

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007**

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**SENATE BILL 2107*
Finance Committee Substitute Adopted 6/12/08**

Short Title: Set Fees for 2008 Budget.

(Public)

Sponsors:

Referred to:

May 28, 2008

A BILL TO BE ENTITLED

1
2 AN ACT TO SET THE INSURANCE AND PUBLIC UTILITY REGULATORY
3 FEES, TO IMPOSE A FEE FOR FLOOD HAZARD DETERMINATION FORMS
4 COMPLETED BY LENDERS, TO IMPOSE A STATE JUDICIAL FACILITIES
5 FEE, TO AUTHORIZE THE ISSUANCE OF FORTY MILLION DOLLARS OF
6 SPECIAL INDEBTEDNESS FOR STATE JUDICIAL FACILITIES, TO ADJUST
7 VARIOUS FEES, AND TO EXPAND THE LICENSURE REQUIREMENT FOR
8 HOME CARE SERVICES.

9 The General Assembly of North Carolina enacts:

10 **SET INSURANCE REGULATORY FEE**

11 **SECTION 1.1.** The percentage rate to be used in calculating the insurance
12 regulatory charge under G.S. 58-6-25 is five and one-half percent (5.5%) for the 2008
13 calendar year.

14 **SECTION 1.2.** This section is effective when it becomes law.

15
16 **SET REGULATORY FEE FOR UTILITIES COMMISSION**

17 **SECTION 2.1.** The percentage rate to be used in calculating the public
18 utility regulatory fee under G.S. 62-302(b)(2) is twelve one-hundredths of one percent
19 (0.12%) for each public utility's North Carolina jurisdictional revenues earned during
20 each quarter that begins on or after July 1, 2008.

21 **SECTION 2.2.** The electric membership corporation regulatory fee imposed
22 under G.S. 62-302(b1) for the 2008-2009 fiscal year is two hundred thousand dollars
23 (\$200,000).

24 **SECTION 2.3.** This section becomes effective July 1, 2008.

25
26 **ADJUST SECURITIES FILING FEES**

27 **SECTION 3.1.** G.S. 78A-31(a)(4) reads as rewritten:

28 **"§ 78A-31. Notice filings for securities covered under federal law.**

(a) The Administrator, by rule or order, may require the filing of any of the following documents with regard to a security covered under section 18(b)(2) of the Securities Act of 1933 (15 U.S.C. § 77r(b)(2)):

(4) A notice filing pursuant to this section shall expire on December 31 of each year or some other date not more than one year from its effective date as the Administrator may by rule or order provide. A notice filing of the offer of securities covered under federal law that are to be offered for a period in excess of one year shall be renewed annually by payment of a renewal fee of ~~two hundred fifty dollars (\$250.00)~~ two thousand dollars (\$2,000) and by filing any documents and reports that the Administrator may by rule or order require consistent with this section. The renewal shall be effective upon the expiration of the prior notice period.

...."

SECTION 3.2. This section becomes effective July 1, 2008.

NEWBORN SCREENING FEE CHANGES

SECTION 4.1. G.S. 130A-125(c) reads as rewritten:

"(c) A fee of ~~fourteen dollars (\$14.00)~~ nineteen dollars (\$19.00) applies to a laboratory test performed by the State ~~Public Health~~ Public Health Laboratory of Public Health performed pursuant to this section. ~~Fees collected shall remain in the Department to be used to offset the cost of the Newborn Screening Program.~~ The fee for a laboratory test is a departmental receipt of the Department and must be used to offset the cost of the Newborn Screening Program."

SECTION 4.2. This section becomes effective July 1, 2008.

HEALTH CARE FACILITY CONSTRUCTION PROJECT FEE INCREASES

SECTION 5.1. G.S. 131E-267 reads as rewritten:

"§ 131E-267. Fees for departmental review of licensed health care facility or Medical Care Commission bond-financed construction projects.

(a) The Department of Health and Human Services shall charge a fee for the review of each health care facility construction project to ensure that project plans and construction are in compliance with State law. The fee shall be charged on a one-time, per-project basis as provided in this section. In no event may a fee imposed under this section exceed two hundred thousand dollars (\$200,000) for any single project. The first seven hundred twelve thousand six hundred twenty-six dollars (\$712,626) in fees collected under this section shall remain in the Division of Health Service Regulation. Additional fees collected shall be credited to the General Fund as nontax revenue and are intended to offset rather than replace appropriations made for this purpose.

(b) The fee imposed for the review of a hospital construction project varies depending upon the square footage of the project:

Over	Up To	Project Fee
0	5,000	\$750.00 plus \$0.25 per square foot

1	5,000	10,000	\$1,500 plus \$0.40 per square foot
2	10,000	20,000	\$2,000 plus \$0.50 per square foot
3	20,000	NA	\$3,000 plus \$0.75 per square foot
4	<u>0</u>	<u>5,000</u>	<u>\$1,500 plus \$0.25 per square foot</u>
5	<u>5,000</u>	<u>10,000</u>	<u>\$3,000 plus \$0.25 per square foot</u>
6	<u>10,000</u>	<u>20,000</u>	<u>\$4,500 plus \$0.45 per square foot</u>
7	<u>20,000</u>	<u>NA</u>	<u>\$6,000 plus \$0.45 per square foot</u>

8 (c) The fee imposed for the review of a nursing home construction project varies
 9 depending upon the square footage of the project:

10	Over	Up To	Project Fee
11	0	2,000	\$250.00 plus \$0.15 per square foot
12	2,000	NA	\$250.00 plus \$0.16 per square foot
13	<u>2,000</u>	<u>NA</u>	<u>\$500.00 plus \$0.25 per square foot</u>

14 (d) The fee imposed for the review of an ambulatory surgical facility
 15 construction project varies depending upon the square footage of the project:

16	Over	Up To	Project Fee
17	0	2,000	\$200.00 plus \$0.15 per square foot
18	2,000	NA	\$250.00 plus \$0.20 per square foot
19	<u>2,000</u>	<u>NA</u>	<u>\$400.00 plus \$0.25 per square foot</u>

20 (e) The fee imposed for the review of a psychiatric hospital construction project
 21 varies depending upon the square footage of the project:

22	Over	Up To	Project Fee
23	0	5,000	\$200.00 plus \$0.16 per square foot
24	5,000	10,000	\$200.00 plus \$0.25 per square foot
25	10,000	20,000	\$300.00 plus \$0.45 per square foot
26	20,000	NA	\$400.00 plus \$0.45 per square foot
27	<u>0</u>	<u>5,000</u>	<u>\$750.00 plus \$0.25 per square foot</u>
28	<u>5,000</u>	<u>10,000</u>	<u>\$1,500.00 plus \$0.25 per square foot</u>
29	<u>10,000</u>	<u>20,000</u>	<u>\$2,250.00 plus \$0.45 per square foot</u>
30	<u>20,000</u>	<u>NA</u>	<u>\$3,000.00 plus \$0.45 per square foot</u>

31 (f) The fee imposed for the review of an adult care home construction project
 32 varies depending upon the square footage of the project:

33	Over	Up To	Project Fee
34	0	2,000	\$175.00 plus \$0.10 per square foot
35	2,000	NA	\$175.00 plus \$0.20 per square foot
36	<u>2,000</u>	<u>NA</u>	<u>\$350.00 plus \$0.20 per square foot</u>

37 (g) The fee imposed for the review of the following residential construction
 38 projects is:

39	Residential Project	Project Fee
40	Family Care Homes	\$200.00 <u>\$225.00</u> flat fee
41	ICFR Group Homes	\$300.00 <u>\$350.00</u> flat fee
42	Group Homes: 1-3 beds	\$100.00 <u>\$125.00</u> flat fee
43	Group Homes: 4-6 beds	\$200.00 <u>\$225.00</u> flat fee
44	Group Homes: 7-9 beds	\$250.00 <u>\$275.00</u> flat fee

1 Other residential:
 2 More than 9 beds \$250.00\$275.00 plus \$0.75\$0.15 per
 3 square foot of project space."

4 SECTION 5.2. This section becomes effective July 1, 2008.

5
 6 **EXPAND DEFINITION OF HOME CARE SERVICES AND INCREASE**
 7 **ANNUAL LICENSE FEES**

8 SECTION 6.1. G.S. 131E-136 reads as rewritten:

9 "§ 131E-136. Definitions.

10 As used in this Part, unless otherwise specified:

- 11 (1) "Commission" means the North Carolina Medical Care Commission.
- 12 (1a) "Geographic service area" means the geographic area in which a
 13 licensed agency provides home care services.
- 14 (2) "Home care agency" means a private or public organization that
 15 provides home care services.
- 16 (2a) "Home care agency director" means the person having administrative
 17 responsibility for the operation of the licensed agency site.
- 18 (2b) "Home care client" means an individual who receives home care
 19 services.
- 20 (3) "Home care services" means any of the following services and directly
 21 related medical supplies and appliances, which are provided to an
 22 individual in a place of temporary or permanent residence used as an
 23 individual's home:
 - 24 a. Nursing care provided by or under the supervision of a
 25 registered ~~nurse~~; nurse.
 - 26 b. Physical, occupational, or speech therapy, when provided to an
 27 individual who also is receiving nursing services, or any other
 28 of these therapy services, in a place of temporary or permanent
 29 residence used as the individual's ~~home~~; home.
 - 30 c. Medical social ~~services~~; services.
 - 31 d. In-home aide services that involve hands-on care to an
 32 ~~individual~~; individual.
 - 33 e. Infusion nursing ~~services~~; and services.
 - 34 f. Assistance with pulmonary care, pulmonary rehabilitation or
 35 ventilation.
 - 36 g. In-home companion, sitter, and respite care services provided to
 37 an individual.
 - 38 h. Homemaker services provided in combination with in-home
 39 companion, sitter, respite, or other home care services.

40 The term does not include: health promotion, preventative health and
 41 community health services provided by public health departments;
 42 maternal and child health services provided by public health
 43 departments, by employees of the Department of Health and Human
 44 Services under G.S. 130A-124, or by developmental evaluation centers

1 under contract with the Department of Health and Human Services to
2 provide services under G.S. 130A-124; hospitals licensed under
3 Article 5 of Chapter 131E of the General Statutes when providing
4 follow-up care initiated to patients within six months after their
5 discharge from the hospital; facilities and programs operated under the
6 authority of G.S. 122C and providing services within the scope of
7 G.S. 122C; schools, when providing services pursuant to Article 9 of
8 Chapter 115C; the practice of midwifery by a person licensed under
9 Article 10A of Chapter 90 of the General Statutes; hospices licensed
10 under Article 10 of Chapter 131E of the General Statutes when
11 providing care to a hospice patient; an individual who engages solely
12 in providing his own services to other individuals; incidental health
13 care provided by an employee of a physician licensed to practice
14 medicine in North Carolina in the normal course of the physician's
15 practice; or nursing registries if the registry discloses to a client or the
16 client's responsible party, before providing any services, that (i) it is
17 not a licensed home care agency, and (ii) it does not make any
18 representations or guarantees concerning the training, supervision, or
19 competence of the personnel provided. The term 'sitter' does not
20 include child care facilities licensed in accordance with Chapter 110 of
21 the General Statutes. The term 'respite care' does not include facilities
22 or services licensed in accordance with Chapter 122C of the General
23 Statutes. The terms 'in-home companion', 'sitter', 'homemaker', and
24 'respite care services' do not include (i) services certified or otherwise
25 overseen by the Department as not providing personal care or (ii)
26 services administered on a voluntary basis for which there is not
27 reimbursement from the recipient or anyone acting on the recipient's
28 behalf.

- 29 (4) "Home health agency" means a home care agency which is certified to
30 receive Medicare and Medicaid reimbursement for providing nursing
31 care, therapy, medical social services, and home health aide services
32 on a part-time, intermittent basis as set out in G.S. 131E-176(12), and
33 is thereby also subject to Article 9 of Chapter 131E."

34 **SECTION 6.2.** G.S. 131E-138 reads as rewritten:

35 **"§ 131E-138. Licensure requirements.**

36 (a) No person or governmental unit shall operate a home care agency without a
37 license obtained from the Department. Nothing in this Part shall be construed to extend
38 or modify the licensing of individual health professionals by the licensing boards for
39 their professions or to create any new professional license category.

40 (b) Repealed by Session Laws 1991, c. 59, s. 1.

41 (c) An application for a license shall be available from the Department, and each
42 application filed with the Department shall contain all information requested by the
43 Department. A license shall be granted to the applicant upon a determination by the
44 Department that the applicant has complied with the provisions of this Part and the rules

1 promulgated by the Commission under this Part. The Department shall charge the
 2 applicant a nonrefundable annual license fee in the amount of ~~three hundred fifty dollars~~
 3 ~~(\$350.00)~~, four hundred dollars (\$400.00).

4 (d) The Department shall renew the license in accordance with the rules of the
 5 Commission.

6 (e) Each license shall be issued only for the premises and persons named in the
 7 license and shall not be transferable or assignable except with the written approval of
 8 the Department.

9 (f) The license shall be posted in a conspicuous place on the licensed premises.

10 (g) The Commission shall adopt rules to ensure that a home care agency shall be
 11 deemed to meet the licensure requirements and issued a license without further review
 12 or inspection if: (i) the agency is already certified or accredited by the Joint Commission
 13 on Accreditation of Health Care Organizations, National League for Nursing, National
 14 Home Caring Council, North Carolina Accreditation Commission for In-Home Aide
 15 Services, or other entities recognized by the Commission and (ii) the agency is certified
 16 or accredited for all of the home care services that it provides; or (iii) in the case of
 17 continuing care retirement communities licensed by the North Carolina Department of
 18 Insurance under Article 64 of Chapter 58 which also have nursing beds licensed by the
 19 Department of Health and Human Services under Article 6 of Chapter 131E, the
 20 Department certifies, as part of its licensure review or survey of the nursing beds, that
 21 the facility also meets all of the rules and regulations adopted by the Commission
 22 pursuant to this Part. The Department may, at its discretion, determine the frequency
 23 and extent of the review and inspection of home health agencies already certified as
 24 meeting federal requirements, but not more frequently than on an annual basis for
 25 routine reviews."

26 **SECTION 6.3.** The North Carolina Medical Care Commission may adopt
 27 rules to implement Section 6.1 of this section.

28 **SECTION 6.4.** Section 6.1 of this section becomes effective January 1,
 29 2010. Section 6.2 of this section becomes effective July 1, 2009. The remainder of this
 30 section is effective when it becomes law.

31
 32 **CHANGES TO ASBESTOS CONTAINING MATERIAL REMOVAL PERMIT**
 33 **FEES**

34 **SECTION 7.1.** G.S. 130A-450 reads as rewritten:

35 "**§ 130A-450. Asbestos containing material removal permit fees.**

36 The Department shall establish and collect an application fee for asbestos containing
 37 material removal permits to support the asbestos hazard management program. The fee
 38 ~~shall not exceed one~~ shall be the greater of the following, not to exceed five thousand
 39 dollars (\$5,000):

40 (1) One percent (1%) of the contracted price or twenty~~price.~~

41 (2) Twenty cents (\$0.20) per square foot or linear foot of asbestos
 42 containing material to be removed, whichever is greater.~~removed."~~

43 **SECTION 7.2.** This section becomes effective July 1, 2008.

1 **FOREST DEVELOPMENT FUND/FOREST PRODUCTS ASSESSMENT**
2 **RATES**

3 **SECTION 8.1.** G.S. 113A-192(c) through G.S. 113A-192(e) are repealed.

4 **SECTION 8.2.** G.S. 113A-194(b) reads as rewritten:

5 "(b) The assessment levied on primary forest products shall be at the following
6 rates:

- 7 (1) ~~Fifty cents (50¢)~~ Seventy-five cents (75¢) per thousand board feet for
8 softwood sawtimber, veneer logs and bolts, and all other softwood
9 products normally measured in board feet;
- 10 (2) ~~Forty cents (40¢)~~ Sixty cents (60¢) per thousand board feet for
11 hardwood and bald cypress sawtimber, veneer, and all other hardwood
12 and bald cypress products normally measured in board feet;
- 13 (3) ~~Twenty cents (20¢)~~ Thirty cents (30¢) per cord for softwood pulpwood
14 and other softwood products normally measured in cords;
- 15 (4) ~~Twelve cents (12¢)~~ Eighteen cents (18¢) per cord for hardwood
16 pulpwood and other hardwood and bald cypress products normally
17 measured in cords;
- 18 (5) All material harvested within North Carolina for shipment outside the
19 State for primary processing will be assessed at a percentage of the
20 invoice value. This percentage will be established to yield rates equal
21 to those if the material were processed within the State."

22 **SECTION 8.3.** This section becomes effective July 1, 2008.

23
24 **FEE FOR FLOODPLAIN MAP USE**

25 **SECTION 9.1.** G.S. 143-215.56 is amended by adding a new subsection to
26 read:

27 "(h) A bank or another lender that obtains a completed Standard Flood Hazard
28 Determination Form, required under 12 C.F.R. 208.25(f), in the course of making a loan
29 for property located in North Carolina is subject to a charge set by the Department of up
30 to ten dollars (\$10.00) for each form the lender completes itself or contracts with
31 another to complete on its behalf. The charge is payable by the lender to the Department
32 when the lender obtains the completed form. To pay the charge, the lender must acquire
33 an identifying digital stamp from the Department and record the stamp with the
34 documents for the loan as evidence of payment of the charge. The lender must keep a
35 record of the digital stamp applied to a completed form for the period of time the lender
36 is required to keep the form under 12 C.F.R. § 208.25(f).

37 The Flood Map Fund is established as a special revenue fund. The Department must
38 credit the proceeds of the charge to the fund. Revenue in the fund may be used only to
39 produce and maintain flood insurance rate maps."

40 **SECTION 9.2.** This section becomes effective January 1, 2009.

41
42 **JUDICIAL DEPARTMENT FACILITIES FUND AND FEES**

43 **SECTION 10.1.** G.S. 7A-304 is amended by adding a new subdivision to
44 read:

1 "(2a) For the maintenance, renovation, construction, and purchase of State
2 judicial facilities, the sum of five dollars (\$5.00). One dollar (\$1.00) of
3 this sum must be credited to the Court Information Technology Fund.
4 The remainder must be credited to the Judicial Department Facilities
5 Fund."

6 **SECTION 10.2.** G.S. 7A-305 is amended by adding a new subdivision to

7 read:

8 "(1a) For the maintenance, renovation, construction, and purchase of State
9 judicial facilities, the sum of five dollars (\$5.00). One dollar (\$1.00) of
10 this sum must be credited to the Court Information Technology Fund.
11 The remainder must be credited to the Judicial Department Facilities
12 Fund. "

13 **SECTION 10.3.** G.S. 7A-306 is amended by adding a new subdivision to

14 read:

15 "(1a) For the maintenance, renovation, construction, and purchase of State
16 judicial facilities, the sum of five dollars (\$5.00). One dollar (\$1.00) of
17 this sum must be credited to the Court Information Technology Fund.
18 The remainder must be credited to the Judicial Department Facilities
19 Fund. "

20 **SECTION 10.4.** G.S. 7A-307 is amended by adding a new subdivision to

21 read:

22 "(1a) For the maintenance, renovation, construction, and purchase of State
23 judicial facilities, the sum of five dollars (\$5.00). One dollar (\$1.00) of
24 this sum must be credited to the Court Information Technology Fund.
25 The remainder must be credited to the Judicial Department Facilities
26 Fund. "

27 **SECTION 10.5.** G.S. 7A-343.2 reads as rewritten:

28 **"§ 7A-343.2. Court Information Technology Fund.**

29 (a) Fund. – The Court Information Technology Fund is established within the
30 Judicial Department as a ~~nonreverting, interest-bearing special revenue account.~~ fund.
31 ~~Accordingly, revenue in the Fund at the end of a fiscal year does not revert and interest~~
32 ~~Interest and other investment income earned by the Fund shall be credited~~ accrues to it.
33 The fund consists of the following revenues:

34 (a) All moneys collected by the Director pursuant to G.S. 7A-109(d) and
35 ~~G.S. 7A-49.5 shall be remitted to the State Treasurer and held in this~~
36 ~~Fund.~~ G.S. 7A-49.5.

37 (b) State judicial facilities fees credited to the Fund under G.S. 7A-304
38 through G.S. 7A-307.

39 (b) Use. – Money in the fund derived from State judicial facilities fees must be
40 used to upgrade, maintain, and operate the judicial and county courthouse phone
41 systems. ~~Moneys in the Fund shall~~ All other monies in the fund must be used to
42 supplement funds otherwise available to the Judicial Department for court information
43 technology and office automation needs.

1 (c) Report. – ~~The Director shall~~ must report by August 1 and February 1 of each
2 year to the Joint Legislative Commission on Governmental Operations, the Chairs of the
3 Senate and House Appropriations Committees, and the Chairs of the Senate and House
4 Appropriations Subcommittees on Justice and Public ~~Safety~~ Safety. The report must
5 include the following:

6 (1) ~~on all moneys collected and deposited in~~ Amounts credited in the
7 preceding six months to the Fund ~~Fund~~.

8 (2) Amounts expended in the preceding six months from the Fund and the
9 purposes of the expenditures.

10 (3) ~~Proposed and on the proposed expenditure of expenditures of those the~~
11 ~~collected during the preceding six months funds."~~

12 **SECTION 10.6.** Section 14.16 of S.L. 2007-323 is repealed.

13 **SECTION 10.7.** Article 29 of Chapter 7A of the General Statutes is
14 amended by adding a new section to read:

15 **"§ 7A-343.4. Judicial Department Facilities Fund.**

16 (a) Fund. – The Judicial Department Facilities Fund is established within the
17 Judicial Department as a special revenue fund. Interest and other investment income
18 earned by the Fund accrues to it. The Fund consists of the following revenues:

19 (1) State judicial facilities fees credited to the Fund under G.S. 7A-304
20 through G.S. 7A-307.

21 (2) One-fourth of the unexpended, unencumbered balance of an
22 appropriation, as determined on a cash basis, remaining in the Judicial
23 Department budget at the end of each fiscal year.

24 (b) Use. – Money in the Fund must be used to purchase, construct, renovate,
25 repair, or maintain land and facilities for use by the Judicial Department or to retire debt
26 incurred under Article 9 of Chapter 142 of the General Statutes for one of these
27 purposes. Money in the Fund may be expended only upon an act of appropriation by the
28 General Assembly.

29 (c) Report. – The Director must report by August 1 and February 1 of each fiscal
30 year to the Joint Legislative Commission on Governmental Operations, the Chairs of the
31 Senate and House Appropriations Committees, and the Chairs of the Senate and House
32 Appropriations Subcommittees on Justice and Public Safety. The report must include
33 the following:

34 (1) Amounts credited in the preceding six months to the Fund.

35 (2) Amounts expended in the preceding six months from the Fund and the
36 purposes of the expenditures.

37 (3) Proposed expenditures of the funds."

38 **SECTION 10.8.** In accordance with G.S. 142-83, this section authorizes the
39 issuance or incurrence of special indebtedness in the maximum aggregate principal
40 amount of forty million dollars (\$40,000,000) to finance the costs of constructing State
41 judicial facilities located at 901 Corporate Drive, Raleigh, NC, and more particularly
42 described as Phase Two, Tract A of Raleigh Corporate Center, consisting of 17.28 acres
43 and as shown on the map recorded in Map Book 1987, page 720, and Map Book 1990,
44 page 576, of the Wake County Register of Deeds.

SECTION 10.9. This section becomes effective July 1, 2008, and applies to all costs assessed or collected on or after that date.

AGENT LICENSING FEE CORRECTION AND CLARIFICATION

SECTION 11.1. G.S. 58-33-125 reads as rewritten:

"§ 58-33-125. Fees.

(a) The following table indicates the annual fees that are required for the respective licenses issued, renewed, or cancelled under this Article and Article 21 of this Chapter:

Adjuster	\$75.00
Adjuster, crop hail only	20.00
Agent appointment cancellation (paid by insurer)	10.00
Agent appointment, individual	20.00 10.00
Agent appointment, Medicare supplement and long-term care, individual	10.00
Agent appointment, Medicare supplement and long-term care, nonindividual	20.00
Agent, overseas military	20.00
Broker, nonresident	50.00
Broker, resident	50.00
Business entity	100.00
Limited representative	20.00
Limited representative cancellation (paid by insurer)	10.00
Motor vehicle damage appraiser	75.00
Surplus lines licensee, corporate	100.00
Surplus lines licensee, individual	50.00

~~These fees are in lieu of any other license fees. Fees paid by an insurer on behalf of a person who is licensed or appointed to represent the insurer shall be paid to the Commissioner on a quarterly or monthly basis, in the discretion of the Commissioner.~~

(b) Whenever a temporary license is issued under this Article, the fee shall be at the same rate as provided in subsection (a) of this section; and any amounts so paid for a temporary license may be credited against the fee required for an appointment by the sponsoring company.

(c) Any person who is not registered licensed and who is required by law or administrative rule to secure a license shall, upon application for registration, licensing, pay to the Commissioner a fee of fifty dollars (\$50.00). If additional licensing for other kinds of insurance is requested, a fee of fifty dollars (\$50.00) shall be paid to the Commissioner upon application for registration licensing for each additional kind of insurance.

In addition to the fees prescribed by this subsection, any person applying for a supplemental license to sell Medicare supplement and long-term care insurance policies shall pay an additional fee of fifty dollars (\$50.00) upon application for registration licensing for those kinds of insurance.

1 (d) The requirement for an examination, prelicensing education, continuing
2 education, or a registration fee does not apply to agents for domestic farmers' mutual
3 assessment fire insurance companies or associations who solicit and sell only those
4 kinds of insurance specified in G.S. 58-7-75(5)d for ~~such~~those companies or
5 associations.

6 (e) A resident licensee may obtain a duplicate photo-bearing license at times and
7 places within this State that the Commissioner considers necessary and reasonable to
8 serve the convenience of both the Commissioner and the licensee. The Commissioner
9 may contract directly with persons for processing of duplicate photo-bearing licenses,
10 and the contract shall not be subject to Article 3 of Chapter 143 of the General Statutes.
11 The Commissioner may charge a reasonable fee for duplicating a photo-bearing license
12 in an amount that offsets the costs to the Department of duplicating the license,
13 including costs associated with any contract entered into pursuant to this subsection.

14 (f) Repealed by Session Laws 2007-507, s. 7, effective January 1, 2008, and
15 applicable to fees or charges due, and actions occurring, on or after that date.

16 (g) All fees prescribed by this section are nonrefundable. The fees in subsection
17 (a) of this section are in lieu of any other license fees. The fee for an individual agent
18 appointment under subsection (a) of this section applies to each license.

19 (h) Fees paid by an insurer on behalf of a person who is licensed or appointed to
20 represent the insurer are payable to the Commissioner when billed. Billing of insurers
21 for renewal fees must be on an annual basis. Billing for licensing and appointment fees
22 other than annual renewal fees are payable at the time of licensure or appointment,
23 daily, monthly, or quarterly, as determined by the Commissioner. An electronic
24 payment made through the NAIC or an affiliate of NAIC is considered a payment to the
25 Commissioner."

26 **SECTION 11.2.** This section becomes effective October 1, 2008, and
27 applies to fees billed on or after that date.

29 **RESCUE SQUAD WORKERS' RELIEF FUND**

30 **SECTION 12.1.** G.S. 55-88-30 reads as rewritten:

31 "**§ 58-88-30. Administration costs.**

32 The Association shall withhold ~~ten percent (10%)~~twelve percent (12%) from the
33 money received pursuant to G.S. 20-183.7(c) for the administration of the Fund. The
34 Commissioner of Insurance shall withhold two percent (2%) from the money received
35 pursuant to G.S. 20-183.7(c) for the administration of the Fund."

36 **SECTION 12.2.** This section becomes effective October 1, 2008.

38 **EFFECTIVE DATE**

39 **SECTION 13.** Except as otherwise provided, this act is effective when it
40 becomes law.