

March 11, 2009

S 567. PROMOTE ELECTRICITY DEMAND REDUCTION. Filed 3/11/09. *TO PROMOTE THE USE OF ELECTRICITY DEMAND REDUCTION TO SATISFY RENEWABLE ENERGY PORTFOLIO STANDARDS.*

Adds a new subdivision to GS 62-133.8 defining *electricity demand reduction* to mean a reduction in the electricity demand of a retail electric customer (customer) that is (1) voluntary, (2) under the real-time control of the electric public utility and the customer, and (3) measured in real time, using two-way communication devices that meet specified standards. Amends GS 62-133.8(b) to provide that *electricity demand reduction* is an acceptable option to satisfy the Renewable Energy and Energy Efficiency Portfolio Standard (REPS) for an electric public utility. Amends GS 62-133.8(c) to provide that *electricity demand reduction* satisfies the REPS for an electric membership corporation or municipality.

Intro. by Hartsell.

GS 62

May 5, 2009

S 567. PROMOTE ELECTRICITY DEMAND REDUCTION. Filed 3/11/09. Senate committee substitute makes the following changes to 1st edition. Deletes in the proposed definition of *electricity demand reduction* in GS 62-133.8 that the measurement of electricity reduction is limited to using two-way communications devices that communicate on the basis of nonproprietary standards *that have been initiated, established, or approved by the Institute of Electrical and Electronics Engineers or the International Telecommunications Union.*

May 6, 2009

S 567. PROMOTE ELECTRICITY DEMAND REDUCTION. Filed 3/12/09. Senate amendment makes the following changes to 2nd edition. Revises new subsection (3a) being added to GS 62-133.8(a) to specify that the reduction in electricity demand has to be measurable, and to eliminate the requirement that the standards under which the two-way communications devices communicate be nonproprietary.

May 26, 2010

S 567. RESPONSIBLE INDIVIDUALS LIST/ABUSE & NEGLECT (NEW). Filed 3/11/09. House committee substitute deletes all provisions of 3rd edition and replaces it with *AN ACT TO AMEND THE LAWS PERTAINING TO THE RESPONSIBLE INDIVIDUALS LIST AS RELATED TO JUVENILE ABUSE, NEGLECT, AND DEPENDENCY.*

Amends various statutes in GS Chapter 7B (Juvenile Code) related to the responsible individuals list (RIL), deleting the expunction procedure currently used to remove a person's name from the RIL and establishing procedures for judicial review of a responsible individual determination.

Responsible Individuals; Judicial Review. Amends GS 7B-101, modifying the definition for *Responsible individual*, and adding the definition for *serious neglect*: conduct, behavior, or inaction of the juvenile's parent, guardian, custodian, or caretaker that evidences a disregard of consequences of such magnitude that the conduct, behavior, or inaction constitutes an unequivocal danger to the juvenile's health, welfare, or safety, but does not constitute abuse. Amends GS 7B-311, providing that the name of a person identified as a responsible individual will be placed on the RIL *only after* (1) the individual is properly notified pursuant to GS 7B-320 (requirements and timeline for notifying the identified individual) and fails to file a petition for judicial review in a timely manner, (2) the court determines that the person is a responsible individual after a hearing on the petition for judicial review or on a juvenile petition that alleges and seeks a determination that the person is a responsible individual, or (3) the individual is criminally convicted as a result of the same incident involved in an investigative assessment response. Makes conforming changes to GS 7B-200(a)(9) (replacing expunction with judicial review) and additional conforming and technical changes to GS 7B-311 and GS 7B-320. Repeals GS 7B-321 (request for expunction by director) and GS 7B-322 (request for expunction by district attorney).

Procedural Requirements. Amends GS 7B-323, to allow an individual to file a petition for judicial review within 15 days of receiving notice that the individual has been determined to be a responsible individual. Makes technical and conforming changes to the process for filing a petition for judicial review of the determination to place a person on the RIL. Also allows a director to reverse the responsible individual determination if, upon receipt of a notice of hearing for judicial review, the director finds insufficient evidence to confirm the determination. Amends GS 7B-324, specifying the circumstances when a person identified as a responsible individual may not petition for judicial review, detailing instances to stay the judicial review proceeding, and making further conforming changes to remove references to expunction. Amends GS 7B-402(a) to allow that a petition pleading abuse or neglect of a juvenile may also allege and seek a determination that a respondent is a responsible individual. Amends GS 7B-406(b) to also include in the summons a notification that, if the petition alleges and the court determines that the respondent is a responsible individual, the respondent's name will be placed on the RIL, and DHHS may provide the information to various child care organizations and providers. Amends GS 7B-800 to provide that the court will direct the manner that an amended petition will be served and subsequent preparation deadlines. Amends GS 7B-805, to distinguish that allegations of abuse, neglect, or dependency in a petition must be proved by clear and convincing evidence, and allegations that a person is a responsible individual must be proved by a preponderance of the evidence; enacts new subsection (a1) to GS 7B-807 to make a conforming change.

July 6, 2010

S 567. RESPONSIBLE INDIVIDUALS LIST/ ABUSE & NEGLECT. Filed 3/11/09. Conference report recommends the following changes to 4th edition to reconcile matters in controversy.

Amends proposed subdivision (b1) [was, (d1)] of GS 7B-323 to require the director of social services who identified the responsible individual (for abuse and neglect of a juvenile), upon receipt of a notice of hearing for judicial review, to review all records, reports, and other information gathered during the investigative assessment response (was, the director *may* review).

Amends subsection (e) of GS 7B-323 to allow the district court of the county where the abuse or neglect report arose to review a *director's* determination of abuse or serious neglect upon the filing of a petition for judicial review by an individual identified by the director as a responsible individual. Provides that if the court elects to conduct a review of the director's determination, it is the director's burden to establish, by a preponderance of the evidence, the occurrence of abuse or serious neglect and the identification of the individual seeking judicial review as a responsible individual. Provides that if the court does not find that the director has met the burden of establishing abuse or serious neglect or the identification of the responsible individual, the court must reverse the director's determination and order the director to expunge the individual's name from the responsible individual's list.

July 14, 2010

SL 2010-90 (S 567). RESPONSIBLE INDIVIDUALS LIST/ABUSE AND NEGLECT. AN ACT TO AMEND THE LAWS PERTAINING TO THE RESPONSIBLE INDIVIDUALS LIST AS RELATED TO JUVENILE ABUSE, NEGLECT, AND DEPENDENCY. Summarized in *Daily Bulletin* 5/26/10 and 7/6/10. Enacted July 11, 2010. Effective July 11, 2010.