

- 1 (1) The applicant's full name.
- 2 (2) The applicant's mailing address and residence address.
- 3 (3) A physical description of the applicant, including the applicant's sex,
- 4 height, eye color, and hair color.
- 5 (4) The applicant's date of birth.
- 6 (5) The applicant's valid social security number.
- 7 (6) The applicant's signature.

8 If an applicant does not have a valid social security number and is ineligible to
 9 obtain one, the applicant shall swear to or affirm that fact under penalty of perjury. In
 10 such case, the applicant may provide a valid Individual Taxpayer Identification Number
 11 issued by the Internal Revenue Service to that person.

12 The Division shall not issue an identification card, learners permit, or drivers license
 13 to an applicant who fails to provide either the applicant's valid social security number or
 14 the applicant's valid Individual Taxpayer Identification Number."

15 **SECTION 3.** G.S. 49-13.1 is repealed.

16 **SECTION 4.** G.S. 55B-2(6), as amended by Section 3 of S.L. 2003-117,
 17 reads as rewritten:

18 "(6) The term "professional service" means any type of personal or
 19 professional service of the public which requires as a condition
 20 precedent to the rendering of such service the obtaining of a license
 21 from a licensing board as herein defined, and pursuant to the following
 22 provisions of the General Statutes: Chapter 83A, "Architects"; Chapter
 23 84, "Attorneys-at-Law"; Chapter 93, "Public Accountants"; and the
 24 following Articles in Chapter 90: Article 1, "Practice of Medicine,"
 25 Article 2, "Dentistry," Article 6, "Optometry," Article 7, "Osteopathy,"
 26 Article 8, "Chiropractic," Article 9A, "Nursing Practice Act," with
 27 regard to registered nurses, Article 11, "Veterinarians," Article 12A,
 28 "Podiatrists," Article 18A, "Practicing Psychologists," Article 18C,
 29 "Marriage and Family Therapy Licensure," Article 18D, "Occupational
 30 Therapy," and Article 24, "Licensed Professional Counselors"; Chapter
 31 89C, "Engineering and Land Surveying"; Chapter 89A, "Landscape
 32 Architects"; Chapter 90B, "Social Worker Certification and Licensure
 33 Act" with regard to ~~Certified~~-Licensed Clinical Social Workers as
 34 defined by G.S. 90B-3; Chapter 89E, "Geologists"; Chapter 89B,
 35 "Foresters"; and Chapter 89F, "North Carolina Soil Scientist Licensing
 36 Act."

37 **SECTION 5.(a)** G.S. 58-36-10(3) reads as rewritten:

38 **"§ 58-36-10. Method of rate making; factors considered.**

39 The following standards shall apply to the making and use of rates:

- 40 ...
- 41 (3) In the case of property insurance rates under this Article, consideration
 - 42 may be given to the experience of property insurance business during
 - 43 the most recent five-year period for which that experience is available.
 - 44 In the case of property insurance rates under this Article, consideration

1 shall be given to the insurance public protection classifications of fire
2 districts established by the Commissioner. The Commissioner shall
3 establish and modify from time to time insurance public protection
4 districts for all rural areas of the State and for cities with populations
5 of 100,000 or fewer, according to the most recent annual population
6 estimates certified by the State ~~Planning~~Budget Officer. In
7 establishing and modifying these districts, the Commissioner shall use
8 standards at least equivalent to those used by the Insurance Services
9 Office, Inc., or any successor organization. The standards developed
10 by the Commissioner are subject to Article 2A of Chapter 150B of the
11 General Statutes. The insurance public protection classifications
12 established by the Commissioner issued pursuant to the provisions of
13 this Article shall be subject to appeal as provided in G.S. 58-2-75, et
14 seq. The exceptions stated in G.S. 58-2-75(a) do not apply.

15 ..."

16 **SECTION 5.(b)** G.S. 58-40-25(4) reads as rewritten:

17 **"§ 58-40-25. Rating methods.**

18 In determining whether rates comply with the standards under G.S. 58-40-20, the
19 following criteria shall be applied:

20 ...

- 21 (4) In the case of property insurance rates under this Article, consideration
22 shall be given to the insurance public protection classifications of fire
23 districts established by the Commissioner. The Commissioner shall
24 establish and modify from time to time insurance public protection
25 districts for all rural areas of the State and for cities with populations
26 of 100,000 or fewer, according to the most recent annual population
27 estimates certified by the State ~~Planning~~Budget Officer. In
28 establishing and modifying these districts, the Commissioner shall use
29 standards at least equivalent to those used by the Insurance Services
30 Office, Inc., or any successor organization. The standards developed
31 by the Commissioner are subject to Article 2A of Chapter 150B of the
32 General Statutes. The insurance public protection classifications
33 established by the Commissioner issued pursuant to the provisions of
34 this Article shall be subject to appeal as provided in G.S. 58-2-75, et
35 seq. The exceptions stated in G.S. 58-2-75(a) do not apply."

36 **SECTION 5.(c)** G.S. 58-87-1(b) reads as rewritten:

37 "(b) A fire department is eligible for a grant under this section if it meets all of the
38 following conditions:

- 39 (1) It serves a response area of 6,000 or less in population.
40 (2) It consists entirely of volunteer members, with the exception that the
41 unit may have paid members to fill the equivalent of three full-time
42 paid positions.
43 (3) It has been certified by the Department of Insurance.

1 In making the population determination under subdivision (1) of this subsection, the
2 Department shall use the most recent annual population estimates certified by the State
3 ~~Planning-Budget Officer.~~"

4 **SECTION 5.(d)** G.S. 105-113.82(e) reads as rewritten:

5 "(e) Population Estimates. – To determine the population of a city or county for
6 purposes of the distribution required by this section, the Secretary shall use the most
7 recent annual estimate of population certified by the State ~~Planning-Budget Officer.~~"

8 **SECTION 5.(e)** G.S. 105-129.3(b1) reads as rewritten:

9 "(b1) Data. – In measuring rates of unemployment and per capita income, the
10 Secretary shall use the latest available data published by a State or federal agency
11 generally recognized as having expertise concerning the data. In measuring population
12 and population growth, the Secretary shall use the most recent estimates of population
13 certified by the State ~~Planning-Budget Officer.~~"

14 **SECTION 5.(f)** G.S. 105-129.3A(a) reads as rewritten:

15 "(a) Development Zone Defined. – A development zone is an area comprised of
16 one or more contiguous census tracts, census block groups, or both in the most recent
17 federal decennial census that meets all of the following conditions:

- 18 (1) Every census tract and census block group in the zone is located in
19 whole or in part within the primary corporate limits of a city with a
20 population of more than 5,000 according to the most recent annual
21 population estimates certified by the State ~~Planning-Budget Officer.~~
- 22 (2) It has a population of 1,000 or more according to the most recent
23 annual population estimates certified by the State ~~Planning-Budget~~
24 ~~Officer.~~
- 25 (3) More than twenty percent (20%) of its population is below the poverty
26 level according to the most recent federal decennial census.
- 27 (4) Every census tract and census block group in the zone meets at least
28 one of the following conditions:
 - 29 a. More than ten percent (10%) of its population is below the
30 poverty level according to the most recent federal decennial
31 census.
 - 32 b. It is immediately adjacent to another census tract or census
33 block group that is in the same zone and has more than twenty
34 percent (20%) of its population below the poverty level
35 according to the most recent federal decennial census.
- 36 (5) None of the census tracts or census block groups in the zone is located
37 in another development zone designated by the Secretary of
38 Commerce."

39 **SECTION 5.(g)** G.S. 105-164.44F(b) reads as rewritten:

40 "(b) Share of Cities Incorporated on or After January 1, 2001. – The share of a
41 city incorporated on or after January 1, 2001, is its per capita share of the amount to be
42 distributed to all cities incorporated on or after this date. This amount is the proportion
43 of the total to be distributed under this section that is the same as the proportion of the
44 population of cities incorporated on or after January 1, 2001, compared to the

1 population of all cities. In making the distribution under this subsection, the Secretary
2 must use the most recent annual population estimates certified to the Secretary by the
3 State ~~Planning-Budget~~ Officer."

4 **SECTION 5.(h)** G.S. 105-187.19(b) reads as rewritten:

5 "(b) Each quarter, the Secretary shall credit five percent (5%) of the net tax
6 proceeds to the Solid Waste Management Trust Fund and shall credit twenty-seven
7 percent (27%) of the net tax proceeds to the Scrap Tire Disposal Account. The Secretary
8 shall distribute the remaining sixty-eight percent (68%) of the net tax proceeds among
9 the counties on a per capita basis according to the most recent annual population
10 estimates certified to the Secretary by the State ~~Planning-Budget~~ Officer."

11 **SECTION 5.(i)** G.S. 105-187.24 reads as rewritten:

12 "**§ 105-187.24. Use of tax proceeds.**

13 The Secretary shall distribute the taxes collected under this Article, less the
14 Department of Revenue's allowance for administrative expenses, in accordance with this
15 section. The Secretary may retain the Department's cost of collection, not to exceed two
16 hundred twenty-five thousand dollars (\$225,000) a year, as reimbursement to the
17 Department.

18 Each quarter, the Secretary shall credit eight percent (8%) of the net tax proceeds to
19 the Solid Waste Management Trust Fund and shall credit twenty percent (20%) of the
20 net tax proceeds to the White Goods Management Account. The Secretary shall
21 distribute the remaining seventy-two percent (72%) of the net tax proceeds among the
22 counties on a per capita basis according to the most recent annual population estimates
23 certified to the Secretary by the State ~~Planning-Budget~~ Officer. The Department shall
24 not distribute the tax proceeds to a county when notified not to do so by the Department
25 of Environment and Natural Resources under G.S. 130A-309.87. If a county is not
26 entitled to a distribution, the proceeds allocated for that county will be credited to the
27 White Goods Management Account.

28 A county may use funds distributed to it under this section only as provided in
29 G.S. 130A-309.82. A county that receives funds under this section and that has an
30 interlocal agreement with another unit of local government under which the other unit
31 provides for the disposal of solid waste for the county must transfer the amount received
32 under this section to that other unit. A unit to which funds are transferred is subject to
33 the same restrictions on use of the funds as the county."

34 **SECTION 5.(j)** Effective July 1, 2003, G.S. 105-472(b) reads as rewritten:

35 "(b) **Distribution Between Counties and Cities.** – The Secretary shall divide the
36 amount allocated to each taxing county among the county and its municipalities in
37 accordance with the method determined by the county. The board of county
38 commissioners shall, by resolution, choose one of the following methods of distribution:

- 39 (1) **Per Capita Method.** – The net proceeds of the tax collected in a taxing
40 county shall be distributed to that county and to the municipalities in
41 the county on a per capita basis according to the total population of the
42 taxing county, plus the total population of the municipalities in the
43 county. In the case of a municipality located in more than one county,
44 only that part of its population living in the taxing county is considered

1 its "total population". In order to make the distribution, the Secretary
2 shall determine a per capita figure by dividing the amount allocated to
3 each taxing county by the total population of that county plus the total
4 population of all municipalities in the county. The Secretary shall then
5 multiply this per capita figure by the population of the taxing county
6 and by the population of each municipality in the county; each
7 respective product shall be the amount to be distributed to the county
8 and to each municipality in the county. To determine the population of
9 each county and each municipality, the Secretary shall use the most
10 recent annual estimate of population certified by the State ~~Planning~~
11 Budget Officer.

- 12 (2) Ad Valorem Method. – The net proceeds of the tax collected in a
13 taxing county shall be distributed to that county and the municipalities
14 in the county in proportion to the total amount of ad valorem taxes
15 levied by each on property having a tax situs in the taxing county
16 during the fiscal year next preceding the distribution. For purposes of
17 this section, the amount of the ad valorem taxes levied by a county or
18 municipality includes ad valorem taxes levied by the county or
19 municipality in behalf of a taxing district and collected by the county
20 or municipality. In addition, the amount of taxes levied by a county
21 includes ad valorem taxes levied by a merged school administrative
22 unit described in G.S. 115C-513 in the part of the unit located in the
23 county. In computing the amount of tax proceeds to be distributed to
24 each county and municipality, the amount of any ad valorem taxes
25 levied but not substantially collected shall be ignored. Each county and
26 municipality receiving a distribution of the proceeds of the tax levied
27 under this Article shall in turn immediately share the proceeds with
28 each district in behalf of which the county or municipality levied ad
29 valorem taxes in the proportion that the district levy bears to the total
30 levy of the county or municipality. Any county or municipality that
31 fails to provide the Department of Revenue with information
32 concerning ad valorem taxes levied by it adequate to permit a timely
33 determination of its appropriate share of tax proceeds collected under
34 this Article may be excluded by the Secretary from each monthly
35 distribution with respect to which the information was not provided in
36 a timely manner, and those tax proceeds shall then be distributed only
37 to the remaining counties or municipalities, as appropriate. For the
38 purpose of computing the distribution of the tax under this subsection
39 to any county and the municipalities located in the county for any
40 month with respect to which the property valuation of a public service
41 company is the subject of an appeal and the Department of Revenue is
42 restrained by law from certifying the valuation to the county and the
43 municipalities in the county, the Department shall use the last property
44 valuation of the public service company that has been certified.

1 The board of county commissioners in each taxing county shall, by resolution
2 adopted during the month of April of each year, determine which of the two foregoing
3 methods of distribution shall be in effect in the county during the next succeeding fiscal
4 year. In order for the resolution to be effective, a certified copy of it must be delivered
5 to the Secretary in Raleigh within 15 calendar days after its adoption. If the board fails
6 to adopt a resolution choosing a method of distribution not then in effect in the county,
7 or if a certified copy of the resolution is not timely delivered to the Secretary, the
8 method of distribution then in effect in the county shall continue in effect for the
9 following fiscal year. The method of distribution in effect on the first of July of each
10 fiscal year shall apply to every distribution made during that fiscal year."

11 **SECTION 5.(k)** G.S. 136-202(c) reads as rewritten:

12 "(c) The Department, the metropolitan planning organizations, and the
13 Department of Environment and Natural Resources shall jointly evaluate and adjust the
14 regions defined in each regional travel demand model at least once every five years and
15 no later than October 1 of the year following each decennial federal census. The
16 evaluation and adjustment shall be based on decennial census data and the most recent
17 populations estimates certified by the State ~~Planning-Budget~~ Officer. The adjustment of
18 these boundaries shall reflect current and projected patterns of population, employment,
19 travel, congestion, commuting, and public transportation use and the effects of these
20 patterns on air quality."

21 **SECTION 5.(l)** G.S. 143-215.107A(d) reads as rewritten:

22 "(d) Additional Counties. – The Commission may require that motor vehicle
23 emissions inspections be performed in counties in addition to those set out in subsection
24 (c) of this section. In determining whether to require that motor vehicle emissions
25 inspections be performed in a county, the Commission may consider the population of,
26 and distribution of population in, the county; the projected change in population of, and
27 distribution of population in, the county; the number of vehicles registered in the
28 county; the projected change in the number of vehicles registered in the county; vehicle
29 miles traveled in the county; the projected change in vehicle miles traveled in the
30 county; current and projected commuting patterns in the county; and the current and
31 projected impact of these factors on attainment of air quality standards in the county and
32 in areas outside the county. The Commission may not require that motor vehicle
33 emissions inspections be performed in any county with a population of less than 40,000
34 based on the most recent population estimates prepared by the State ~~Planning-Budget~~
35 Officer. The Commission may not require that motor vehicle emissions inspections be
36 performed in any county in which the number of vehicle miles traveled per day is less
37 than 900,000, based on the most recent estimates prepared by the Department of
38 Transportation. In order to disapprove a rule that requires that motor vehicle emissions
39 inspections be performed in one or more additional counties, a bill introduced pursuant
40 to G.S. 150B-21.3(b) must amend subsection (c) of this section to add one or more other
41 counties in which the total population and vehicle miles traveled per day equal or
42 exceed the total population and vehicle miles traveled in the county or counties listed in
43 the rule that the bill would disapprove."

44 **SECTION 5.(m)** G.S. 160A-536(c) reads as rewritten:

1 (c) Urban Area Revitalization Defined. – As used in this section, the term "urban
2 area revitalization projects" includes the provision within an urban area of any service
3 or facility that may be provided in a downtown area as a downtown revitalization
4 project under subdivision (a)(2) and subsection (b) of this section. As used in this
5 section, the term "urban area" means an area that (i) is located within a city whose
6 population exceeds 150,000 according to the most recent annual population statistics
7 certified by the State ~~Planning~~Budget Officer and (ii) meets one or more of the
8 following conditions:

9 (1) It is the central business district of the city.

10 (2) It consists primarily of existing or redeveloping concentrations of
11 industrial, retail, wholesale, office, or significant
12 employment-generating uses, or any combination of these uses.

13 (3) It is located in or along a major transportation corridor and does not
14 include any residential parcels that are not, at their closest point, within
15 150 feet of the major transportation corridor right-of-way or any
16 nonresidentially zoned parcels that are not, at their closest point,
17 within 1,500 feet of the major transportation corridor right-of-way.

18 (4) It has as its center and focus a major concentration of public or
19 institutional uses, such as airports, seaports, colleges or universities,
20 hospitals and health care facilities, or governmental facilities."

21 **SECTION 5.(n)** G.S. 162A-6(a)(14d) reads as rewritten:

22 (a) Each authority created hereunder shall be deemed to be a public
23 instrumentality exercising public and essential governmental functions to provide for
24 the public health and welfare, and each authority is authorized and empowered:

25 ...

26 (14d) To require the owners of developed property on which there are
27 situated one or more residential dwelling units or commercial
28 establishments located within the jurisdiction of the authority and
29 within a reasonable distance of any waterline or sewer collection line
30 owned, leased as lessee, or operated by the authority to connect the
31 property with the waterline, sewer connection line, or both and fix
32 charges for the connections. The power granted by this subdivision
33 may be exercised by an authority only to the extent that the service,
34 whether water, sewer, or a combination thereof, to be provided by the
35 authority is not then being provided to the improved property by any
36 other political subdivision or by a public utility regulated by the North
37 Carolina Utilities Commission pursuant to Chapter 62 of the General
38 Statutes. In the case of improved property that would qualify for the
39 issuance of a building permit for the construction of one or more
40 residential dwelling units or commercial establishments and where the
41 authority has installed water or sewer lines or a combination thereof
42 directly available to the property, the authority may require payment of
43 a periodic availability charge, not to exceed the minimum periodic
44 service charge for properties that are connected. This subdivision

1 applies only to a water and sewer authority whose membership
2 includes part or all of a county that has a population of at least 40,000
3 according to the most recent annual population estimates certified by
4 the State ~~Planning~~Budget Officer.

5 ..."

6 **SECTION 6.** G.S. 78A-17 reads as rewritten:

7 **"§ 78A-17. Exempt transactions.**

8 Except as otherwise provided in this Chapter, the following transactions are
9 exempted from G.S. 78A-24 and G.S. 78A-49(d):

- 10 (1) Any isolated nonissuer transaction, whether effected through a dealer
11 or ~~not~~not.
- 12 (2) Any nonissuer distribution other than by a controlling person of an
13 outstanding security if
- 14 a. A recognized securities manual contains the names of the
15 issuer's officers and directors, a balance sheet of the issuer as of
16 a date within 18 months, and a profit and loss statement for
17 either the fiscal year preceding that date or the most recent year
18 of operations, or
- 19 b. A registered dealer files with the Administrator such
20 information relating to the issuer as the Administrator may by
21 rule or order require, or
- 22 c. The security has a fixed maturity or a fixed interest or dividend
23 provision and there has been no default during the current fiscal
24 year or within the three preceding fiscal years, or during the
25 existence of the issuer and any predecessors if less than three
26 years, in the payment of principal, interest, or dividends on the
27 ~~security~~security.
- 28 (3) Any nonissuer transaction effected by or through a registered dealer
29 pursuant to an unsolicited order or offer to buy; but the Administrator
30 may by rule require that the customer acknowledge upon a specified
31 form that the sale was unsolicited, and that a signed copy of each such
32 form be preserved by the dealer for a specified ~~period~~period.
- 33 (4) Any transaction between the issuer or other person on whose behalf
34 the offering is made and an underwriter, or among
35 ~~underwriters~~underwriters.
- 36 (5) Any transaction in a bond or other evidence of indebtedness secured
37 by a lien or security interest in real or personal property, or by an
38 agreement for the sale of real estate or chattels, if the entire security
39 interest or agreement, together with all the bonds or other evidences of
40 indebtedness secured thereby, is offered and sold as a ~~unit~~unit.
- 41 (6) Any transaction by an executor, administrator, sheriff, marshal,
42 receiver, trustee in bankruptcy, guardian, or ~~conservator~~conservator.
- 43 (7) Any transaction executed by a person holding a bona fide security
44 interest without any purpose of evading this ~~Chapter~~Chapter.

- 1 (8) Any offer or sale to an entity which has a net worth in excess of one
2 million dollars (\$1,000,000) as determined by generally accepted
3 accounting principles, bank, savings institution, trust company,
4 insurance company, investment company as defined in the Investment
5 Company Act of 1940, pension or profit-sharing trust, or other
6 financial institution or institutional buyer, or to a dealer, whether the
7 purchaser is acting for itself or in some fiduciary ~~capacity~~; capacity.
- 8 (9) Any transaction pursuant to an offer directed by the offeror to not
9 more than 25 persons, other than those persons designated in
10 subdivision (8), in this State during any period of 12 consecutive
11 months, whether or not the offeror or any of the offerees is then
12 present in this State, if the seller reasonably believes that all the buyers
13 in this State are purchasing for investment. The Administrator may by
14 rule or order withdraw, amend, or further condition this exemption for
15 any security or security transaction. There is established a fee of one
16 hundred fifty dollars (\$150.00) to recover costs for any filing required.
- 17 (10) Any offer or sale of a preorganizational certificate or subscription if:
18 (i) no commission or other remuneration is paid or given directly or
19 indirectly for soliciting any prospective subscriber; (ii) no public
20 advertising or solicitation is used in connection with the offer or sale;
21 (iii) the number of subscribers does not exceed 10 and the number of
22 offerees does not exceed 25; and (iv) no payment is made by any
23 subscriber.
- 24 (11) Any transaction pursuant to an offer to existing security holders of the
25 issuer, including persons who at the time of the transaction are holders
26 of convertible securities, nontransferable warrants, or transferable
27 warrants exercisable within not more than 90 days of their issuance, if
28 (i) no commission or other remuneration (other than a standby
29 commission) is paid or given directly or indirectly for soliciting any
30 security holder in this State, or (ii) the issuer first files a notice
31 specifying the terms of the offer and the Administrator does not by
32 order disallow the exemption within the next 10 full business
33 ~~days~~; days.
- 34 (12) Any offer (but not a sale) of a security for which registration
35 statements have been filed under both this Chapter and the Securities
36 Act of 1933 if no stop order or refusal order is in effect and no public
37 proceeding or examination looking toward such an order is pending
38 under either ~~act~~; act.
- 39 (13) Any offer or sale by a domestic entity of its own securities if (i) the
40 entity was organized for the purpose of promoting community,
41 agricultural or industrial development of the area in which the
42 principal office is located, (ii) the offer or sale has been approved by
43 resolution of the county commissioners of the county in which its
44 principal office is located, and, if located in a municipality or within

1 two miles of the boundaries thereof, by resolution of the governing
2 body of such municipality, (iii) no commission or other remuneration
3 is paid or given directly or indirectly for soliciting any prospective
4 buyer in this State, and (iv) the ~~corporation~~-entity is both organized
5 and operated principally to promote some community, industrial, or
6 agricultural development that confers a public benefit rather than
7 organized and operated principally to generate a pecuniary
8 ~~profit~~;profit.

- 9 (14) Any offer, sale or issuance of securities pursuant to an employees'
10 stock or equity purchase, option, savings, pension, profit-sharing, or
11 other similar benefit plan that is exempt under the provisions of
12 ~~G.S. 78A-16(11)~~;G.S. 78A-16(11).

13 ..."

14 **SECTION 7.** G.S. 90-210.69(c) reads as rewritten:

15 "(c) In accordance with the provisions of Chapter 150B of the General Statutes, if
16 the Board finds that a licensee, an applicant for a license or an applicant for license
17 renewal is guilty of one or more of the following, the Board may refuse to issue or
18 renew a license or may suspend or revoke a license or place the holder thereof on
19 probation upon conditions set by the Board, with revocation upon failure to comply with
20 the conditions:

- 21 (1) Offering to engage or engaging in activities for which a license is
22 required under this Article but without having obtained such a license.
23 (2) Aiding or abetting an unlicensed person, firm, partnership, association,
24 corporation or other entity to offer to engage or engage in such
25 activities.
26 (3) A crime involving fraud or moral turpitude by conviction thereof.
27 (4) Fraud or misrepresentation in obtaining or receiving a license or in
28 preneed funeral planning.
29 (5) False or misleading advertising.
30 (6) Violating or cooperating with others to violate any provision of this
31 Article, the rules and regulations of the Board, ~~adopted~~—or the
32 standards set forth in Funeral Industry Practices, 16 C.F.R. 453 (1984),
33 as amended from time to time.

34 In any case in which the Board is authorized to take any of the actions permitted
35 under this subsection, the Board may instead accept an offer in compromise of the
36 charges whereby the accused shall pay to the Board a penalty of not more than five
37 thousand dollars (\$5,000). In any case in which the Board is entitled to place a licensee
38 on a term of probation, the Board may also impose a penalty of not more than five
39 thousand dollars (\$5,000) in conjunction with such probation."

40 **SECTION 8.** G.S. 96-4(t)(2) reads as rewritten:

41 "(t) Confidentiality of Records, Reports, and Information Obtained from
42 Claimants, Employers, and Units of Government.

43 ...

1 (2) Job Service Information. – (i) Except as hereinafter otherwise provided
2 it is unlawful for any person to disclose any information obtained by
3 the North Carolina State Employment Service Division from workers,
4 employers, applicants, or other persons or groups of persons in the
5 course of administering the State Public Employment Service
6 Program. Provided, however, that if all interested parties waive in
7 writing the right to hold such information confidential, the information
8 may be disclosed and used but only for those purposes that the parties
9 and the Commission have agreed upon in writing. (ii) The
10 Employment Service Division shall make public, through the
11 newspapers and any other suitable media, information as to job
12 openings and available applicants for the purpose of supplying the
13 demand for workers and employment. (iii) The Labor Market
14 Information Division shall collect, collate, and publish statistical and
15 other information relating to the work under the Commission's
16 jurisdiction; investigate economic developments, and the extent and
17 causes of unemployment and its remedies with the view of preparing
18 for the information of the General Assembly such facts as in the
19 Commission's opinion may make further legislation desirable. (iv)
20 Except as provided by Commission regulation, any information
21 published pursuant to this ~~subsection (H)~~ subdivision shall not be
22 published in any manner revealing the identity of the applicant or the
23 employing unit.

24 ..."

25 **SECTION 9.** G.S. 110-136.13(a) reads as rewritten:

26 "(a) For purposes of this section, G.S. 110-136.11, 110-136.12, and ~~110-14,~~
27 110-136.14, the term "employer" means employer as is defined at 29 U.S.C. § 203(d) in
28 the Fair Labor Standards Act."

29 **SECTION 10.** G.S. 113-307.1(b) reads as rewritten:

30 "(b) The State of North Carolina hereby assents to the provisions of the act of
31 Congress entitled "An act to provide that the United States shall aid the states in wildlife
32 restoration projects, and for other purposes," approved September 2, 1937 (Public Law
33 415, 75th Congress), and the Wildlife Resources Commission is hereby authorized,
34 empowered, and directed to perform such acts as may be necessary to the conduct and
35 establishment of cooperative wildlife restoration projects, as defined in said act of
36 Congress, in compliance with said act and rules and regulations promulgated by the
37 Secretary of ~~Agriculture~~ the Interior thereunder; and no funds accruing to the State of
38 North Carolina from license fees paid by hunters shall be diverted for any other purpose
39 than the protection and propagation of game and wildlife in North Carolina and
40 administration of the laws enacted for such purposes, which laws are and shall be
41 administered by the Wildlife Resources Commission."

42 **SECTION 11.** G.S. 143-129.8(b) reads as rewritten:

43 "(b) Contracts for information technology may be entered into under a request for
44 proposals procedure that satisfies the following minimum requirements:

- 1 (1) Notice of the request for proposals shall be given in accordance with
2 ~~G.S. 143-129(a)~~. G.S. 143-129(b).
- 3 (2) Contracts shall be awarded to the person or entity that submits the best
4 overall proposal as determined by the awarding authority. Factors to be
5 considered in awarding contracts shall be identified in the request for
6 proposals."

7 **SECTION 12.** G.S. 147-69 reads as rewritten:

8 "**§ 147-69. Deposits of State funds in banks and savings and loan associations**
9 **regulated.**

10 Banks and savings and loan associations having State deposits shall furnish to the
11 Auditor of the State, upon ~~his~~the Auditor's request, a statement of the moneys which
12 have been received and paid by them on account of the treasury. The Treasurer shall
13 keep in ~~his~~the Treasurer's office a full account of all moneys deposited in and drawn
14 from all banks and savings and loan associations in which ~~he~~the Treasurer may deposit
15 or cause to be deposited any of the public funds, and ~~such~~these accounts shall be open
16 to the inspection of the Auditor. The Treasurer shall sign all checks, and no depository
17 bank or savings and loan association shall be authorized to pay checks not bearing ~~his~~
18 the Treasurer's official signature. The Treasurer is authorized to use a facsimile
19 signature machine or device in affixing ~~his~~the Treasurer's signature to warrants, checks
20 or any other instrument ~~he~~the Treasurer is required by law to sign. The Commissioner
21 of ~~Banks and Banks~~, the bank examiners, and ~~the Commissioner of Banks and~~ the
22 savings and loan examiners, when so required by the State Treasurer, shall keep the
23 State Treasurer fully informed at all times as to the condition of all ~~such~~these
24 depository banks and savings and loan associations, so as to fully protect the State from
25 loss. The State Treasurer shall, before making deposits in any bank or savings and loan
26 association, require ample security from the bank or savings and loan association for
27 ~~such deposit~~these deposits."

28 **SECTION 13.(a)** G.S. 163-278.39B is recodified as G.S. 163-278.38Z under
29 Part 1A of Article 22A of Chapter 163 of the General Statutes, so that the recodified
30 section appears as the first section in Part 1A.

31 **SECTION 13.(b)** G.S. 163-278.6 reads as rewritten:

32 "**§ 163-278.6. Definitions.**

33 When used in this Article:

- 34 ...
- 35 (2) The term "broadcasting station" means any commercial radio or
36 television station or community antenna radio or television station.
37 Special definitions of 'radio' and 'television' that apply only in Part 1A
38 of this Article are set forth in G.S. 163-278.38Z.
- 39 ...
- 40 (4) The term "candidate" means any individual who, with respect to a
41 public office listed in G.S. 163-278.6(18), has filed a notice of
42 candidacy or a petition requesting to be a candidate, or has been
43 certified as a nominee of a political party for a vacancy, has otherwise
44 qualified as a candidate in a manner authorized by law, or has received

1 funds or made payments or has given the consent for anyone else to
2 receive funds or transfer anything of value for the purpose of exploring
3 or bringing about that individual's nomination or election to office.
4 Transferring anything of value includes incurring an obligation to
5 transfer anything of value. Status as a candidate for the purpose of this
6 Article continues if the individual is receiving contributions to repay
7 loans or cover a deficit or is making expenditures to satisfy obligations
8 from an election already held. Special definitions of 'candidate' and
9 'candidate campaign committee' that apply only in Part 1A of this
10 Article are set forth in G.S. 163-278.38Z.

11 (5) The term "communications media" or "media" means broadcasting
12 stations, carrier current stations, newspapers, magazines, periodicals,
13 outdoor advertising facilities, billboards, newspaper inserts, and any
14 person or individual whose business is polling public opinion,
15 analyzing or predicting voter behavior or voter preferences. Special
16 definitions of 'print media,' 'radio,' and 'television' that apply only in
17 Part 1A of this Article are set forth in G.S. 163-278.38Z.

18 ...
19 (14) The term "political committee" means a combination of two or more
20 individuals, such as any person, committee, association, organization,
21 or other entity that makes, or accepts anything of value to make,
22 contributions or expenditures and has one or more of the following
23 characteristics:
24 a. Is controlled by a candidate;
25 b. Is a political party or executive committee of a political party or
26 is controlled by a political party or executive committee of a
27 political party;
28 c. Is created by a corporation, business entity, insurance company,
29 labor union, or professional association pursuant to
30 G.S. 163-278.19(b); or
31 d. Has as a major purpose to support or oppose the nomination or
32 election of one or more clearly identified candidates.

33 Supporting or opposing the election of clearly identified candidates
34 includes supporting or opposing the candidates of a clearly identified
35 political party.

36 An entity is rebuttably presumed to have as a major purpose to
37 support or oppose the nomination or election of one or more clearly
38 identified candidates if it contributes or expends or both contributes
39 and expends during an election cycle more than three thousand dollars
40 (\$3,000). The presumption may be rebutted by showing that the
41 contributions and expenditures giving rise to the presumption were not
42 a major part of activities of the organization during the election cycle.
43 Contributions to referendum committees and expenditures to support
44 or oppose ballot issues shall not be facts considered to give rise to the

1 presumption or otherwise be used in determining whether an entity is a
2 political committee.

3 If the entity qualifies as a "political committee" under
4 sub-subdivision a., b., c., or d. of this subdivision, it continues to be a
5 political committee if it receives contributions or makes expenditures
6 or maintains assets or liabilities. A political committee ceases to exist
7 when it winds up its operations, disposes of its assets, and files its final
8 report.

9 Special definitions of 'political action committee' and 'candidate
10 campaign committee' that apply only in Part 1A of this Article are set
11 forth in G.S. 163-278.38Z.

12 (15) The term "political party" means any political party organized or
13 operating in this State, whether or not that party is recognized under
14 the provisions of G.S. 163-96. A special definition of 'political party
15 organization' that applies only in Part 1A of this Article is set forth in
16 G.S. 163-278.38Z.

17 ..."

18 **SECTION 14.(a)** Section 1 of S.L. 2001-37 is repealed.

19 **SECTION 14.(b)** S.L. 2001-37 is amended by adding a new section to read:

20 "SECTION 1.1. G.S. 160A 58.1(b)(5) does not apply to the Cities of Marion,
21 Oxford, and Rockingham and the Towns of Calabash, Catawba, Dallas, Godwin,
22 Louisburg, Mocksville, Pembroke, Rutherfordton, and Waynesville."

23 **SECTION 14.(c)** G.S. 160-58.1(b)(5) reads as rewritten:

24 "(5) The area within the proposed satellite corporate limits, when added to
25 the area within all other satellite corporate limits, may not exceed ten
26 percent (10%) of the area within the primary corporate limits of the
27 annexing city.

28 This subdivision does not apply to the Cities of Claremont,
29 Concord, Conover, Hickory, Marion, Mount Airy, New Bern, Newton,
30 Oxford, Rockingham, Sanford, Salisbury, Southport, and Statesville,
31 and the Towns of Calabash, Catawba, Dallas, Godwin, Kenly,
32 Louisburg, Maiden, Midland, Mocksville, Mooresville, Pembroke,
33 Rutherfordton, Swansboro, ~~and Warsaw~~, Warsaw, and Waynesville."

34 **SECTION 14.(d)** G.S. 160A-58.1(b1) is repealed.

35 **SECTION 15.** This act is effective when it becomes law.