



NORTH CAROLINA GENERAL ASSEMBLY  
AMENDMENT  
Senate Bill 897

AMENDMENT NO. 2  
(to be filled in by  
Principal Clerk)

S897-AMH-13 [v.7]

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Comm. Sub. [YES]  
Amends Title [NO]  
S897-CSLExf-47

Date 5-18-10, 2010

Senator Swindell

- 1 moves to amend the proposed committee substitute on page 13, line 38, by inserting after that
- 2 line the following: "(10) The State Controller.";
- 3
- 4 and on page 13, line 36 by deleting the word "and" at the end of that line;
- 5
- 6 and on page 13, line 37 by adding the word "and" at the end of that line.; and
- 7
- 8 moves to amend the proposed committee substitute on page 35, line 7 by rewriting that line to
- 9 read "The Roanoke Island Commission may use these funds to purchase equipment and to
- 10 contract with any of the constituent"; and
- 11
- 12 moves to amend the proposed committee substitute on page 73, line 25, by inserting on the line
- 13 the following new section to read:
- 14 **"DSHR ADULT CARE HOME ADMINISTRATOR/MEDICATION AIDE FEES**
- 15 **SECTION 10.36A.(a)** Part 2 of Article 1 of Chapter 131D is amended by adding
- 16 the following new section to read:
- 17 **'§ 131D-4.5A. Fees for medication aides.**
- 18 The Medical Care Commission may impose a fee, not to exceed twenty-five dollars
- 19 (\$25.00), on an applicant seeking certification as an adult care home medication aide to cover
- 20 the costs of testing and materials in administering a certification examination.'
- 21 **SECTION 10.36A.(b)** Article 20A of Chapter 90 of the General Statutes is
- 22 amended by adding the following new section to read:
- 23 **'§ 90-288.15A. Fees.**
- 24 The Department may impose fees not to exceed the following amounts:
- 25 (1) Adult Care Home Administrator
- 26 Examination Fee \$50.00
- 27 (2) Adult Care Home Administrator Certificate
- 28 Renewal Fee \$30.00 every two years.'";
- 29 and
- 30
- 31 also moves to amend the proposed committee substitute on page 42, line 43,
- 32 by deleting the words "twenty million" and substituting "twenty million"; and
- 33



\* S B 9 7 - A M H - 1 3 - V - 7 \*

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- 1 also moves to amend the proposed committee substitute on page 42, line 44,  
2 by rewriting the line to read: "~~one hundred twenty one thousand six hundred forty four dollars~~  
3 (\$20,121,644) thirty-two million one hundred twenty-one thousand six hundred forty-four  
4 dollars (\$32,121,644) for the"; and  
5  
6 also moves to amend the proposed committee substitute on page 44, line 48,  
7 by deleting the word "itemized"; and  
8  
9 also moves to amend the proposed committee substitute on page 55, line 34,  
10 by deleting the phrase "Medical Assistance shall," and substituting "Medical Assistance, shall";  
11 and  
12 also moves to moves to amend the proposed committee substitute on page 45, line 32  
13 by deleting "**SECTION 10.12.**" and substituting "**SECTION 10.12.(a)**"; and  
14  
15 further moves to amend the proposed committee substitute on page 45, line 46,  
16 by deleting the reference to "Division of Public Health" and substituting "Department of Health  
17 and Human Services"; and  
18  
19 further moves to amend the proposed committee substitute on page 45, line 47,  
20 by inserting the following:  
21 "**SECTION 10.12.(b)** The Health and Wellness Trust Fund Commission shall not  
22 reduce allocations for the 2010-2011 fiscal year for any of the programs or initiatives currently  
23 funded through the Health and Wellness Trust Fund."; and  
24  
25 also moves to amend the proposed committee substitute on page 64, lines 18,  
26 by deleting the reference "Section #(a)." and substituting "Section 10.30.(a)."; and  
27  
28 also moves to amend the proposed committee substitute on page 64, line 23,  
29 by deleting the reference "Section #(a) of this act." and substituting "Section 10.30.(a)."; and  
30  
31 also moves to amend the proposed committee substitute on page 73, line 37, by deleting the  
32 amount "\$41,435,452", and substituting the amount "\$41,235,452"; and  
33  
34 further moves to amend the proposed committee substitute on page 74, line 12, by inserting on  
35 the line a new item to read:  
36 "12A. Children's Home Society 200,000";  
37 and  
38  
39 also moves to amend the committee report on page F-2, Item 8, by deleting the language "7.x"  
40 and substituting "7.5"; and  
41  
42 also moves to amend the proposed committee substitute on page 41, line 14,  
43 by deleting the language "and the Board of Governors,"; and

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1  
2 also moves to amend the proposed committee substitute on page 21, line 18,  
3 by deleting the sentence that begins on line 18.

4  
5 also moves to amend the committee report on page H-8, Item 29, by deleting "CAMA  
6 receipts." and substituting "express permit receipts.";

7  
8 and on page H-12, Item 54, by deleting that Item and substituting the following Item to read:

9 **"54 Turnbull Creek Educational State Forest** (\$110,073) **R**  
10 Closes the Turnbull Creek Educational State Forest in Bladen  
11 County and eliminates two associated ranger positions. -2.00";

12  
13 And on page H-12, Item 53, by deleting the amount "\$1,104,118), and replacing it with the  
14 amount "\$1,260,686)";

15  
16 and on page H-13, Item 55, by deleting that Item;

17  
18 and on page H-19, Item 86, by deleting the position number "-2.00" and substituting the  
19 position number "-6.00"; and

20  
21 moves to amend the proposed committee substitute on page 117, line 50, by deleting the phrase  
22 "June 30, 2010," and substituting the phrase "June 30, 2011,"; and

23  
24 moves to amend the proposed committee substitute on page 117, line 51, by deleting the phrase  
25 "June 30, 2010," and substituting the phrase "June 30, 2011,".

26  
27 also moves to amend the proposed committee substitute on page 136, lines 11 through 51, and  
28 on page 137, lines 1 through 25, by deleting those lines; and

29  
30 also moves to amend the proposed committee substitute on page 95, lines 10 through 27, and  
31 on page 96, lines 50 and 51, by deleting those lines; and

32  
33 also moves to amend the proposed committee substitute on page 151, line 27 by deleting  
34 "2009-2010" and substituting "2010-2011"; and

35  
36 also moves to amend the proposed committee substitute on page 170, line 3, by adding the  
37 following section to read:

38 **"CREDIT FOR CONSTRUCTING A RENEWABLE ENERGY PROPERTY FACILITY**  
39 **SECTION #.(a)** Article 3B of Chapter 105 of the General Statutes is amended by  
40 adding a new section to read:

41 **'§ 105-129.16I. Credit for constructing a renewable energy property facility.**

42 (a) Credit. – A taxpayer that constructs and places in service in this State a commercial  
43 facility for the manufacture of renewable energy property is allowed a credit equal to

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1 twenty-five percent (25%) of the cost to the taxpayer of constructing and equipping the facility.  
2 The entire credit may not be taken for the taxable year in which the facility is placed in service  
3 but must be taken in seven equal annual installments beginning with the taxable year in which  
4 the facility is placed in service. If, in one of the years in which the installment of a credit  
5 accrues, the facility with respect to which the credit was claimed is disposed of or taken out of  
6 service, the credit expires and the taxpayer may not take any remaining installment of the  
7 credit. The taxpayer may, however, take the portion of an installment that accrued in a previous  
8 year and was carried forward to the extent permitted under G.S. 105-129.17. A taxpayer that  
9 claims any other credit allowed under this Chapter with respect to construction of a facility may  
10 not take the credit allowed in this section with respect to the same facility.

11 (b) Sunset. – This section is repealed effective for a renewable energy property facility  
12 placed in service on or after January 1, 2014.'

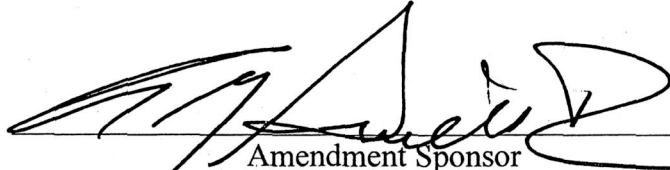
13 SECTION #.(b) This section becomes effective for taxable years beginning on or  
14 after January 1, 2011."; and

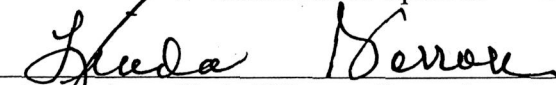
15  
16 also moves to amend the proposed committee substitute on page 156, lines 34 through 40, by  
17 rewriting the lines to read:

18 "(7) An addition is required to taxable years 2003, 2004, 2005, and 2006 for the  
19 amount of any 2008 or 2009 net operating loss deduction claimed on a  
20 federal return under section 172(b)(1)(H) or section 810(b)(4) of the Code.  
21 This addition does not apply to a net operating loss deduction of an eligible  
22 small business as defined under section 172(b)(1)(H) of the Code.

23 (8) For taxable years 2011 through 2013, a taxpayer who made an addition  
24 under subdivision (7) of this subsection may deduct one-third of the  
25 taxpayer's net operating loss absorbed on the taxpayer's 2003, 2004, 2005,  
26 and 2006 federal returns under section 172(b)(1)(H) or section 810(b)(4) of  
27 the Code. "; and

28  
29 also moves to amend the proposed committee substitute on page 157, lines 43 and 44, by  
30 deleting the phrase "one million dollars (\$1,000,000)." and substituting the phrase "eight  
31 hundred fifty thousand dollars (\$850,000)."

32  
SIGNED   
Amendment Sponsor

SIGNED   
Committee Chair if Senate Committee Amendment

ADOPTED  FAILED  TABLED

Comm. Amend. 2  
Adopted and Engrossed  
Pursuant to Rule 45-1  
MAY 18 2010  
