



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 200

ADOPTED

AMENDMENT NO. 1
(to be filled in by
Principal Clerk)

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H200-ALU-21 [v.9]

Comm. Sub. [YES]
Amends Title [NO]
Third Edition

Date 5/3, 2011

Representative Brubaker

- 1 moves to amend the bill on page 39, line 11, by deleting "to the following:" and substituting
- 2 "to:"; and
- 3
- 4 on page 45, line 44, by deleting "vs." and substituting "versus"; and
- 5
- 6 on page 64, line 7, by deleting "Department" and substituting "the Department"; and
- 7
- 8 on page 79, lines 28 and 29, by deleting "the North Carolina Teachers' and State Employees'
- 9 Health Plan." and substituting "the State Health Plan for Teachers and State Employees."; and
- 10
- 11 on page 98, line 29, by deleting the dash; and
- 12
- 13 on page 125, line 35, by deleting "Agriculture" and substituting "of Agriculture"; and
- 14
- 15 on page 149, line 42 by deleting "of act of Congress," and substituting "of an act of
- 16 Congress,"; and
- 17
- 18 on page 214, line 31, by deleting "G.S. 272.72." and substituting "G.S. 143B-272.72."; and
- 19
- 20 on page 214, lines 35, by deleting "143B-550" and substituting "G.S. 143B-550"; and
- 21
- 22 on page 214, lines 36, by deleting "143B-272.79," and substituting "G.S. 143B-272.79,;" and
- 23
- 24 on page 214, lines 40, by deleting "272.104." and substituting "G.S. 143B-272.104."; and
- 25
- 26 on page 218, line 20, by deleting "subsection (g)," and substituting "subsection (g) of this
- 27 section,;" and
- 28
- 29 on page 220 line 42, by deleting "(a)" and substituting "(a)"; and
- 30
- 31 on page 223 line 10, by deleting "this" and substituting "this"; and
- 32
- 33 on page 226, line 47, by deleting the word "HISTORICAL" and substituting "HISTORIC"; and



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1
2 on page 227, line 42, by deleting the word "Historical" and substituting "Historic"; and

3
4 on page 227, line 58, by deleting the word "Historical" and substituting "Historic"; and

5
6 on page 227, line 53 and page 228, lines 1, 6, 13, and 14, by deleting the word "Historical" and
7 substituting "Historic"; and

8
9 on page 237, line 41, by deleting "is directed to" and substituting "shall"; and

10
11 and further moves to amend the bill on page 9, line 51, by deleting "subsection (f)" and
12 substituting "subsections (b) and (f)"; and

13
14 on page 57, lines 22-29, by rewriting those lines to read:

15 "(c) Inasmuch as the giving of tuition and fee waivers, or especially reduced rates,
16 represent in effect a variety of scholarship awards, the said practice is hereby prohibited except
17 when expressly authorized by statute or by the Board of Governors of The University of North
18 Carolina; and, furthermore, it is hereby directed and required that all budgeted funds expended
19 for scholarships of any type must be clearly identified in budget reports. The Board of
20 Governors of The University of North Carolina shall not authorize a reduced rate of tuition for
21 the special talent of athletics. statute or session law."; and

22
23 on page 103, lines 50-51, by rewriting the lines to read:

24 "eighteen million two hundred thousand dollars (\$18,200,000) in the 2011-2012 fiscal year and
25 twenty-nine million dollars (\$29,000,000) in the 2012-2013 fiscal year."; and

26
27 on page 135, lines 14-15, by inserting between those lines the following new section to read:

28 **"USE OF FUNDS/FOOD AND LODGING PROGRAM**

29 **SECTION 13.10C.** Notwithstanding any other provision of this act, the Division of
30 Environmental Health shall not change the use of the four hundred thousand dollar (\$400,000)
31 appropriation originally intended for aid to counties for local food and lodging programs. The
32 Division may not use those funds to pay for the costs to operate the State elements of the
33 program. Counties will not receive a higher percentage of the food and lodging fee that would
34 have offset not receiving the grant funds."; and

35
36 on page 136, lines 17-34, by deleting the lines; and

37
38 on page 137, lines 18-20, by rewriting the lines to read:

39 "practices while minimizing the regulatory burden. Technical assistance, through operations
40 reviews, assistance will be provided by the Division of Soil and Water Conservation.
41 Permitting, inspection, inspection and enforcement will be vested in provided by the Division of
42 Water Quality."; and

43

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1 on page 224, lines 36-37, by inserting between those lines the following new section to read:
2 **"TRANSFER OF NC HUMAN RELATIONS COMMISSION FROM DEPARTMENT**
3 **OF ADMINISTRATION TO OFFICE OF ADMINISTRATIVE HEARINGS**

4 **SECTION 20.1A.(a)** The North Carolina Human Relations Commission created
5 pursuant to G.S. 143B-391, other than the administration of the Martin Luther King, Jr.
6 Commission created pursuant to G.S. 143B-426.34A, is hereby transferred by a Type I transfer,
7 as defined in G.S. 143A-6, from the Department of Administration to the Office of
8 Administrative Hearings.

9 **SECTION 20.1A.(b)** Part 9 of Article 9 of Chapter 143B of the General Statutes,
10 G.S. 143B-391 and G.S. 143B-392, is recodified as G.S. 7A-761 and G.S. 7A-762 in Article 60
11 of the General Statutes.

12 **SECTION 20.1A.(c)** G.S. 7A-761, as recodified by this section, reads as rewritten:
13 **"§ 7A-761. North Carolina Human Relations Commission – creation; powers and duties.**

14 There is hereby created the North Carolina Human Relations Commission of the
15 ~~Department of Administration~~Office of Administrative Hearings. The North Carolina Human
16 Relations Commission shall have the following functions and duties:

17 ...

18 (7) To receive on behalf of the ~~Department of Administration~~Office of
19 Administrative Hearings and to recommend expenditure of gifts and grants
20 from public and private donors;

21 ...

22 (10) To advise the ~~Secretary of Administration~~Director of the Office of
23 Administrative Hearings upon any matter the ~~Secretary~~Director may refer to
24 it;

25"

26 **SECTION 20.1A.(d)** G.S. 7A-762, as recodified of this section, reads as rewritten:
27 **"§ 7A-762. North Carolina Human Relations Commission – Members; selection;**
28 **quorum; compensation.**

29 (a) The Human Relations Commission of the ~~Department of Administration~~Office of
30 Administrative Hearings shall consist of 22 members. The Governor shall appoint one member
31 from each of the 13 congressional districts, plus five members at large, including the
32 chairperson. The Speaker of the North Carolina House of Representatives shall appoint two
33 members to the Commission. The President Pro Tempore of the Senate shall appoint two
34 members to the Commission. The terms of four of the members appointed by the Governor
35 shall expire June 30, 1988. The terms of four of the members appointed by the Governor shall
36 expire June 30, 1987. The terms of four of the members appointed by the Governor shall expire
37 June 30, 1986. The terms of four of the members appointed by the Governor shall expire June
38 30, 1985. The terms of the members appointed by the Speaker of the North Carolina House of
39 Representatives shall expire June 30, 1986. The terms of the members appointed by the
40 Lieutenant Governor shall expire June 30, 1986. The initial term of office of the person
41 appointed to represent the 12th Congressional District shall commence on January 3, 1993, and
42 expire on June 30, 1996. At the end of the respective terms of office of the initial members of
43 the Commission, the appointment of their successors shall be for terms of four years. No

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1 member of the commission shall serve more than two consecutive terms. A member having
2 served two consecutive terms shall be eligible for reappointment one year after the expiration
3 of his second term. Any appointment to fill a vacancy on the Commission created by the
4 resignation, dismissal, death, or disability of a member shall be filled in the manner of the
5 original appointment for the unexpired term.

6 ...
7 (d) All clerical and support services required by the Commission shall be supplied by
8 the ~~Secretary of the Department of Administration~~ Director of the Office of Administrative
9 Hearings.";

10
11 on page 228, lines 48-59 and page 229, lines 1-15, by rewriting those lines to read:

12 **SECTION 24.1.** G.S. 150B-21.24(a) reads as rewritten:

13 "(a) Register. – The Codifier of Rules shall make available the North Carolina Register
14 on the Internet at no charge. Upon request the Codifier shall provide a free copy of the current
15 volume of the Register to ~~any person who receives a free copy of the North Carolina~~
16 ~~Administrative Code or any member of the General Assembly.~~"; and

17
18 on page 230, lines 14-15, by inserting between those lines the following new section to read:

19 **"PERSONNEL ADJUSTMENT AND IT REDUCTION**

20 **SECTION 25.3.** Notwithstanding any other provision of this act, of the six vacant
21 positions eliminated in the Office of State Budget and Management, the Accounting Technician
22 position #60008574 (\$37,728) shall be substituted with State Budget Management Analyst
23 position #60008609 (\$71,925). Substitutions or additions relating to salaries and benefits shall
24 be made as follows:

- 25 (1) Salaries (\$420,363)
26 (2) Social Security (\$32,158)
27 (3) Retirement (\$44,180)
28 (4) Medical Insurance (\$29,580)
29 (5) 531211 Salary Reserves (\$6,774)."; and

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30
31 on page 230, lines 21-22, by adding the following new section between those lines to read:

32 **"ELIMINATED POSITIONS IN VOTER REGISTRATION AND SYSTEMS**

33 **SECTION 26.2.** Notwithstanding any other provision of this act, of the 10
34 eliminated positions in the State Board of Elections' Voter Registration and Systems, the
35 Elections Technician position (60088251 - \$58,787) shall be substituted with Voting Systems
36 Project Manager position (60088252 - \$65,191)."; and

37
38 on page 230, lines 21-22, by inserting between those lines the following new Part to read:

39 **"PART XXVIA. STATE CONTROLLER**

40
41 **OVERPAYMENTS AUDIT**

42 **SECTION 26.1A.(a)** During the 2011-2013 biennium, receipts generated by the
43 collection of inadvertent overpayments by State agencies to vendors as a result of pricing
44 errors, neglected rebates and discounts, miscalculated freight charges, unclaimed refunds,

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1 erroneously paid excise taxes, and related errors as required by G.S. 147-86.22(c) are to be
2 deposited in Special Reserve Account 24172.

3 **SECTION 26.1A.(b)** For each year of the 2011-2013 biennium, five hundred
4 thousand dollars (\$500,000) of the funds transferred from Special Reserve Account 24172 shall
5 be used by the Office of the State Controller for data processing, debt collection, or
6 e-commerce costs.

7 **SECTION 26.1A.(c)** All funds available in Special Reserve Account 24172 on
8 July 1 of each year of the 2011-2013 biennium are transferred to the General Fund on that date.

9 **SECTION 26.1A.(d)** Any unobligated funds in Special Reserve Account 24172
10 that are realized above the allowance in subsection (b) of this section are subject to
11 appropriation by the General Assembly.

12 **SECTION 26.1A.(e)** The State Controller shall report quarterly to the Joint
13 Legislative Commission on Governmental Operations and the Fiscal Research Division on the
14 revenue deposited into Special Reserve Account 24172 and the disbursement of that revenue.";
15 and

16
17 by adjusting the appropriate totals accordingly.

SIGNED


Amendment Sponsor

SIGNED

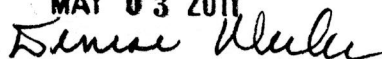
Committee Chair if Senate Committee Amendment

ADOPTED

111-2 EV

FAILED

TABLED

MAY 03 2011


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