions for detoxification of the Warren County Landfill permitting transfer of up to seven million dollars of State funds if funds are available to match federal funds.

Requires funds appropriated in S.L. 1999-237 in the amount of \$240,000 to the State Board of Education for the school leadership pilot project to be used by four local school administrative units to participate in the nationwide program of the Center for Leadership in School Reform.

Requires the Dep't of Health and Human Services to continue to provide office space for the 1999-2001 biennium to the four regional offices of the Governor's Advocacy Council for Persons with Disabilities.

Allows the Sec'y of Administration to use funds from parking revenues in excess of expenses to fund subsidies for vanpools and transit passes, for the 1999-2001 biennium.

Provides that any law, public or local, that provides a form requiring the user to fill in the last two digits of the year and providing "19" as the first two digits shall have those first two digits deleted effective Jan. 1, 2000.

Makes arts. 1 through 11 of G.S. 7B Subchapter I effective July 1, 1999 and applicable to abuse, neglect and dependency reports received, petitions filed and reviews commenced on and after that date.