

PCS for HB 200: Fee Adjustments in the Appropriations Act of 2011

EDUCATION

Bill Section	Name	Current Fee	Proposed Fee	Use/Description	Last Change	FY 11-12	FY 12-13	Eff. Date
Capital Projects								
Sec. 30.7 (CAP-H8)	UNC Nonappropriated Capital Projects	N/A	N/A	Provides for capital projects for The University of North Carolina System. This provision is the same as Senate Bill 444, UNC Nonappropriated Capital Projects. (There is no House companion bill to SB 444.) The projects authorized by the section would not be financed with funds appropriated from the State's General Fund; but may be financed with gifts, grants, receipts, self-liquidating indebtedness, Medicare reimbursements for education costs, other funds available to the constituent institutions, or a combination of any of those financing methods.		N/A	N/A	7/1/11
Education								
Sec. 31.1 (TRANS-H28)	Drivers Education Fee	New	Up to \$75	Local boards of education authorized to charge up to \$75 for participants of drivers education.	N/A	Unknown	Unknown	7/1/11
Sec. 31.2 (DOCC-H13)	GED Fee Increase	\$7.50 (with no fee for re-testing)	See Description	Allows State Board of Community College to set GED testing (and retesting) fee. The fee would likely be \$25 per test.	1987	At least sufficient to replace \$208,533 in GF, but total revenue projected at \$397,000	At least sufficient to replace \$208,533 in GF, but total revenue projected at \$397,000	7/1/11
Sec. 31.3 (DPI-H26)	North Carolina Virtual Public Schools Allotment Formula	N/A	See Description	Directs State Board of Education to establish a per student fee structure for out-of-state, private, and home schooled students enrolled in NC Virtual Public Schools. The State Board's policy has been to create a recommended fee schedule, so this provision clarifies that policy directive and places it into session law.	N/A	Unknown	Unknown	7/1/11

NATURAL AND ECONOMIC RESOURCES

Bill Section	Name	Current Fee	Proposed Fee	Use/Description	Last Change	FY 11-12	FY 12-13	Eff. Date
Department of Commerce/Economic Development								
Sec. 31.4 (COMM-H2)	Set Regulatory Fee for Utilities Commission	0.12%	Same	The utility regulatory fee is a tax that was first imposed in 1989. The proceeds of the fee are credited to the Utilities Commission and Public Staff Fund and used to defray the State's cost in regulating public utilities. The regulatory fee is imposed on all utilities that are subject to regulation by the North Carolina Utilities Commission. The fee is a percentage of the utility's North Carolina jurisdictional revenues. The rate has remained the same since 2003. This rate applies to each public utility's jurisdictional revenues earned during each quarter that begins on or after July 1, 2011.				7/1/11
Sec. 31.4 (COMM-H2)	Set Regulatory Fee for Electric Membership Corporation	\$200,000	Same	The proceeds of the fee are credited to the Utilities Commission and Public Staff Fund and used to defray the State's cost in regulating electric membership corporations. This fee has remained the same since it was first imposed in 1999.				7/1/11
Department of Agriculture & Consumer Services								
Sec. 31.5 (AGRIC-H7)	License Fees for kennels, pet stores, etc.	\$50	\$75	Increases the license fee for operators of pet shops, public auctions, or boarding kennels and for dealers.	1989	\$10,000	\$10,000	7/1/11
Sec. 31.6 (AGRIC-H4)	Repeal Board of Agriculture Review of Fee Schedules	N/A	N/A	Repeals statutory requirement that Department of Agriculture biennially review all fees under its authority. This requirement was added during the last biennium and has been found to be unnecessary.				7/1/11
Sec. 31.7 (AGRIC-H3)	Fee For Expedited Soil Test	New	\$100	New \$100 fee for expedited soil test.	N/A	\$50,000	\$50,000	7/1/11
Sec. 31.7 (AGRIC-H3)	Fee for Out-of-State Soil Tests	New	\$5.00	New \$5 fee for out-of-state soil test.	N/A	Minimal	Minimal	7/1/11
Sec. 31.8 (AGRIC-H1A)	Technical Corrections regarding Commercial Fertilizer Inspection Fee and Pesticide Technician ID Card Renewal Fee	\$0.25	\$.50	Technical correction for two fees. The General Assembly increased these fees in 2009. The legislation failed to make the conforming changes in these statutes.				7/1/11
Sec. 31.9 (AGRIC-H6)	Increase Agricultural Liming Materials Tonnage Fees	\$.10	\$.50	Increases the tonnage fee paid by manufacturers or registrants to Dept. of Agriculture and Consumer Services for agricultural liming material from \$.10 to \$.50.	1979	\$250,000	\$250,000	7/1/11
Sec. 31.10 (AGRIC-H5)	Increase Antifreeze Distribution Registration Fee	\$250	\$500	Increases license and inspection fee for manufacturers, packagers, or persons named on the label of antifreeze from \$250 to \$500.		\$75,000	\$75,000	7/1/11

Bill Section	Name	Current Fee	Proposed Fee	Use/Description	Last Change	FY 11-12	FY 12-13
Environment							
Sec. 31.11 (ENV-H3)	Reduce Portion of Certificate of Title Fees Credited to Mercury Switch Removal Account	Varies	Varies	Reduces the portion of the fee assessed that is credited to the Mercury Switch Removal Account in DENR from \$1 to \$.50. The General Assembly enacted this fee for this purpose in 2005.		N/A	N/A 7/1/11
Sec. 31.12 (ENV-H11)	Divert Scrap Tire Tax Proceeds to General Fund	1% - 2% of sales price of each new tire	Same	Redirects proceeds of scrap tire disposal tax from various funds to the General Fund for fiscal year 2011-12. The proceeds would be distributed as follows: 8% to the Solid Waste Management Trust Fund, 17% to the Scrap Tire Disposal Account, 2.5% to the Inactive Hazardous Sites Cleanup Fund, 2.5% to the Bernard Allen Memorial Emergency Drinking Water Fund, and 70% to the counties.		N/A	N/A 7/1/11
Sec. 31.13 (ENV-H12)	Divert White Goods Tax Proceeds to General Fund	\$3 for each new white good purchased	Same	Redirects proceeds of white goods disposal tax from various funds to the General Fund for fiscal year 2011-12. The proceeds would be distributed as follows: 8% to the Solid Waste Management Trust Fund, 20% to the White Goods Management Account, and 72% to the counties.		N/A	N/A 7/1/11
Sec. 31.14 (ENV-H2F)	Locals to Set and Collect Food and Lodging Fees and Retain Larger Local Portion of These Fees	\$75	Up to \$250	Under current law, the fee amount is set at the State level and applies equally across the State. The fee may not exceed \$75. This provision would allow the fee amounts to be set at the local level; thus the fee amount could vary from one jurisdiction to another. The maximum fee amount would be increased from \$75 to \$250 and the amount of the fee that would be used to support the programs funded by the State would decrease from 33.3% to 10%.		Unknown	Unknown 7/1/11
Sec. 31.15 (ENV-H7)	Additional Uses of Hazardous Waste Fees	Varies	Same	Adds to the uses permitted for hazardous waste fees (i) to implement/provide oversight of necessary response activities involving inactive hazardous substances or waste disposal sites and (ii) to provide compliance/prevention activities within the solid waste program to ensure hazardous waste is not disposed in solid waste management facilities		N/A	N/A 7/1/11
Department of Labor							
Sec. 31.16 (LAB-H1)	Repeal Statute Requiring Biennial Review of Fees by Department	N/A	N/A	Repeals statutory requirement that Department of Labor biennially review all fees under its authority. This requirement was added during the last biennium and has been found to be unnecessary.		N/A	N/A 7/1/11

Bill Section	Name	Current Fee	Proposed Fee	Use/Description	Last Change	FY 11-12	FY 12-13
Environment & Natural Resources							
Sec. 31.17 (NATRES-H24A)	Divert Portion of Deed Stamp Tax Revenue Source for Natural Heritage Trust Fund	\$1 per \$500 of value conveyed	Same	Under current law, 25% of the revenue remitted to the State from the deed stamp tax is credited to the Natural Heritage Trust Fund and used for various land purchases. This provision would redirect \$8 million of this amount to the General Fund for fiscal year 2011-12.		N/A	N/A 7/1/11
Sec. 31.18 (NATRES-H6D)	Parks & Recreation Trust Fund; Allocation of Deed Stamp Tax Proceeds Credited to Fund	\$1 per \$500 of value conveyed	Same	Under current law, 75% of the revenue remitted to the State from the deed stamp tax is credited to the Parks and Recreation Trust Fund and used for various capital projects. This provision would redirect this revenue as follows for fiscal year 2011-12: for operating expenses of Division of Parks & Recreation of DENR \$6M; for capital projects, repairs, renovations, debt service, and land acquisition by the State Parks System \$8M; for grants to local governments for matching requirements \$4,230,000; and for Coastal and Estuarine Water Beach Access Program \$705,000.		N/A	N/A 7/1/11
Sec. 31.19 (NATRES-H23)	Divert Portion of Deed Stamp Tax Revenue Source for Parks & Recreation Trust Fund	\$1 per \$500 of value conveyed	Same	Under current law, 75% of the revenue remitted to the State from the deed stamp tax is credited to the Parks and Recreation Trust Fund and used for various capital projects. This provision would redirect \$8,435,000 of this amount to the General Fund for fiscal year 2011-12.		N/A	N/A 7/1/11
Sec. 31.20 (NATRES-H12E)	New Funding Source for Wildlife Resource Commission Operating Budget	N/A	N/A	In 1983, the General Assembly transferred a portion of the State sales and use tax revenue derived from hunting and fishing supplies and equipment to the Wildlife Resources Fund. This provision would repeal this transfer and replace it with an appropriation of \$18.5M from the General Fund.		N/A	N/A 7/1/11
Sec. 31.21 (NATRES-H19)	Repeal DENR Review of Fee Schedules	N/A	N/A	Repeals statutory requirement that DENR biennially review all fees under its authority. This requirement was added during the last biennium and has been found to be unnecessary.		N/A	N/A 7/1/11
Sec. 31.22 (NATRES-H1)	No New Fees for Parking in State Parks	N/A	N/A	Prohibits State Parks from charging not-previously-charged parking fees.		N/A	N/A 7/1/11

JUSTICE AND PUBLIC SAFETY

Section	Name	Current Cost	Proposed Cost	Use/Description	Last Change	FY 11-12	FY 12-13	Eff. Date
JPS: Court Costs & Contingent Court Costs								
Sec. 31.23 AOC-H23	Superior Court – Civil	\$125.00	\$180.00	Raised cost (GF, for support of General Court of Justice)		\$1,492,315	\$1,492,315	7/1/11
Sec. 31.23 AOC-H23	Superior Court – Criminal	\$102.50	\$154.50	Raised cost (GF, for support of General Court of Justice)	2010	\$140,244	\$140,244	7/1/11
Sec. 31.23 AOC-H23	District Court – Civil	\$80.00	\$130.00	Raised cost (GF, for support of General Court of Justice)	2007	\$8,004,800	\$8,004,800	7/1/11
Sec. 31.23 AOC-H23	District Court – Criminal	\$100.50	\$124.50	Raised cost (GF, for support of General Court of Justice)	2010	\$23,663,976	\$23,663,976	7/1/11
Sec. 31.23 AOC-H23	Magistrate – Civil (Small Claims)	\$55.00	\$80.00	Raised cost (GF, for support of General Court of Justice)	2010	\$6,193,975	\$6,193,975	7/1/11
Sec. 31.23 AOC-H23	Special Proceedings	\$75.00	\$106.00	Raised cost (GF, for support of General Court of Justice)	2009	\$465,000	\$465,000	7/1/11
Sec. 31.23 AOC-H23	Estates	\$75.00	\$106.00	Raised cost (GF, for support of General Court of Justice)	2009	\$1,085,000	\$1,085,000	7/1/11
Sec. 31.23 AOC-H23	Additional Civil Motions	\$0.00	\$20.00	New cost for all motions other than motions addressed in G.S. 7A-308 (GF, for support of General Court of Justice)	2009	\$3,139,860	\$3,139,860	7/1/11
Sec. 31.23 AOC-H23	Reissuance of Summons	\$0.00	\$15.00	New cost for alias and pluries summons and all endorsements issues on an original summons, both under G.S. 7A-308 (GF, for support of General Court of Justice)	New	\$820,455	\$820,455	7/1/11
Sec. 31.23 AOC-H23	Foreclosure	\$150.00	\$300.00	Raised cost (GF, for support of General Court of Justice)	2009	\$8,875,350	\$8,875,350	7/1/11
Sec. 31.23 AOC-H23	Counterclaims and cross-claims (except 50B) – magistrate, district court and superior court	\$0.00	\$180 \$130 \$80 \$12 \$16 \$4	New costs imposed for counter and cross-claims in the amounts of \$180 (Superior Court) / \$130 (District Court / \$80 (Magistrate) (goes to GF, for support of General Court of Justice), \$12 for cases before magistrates or \$16 for cases in district or superior court (goes to the counties) and \$4 (goes to the Court Information Technology Fund)	New	\$1,880,970	\$1,880,970	7/1/11
Sec. 31.23 AOC-H23	Reduce access to CJ Pass-through	\$2.05	\$1	Reduces portion of General Court of Justice costs the State Treasurer remits to the North Carolina State Bar for legal services programs.		\$1,557,521	\$1,557,521	7/1/11
Sec. 31.24 AOC-H28	Community Mediation Centers Worthless Check Programs	\$60	\$60	A private, non-profit entity may charge fees for its services. This section codifies this ability for a community mediation center. The General Assembly began encouraging the work of these centers in 1999 as a means of reducing the caseload in the district court system.	New	No change	No changes	7/1/11
Sec. 31.25 AOC-H29	Increase Interstate Compact Transfer Fee	\$150	\$250	Increases transfer application fee for convicts in this State who make a request for transfer to another state pursuant to the Interstate Compact.	2008	Unknown	Unknown	7/1/11

Section	Name	Current Cost	Proposed Cost	Use/Description	Last Change	FY 11-12	FY 12-13	Eff. Date
JPS: Court Costs & Contingent Court Costs								
Sec. 31.26 AOC-H24	Contingent Court Cost Increases for Counties: District Court Facility Fee	\$12.00	\$30.00	Increases the cost for use of the courtroom and related judicial facilities. The proceeds would remain with the counties. The provision would only become effective if HB 642 (or other requirement that a misdemeanor with a period of confinement of ≤ 6 months serve in a local confinement facility) becomes effective.	Prior to 2000	\$19,100,000 (proceeds go to counties)	\$19,100,000 (proceeds go to counties)	7/1/11
Sec. 31.26 AOC-H24	Increase Civil Process Fee	\$15.00	\$30.00	Increases the costs for the service of civil processes. The proceeds would remain with the counties. The provision would only become effective if HB 642 (or other requirement that a misdemeanor with a period of confinement of ≤ 6 months serve in a local confinement facility) becomes effective.	2004	\$3,300,000 (proceeds go to counties)	\$3,300,000 (proceeds go to counties)	7/1/11
Sec. 31.26 AOC-H24	Daily Jail Fee	\$5.00	\$10.00	Increases the costs for daily jail confinement. The proceeds would remain with the counties. The provision would only become effective if HB 642 (or other requirement that a misdemeanor with a period of confinement of ≤ 6 months serve in a local confinement facility) becomes effective.	Prior to 2000	Unknown (proceeds go to counties)	Unknown (proceeds go to counties)	7/1/11
Sec. 31.26 AOC-H24	Improper Equipment	\$0.00	\$50.00	Would impose an additional costs on a person convicted of an improper equipment violation. The proceeds would remain with the counties. The provision would only become effective if HB 642 (or other requirement that a misdemeanor with a period of confinement of ≤ 6 months serve in a local confinement facility) becomes effective.	New	\$12,430,000 (proceeds go to counties)	\$12,430,000 (proceeds go to counties)	7/1/11
Sec. 31.26 AOC-H24	Medical Care for Prisoners	\$10	Not more than \$20	Would increase the cost for nonemergency medical care to prisoners. The proceeds would remain with the counties. The provision would only become effective if HB 642 (or other requirement that a misdemeanor with a period of confinement of ≤ 6 months serve in a local confinement facility) becomes effective.	Prior 2000	Unknown (proceeds go to counties)	Unknown (proceeds go to counties)	7/1/11

GENERAL GOVERNMENT

Section	Name	Current Fee	Proposed Fee	Use/Description	Last Change	FY 11-12	FY 12-13	Eff. Date
Sec. 31.27 INS-H4	Insurance Regulatory Charge	6%	6%	First enacted in 1991 to defray the State's cost of regulating the insurance industry, the charge is a percentage of each insurance company's gross premiums tax liability. The General Assembly must set the rate for this charge each year.	2010			7/1/11
Sec. 31.28 IT-H16C	Information Technology Fund/Availability	N/C	N/C	Appropriates funds from the Information Technology Fund for the 2011-2013 bienniums.		\$550,000	\$550,000	When bill becomes law

TRANSPORTATION

Section	Name	Current Fee	Proposed Fee	Use/Description	Last Change	FY 11-12	FY 12-13	Eff. Date
Sec. 31.29 TRANS-H20	DMV Bulk (Partial) Data Records	Varies	\$.03/record	New per-individual-record fee for non-official license record data.	N/A	\$5,050,000	\$5,050,000	7/1/11
Sec. 31.30 TRANS-H11	Toll Ferries	Varies	Set by DOT	Requires that all ferry routes be tolled.	2002	\$5,000,000	\$7,500,000	4/1/12