

# ALERTS

## North Carolina Legislative Report - April 3, 2015

April 3, 2015

The General Assembly convened for the 2015 legislative session on January 14. Lawmakers returned to Raleigh on January 28 to begin the session in earnest. The MVA Public Affairs Legislative Report on North Carolina will be distributed on a weekly basis to keep you up to date on the latest legislative issues facing the state.

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This week, the Governor signed S 20, IRC Update/Motor Fuel Tax Changes, into law.

### *On The Floor*

The week, the Senate passed S 52, Cities/Mean For Activating Parking Meters; S 71, Stagger RRC Member Terms; S 199, Funds Deposited with Clerk of Court; S 247, Raleigh/Donate Services Animals to Officers; S 248, Town of Cary/Release Unneeded Easements; S 252, Wake County Local Board of Equalization/Review; S 258, Party Exec. Comm./Fill Vacancy/Washington Cty; S 372, Renewable Energy Safe Harbor; S 379, Cemeteries Located on State Property; S 43, CDLs for Veterans Revisions; S 46, Jacksonville Occupancy Tax; S 90, Required Number of Operating Brake Lights; S 116, Handicapped Parking Windshield Placard; S 188, Adjust Cap on Turnpike Projects; S 279, Amend Qualifications/Practice of Counseling; S 315, School Playgrounds Available to Public; and S 359, Promote NC-Thinks.

The Senate also adopted the conference report for S 20, IRC Update/Motor Fuel Tax Changes; and H 41, Rev Laws Tech Changes.

The House passed H 156, Legal Notices/Require Internet Publication; H 199 Raleigh/Donate Services Animals to Officers; H 204, Caswell Beach/Quick Take Eminent Domain; H 243, Local Mod: Economic Development Commissions; H 244, Community Corr./Interstate Compact/Fund.-AB; H 263, City of Trinity Terms of Election; H 293, Adoption Law Changes; H 297, DHHS Child Support Recommendations; H 39, Labor/Up Amusement Device Penalties; H 70, Charlotte Firefighters' Retirement; H 106, Amend Banking Commission Membership; H 110 Cherokee/Rutherford Bds. Of Ed. Elections; H 111, Stanly Co. Bd. Of Ed. Recall; H 112, Standly Co Bd of Ed Elections Method; H 189, Rockingham Co. School Bd; H 232, Study/Update Bicycle Safety Laws; H 274, Retirement Technical Corrections Act of 2015; H 279, Wake Cty Local Board of Equalization/Review; H 358, School Performance Grade Scale; H 388, Dare County Local Option Sales Tax; H 95, Tribal Alcoholic Beverage Control; H 140, Lineman Appreciation Day in NC; H 174, Landlord/Tenant-Foreclosure and Evict. Changes; H 185, Repeal DCR's Obsolete Comms and Language; H 188, Trustee Appointments/Isothermal Comm. Colleges; H 236, Certain Counties/Purchasing Exemption; H 254, Protect

**NORTH CAROLINA LEGISLATIVE REPORT - APRIL 3, 2015**

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National Guard Reemployment Rights; H 273, Clarify Cond. Discharge Law/No DWI Expunge; H 283, Supreme Court Sessions in Morganton; H 284, CivPro/Civil Contempt/No Fines; H 291, Haz. Materials in Safe Deposit Box; H 308, Clarify Reasonable Health Insur./Child Support; H 312, Certain Counties Sheriff/Food Purchases; H 313 Promotion Grievances/City of Statesville; H 345, Currituck County/Remove Abandoned Vessels; H 364, Clarify Laws on Exec. Orders and Appointments; S 78, Off-Duty Correctional Officers/Conceal Carry; S 181, Wake County Commissioner Districts; S 305, NCEMPA Asset Sale; H 184, Change DCR Process for Unclaimed Property; H 195, Allow Substitution of *Biosimilars*; H 215, Procedure for Waiver of Jury Trial; and H 298, Amend Uniform Interstate Family Support Act.

The House also adopted the conference report for S 20, IRC Update/Motor Fuel Tax Changes; and H 41, IRC Update/Rev Laws Tech Changes.

## ***Committees***

### **Joint Appropriations Subcommittee Meetings**

The House and Senate continued with joint appropriations meetings as they work towards putting together a budget for this year. Individual subcommittees met this week and reviewed specific budget areas such as Transportation, Health and Human Services, Education, Public Safety, General Government and Information Technology. These committees took this time to review the current budget and identify key priorities for the upcoming year.

### **House Regulatory Reform Committee**

The Committee met on Tuesday, March 31, and approved two bills. H 255, Building Code Reg. Reform, seeks to reform building code enforcement to promote economic growth by conforming work in progress inspection authority to recently enacted inspection limitations as well as a host of other building code reform measures. H 282, Streamline Seized Vehicle Disposal, would authorize the Department of Administration to tow, store, process, maintain and sell motor vehicles seized pursuant to G.S. 20-28.3. It also would expand the authority to sell vehicles seized pursuant to G.S. 20-28.3 through an expedited sale.

### **House Finance Committee**

The Committee met on Tuesday, March 31, and quickly approved two bills. H 388, Dare County Local Option Sales Tax, would allow Dare County to levy an additional local sales and use tax at a rate of 0.25% without first obtaining approval in a referendum. Currently, the County has the authority to levy the tax, but the increase must first be approved by voters. If the County levies the tax without a referendum, the proceeds of the tax may be used only for dredging purposes. The change was intended to give the County an additional source of funding to pay for dredging necessary to reopen Oregon Inlet. S 305, NCEMPA Asset Sale, would facilitate the sale of electricity generating facility owned by the North Carolina Eastern Municipal Power Agency by providing for cost recovery for a utility for acquisition of ownership interests in the facilities, to authorize municipalities to enter into support contracts and to issue bonds to pay the remaining costs of the projects that are sold.

**NORTH CAROLINA LEGISLATIVE REPORT - APRIL 3, 2015**

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**House Education K-12 Committee**

The Committee met Tuesday, March 31, to discuss H 358, School Performance Grade Scale. The bill aims to address the issue of extending the current 15-point grading scale, which was set to tighten to a 10-point scale this year. The measure allows the grade point scale to be consistent for three years through 2016-17 school year. The bill was given a favorable report and sent to the House floor for debate.

**House Transportation Committee**

The Committee met on Tuesday, March 31 to address two bills. H 86, Utility Line Relocation/School Board requires the Department of Transportation to pay the nonbetterment cost of relocating water and sewer lines owned by local boards of education. H 86 received a favorable report and was referred to the House Appropriations Committee. H 232, Study/Update Bicycle Safety Laws, directs the Department of Transportation to study bicycle safety laws and recommend revisions to ensure the safety of bicyclists and motorists. H 232 received a favorable report in Committee before getting approval on the House floor and heading to the Senate.

**House Public Utilities Committee**

The Committee met on Wednesday, April 1, and approved three bills. H 332, Natural Gas Econ. Dev. Infrastructure, seeks to provide recovery of capital-related costs incurred by a natural gas utility for construction of natural gas infrastructure for a large manufacturing employer. H 351, Clarify Utility Rates, seeks to clarify that tax changes enacted in L.S. 2013-316 must be reflected in utility rates. H 356, NCUC Reg. Fee Changes, seeks to clarify the cap on the Utilities Regulatory Fee Reserve, to set the regulatory fee in statute and to allow the Commission to raise or lower the fee.

**House Health Committee**

The Committee met on Wednesday, April 1, and approved H 195, Allow Substitution of Biosimilars. The bill would amend the North Carolina Pharmacy Practice Act to allow for the substitution of an interchangeable biological product for a prescribed biological product. In addition, the bill would require the pharmacist or his or her designee to communicate to the prescriber the product name and manufacturer of the specific biological product dispensed to the patient within a reasonable time following the dispensing of a biological product.

**House Rules Committee**

The Committee met on Thursday, April 2, to make changes to the Chamber's permanent rules. The changes included extending the filing deadline to April 14, increasing the limit on the number of bills members can file to 15 and allowing certain cell phone use on the floor. A trio of amendments from Rep. Blust failed to pass that would have required unrelated provisions in bills to split and voted separately, kept policy out of the budget and prohibited provisions in conference reports that were not included in either of the original bills.

**NORTH CAROLINA LEGISLATIVE REPORT - APRIL 3, 2015**

---

**Senate Appropriations/Base Budget Committee**

The Committee approved one bill on Wednesday, April 1. S 160, Enhance Safety and Commerce for Ports/Inlets, would provide for the dredging and maintenance of the State's waterways in order to enhance safety and commerce.

**Senate Education/Higher Education Committee**

The Committee approved three bills on Wednesday, April 1. S 279, Amend Qualifications/Practice of Counseling, would amend the Professional Counselors Act to modify educational qualifications for the practice of counseling. S 298, School Bus Cameras/Civil Penalties, would authorize the use of photographic or video evidence for the civil enforcement of violations for passing a stopped school bus. S 315, School Playgrounds Available to Public, would authorize local boards of education to make outdoor school property available to the public for recreational purposes.

**Senate Finance Committee**

The Committee met on Wednesday, April 1, and quickly approved S 46, Jacksonville Occupancy Tax. S 46 would modify the use of occupancy tax proceeds for the City of Jacksonville. The City would still be required to use all of the proceeds for tourism-related expenditures and to promote travel and tourism within the City, but specific percentages would be changed.

**Senate Transportation Committee**

The Committee met on Wednesday, April 1, to take up five bills. S 43, CDLs for Veterans Revisions, extends the period immediately preceding the date of application from 90 days to one year in which a veteran seeking a waiver of the commercial skills test must have regularly employed and provides a veteran with an additional method for satisfying the requirement. S 43 received a favorable report in Committee and given approval by the full Senate.

S 90, Required Number of Operating Brake Lights, clarifies that vehicles must have at least one working brake light on each side of the vehicles. The bill was given a favorable report in Committee and passed on the Senate floor.

S 116, Handicapped Parking Windshield Placard, provides handicapped vehicle owners who qualify for distinguishing plates with a removable windshield placard. S 116 received a favorable report in Committee and passed on the Senate floor.

S 188, Adjust Cap on Turnpike Projects, removes the cap on the number of projects the Turnpike Authority may study, plan, develop and undertake design work. It increases the number of projects the Authority may design, establish, purchase, construct, operate and maintain. S 188 also includes a provision allowing various segments of the Triangle Expressway to constitute one project. The bill was given a favorable report and passed on the Senate floor.

## NORTH CAROLINA LEGISLATIVE REPORT - APRIL 3, 2015

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S 349, Restore Driving Privileges/Competency, directs the DMV to restore the license of a person adjudicated to be restored to competency. S 349 received a favorable report and was referred the Judiciary I.

### *In The News*

Raleigh News & Observer: [Legislators float other plans for distributing sales tax money](#)

Associated Press: [With gas, utility bills out of way, NC legislators take off](#)

WRAL: [Proposal to move parks oversight met with skepticism](#)

Raleigh News & Observer: [McCrory signs bill aimed at lowering towns' electric bills](#)

Raleigh News & Observer: [Burr plans fight against ... \(insert name here\)](#)

### *Calendar*

#### Mon, April 06, 2015

12:00 PM

Session Convenes (House)

House

3:00 PM

Session Convenes (Senate)

Senate

#### Mon, April 13, 2015

3:00 PM

Joint Legislative Program Evaluation Oversight Committee

544 LOB

#### Tue, April 14, 2015

10:00 AM

## NORTH CAROLINA LEGISLATIVE REPORT - APRIL 3, 2015

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Education - K-12 (House)

Sudden Cardiac Arrest Prevention/Students. (H162)  
Repeal Personal Ed Plans/Trans Teams & Plans. (H237)  
Statewide School Safety Management. (H380)

643 LOB

11:00 AM

Commerce (Senate)

Iran Divestment Act. (S455)  
NC Consumer Finance Act Amendments. (S679)  
Modify Sunset Re: Contingent Audits. (S682)  
Allow Seating for Food Stand Customers. (S7)  
Historic Artifact Mgt. and Patriotism Act. (S22)

1027/1128 LB

12:00 PM

Joint Legislative Program Evaluation Oversight Committee, Subcommittee on Personal Services Contracts --  
CORRECTED

421 LOB

1:00 PM

Insurance (House)

Captive Insurance Amendments. (H163)  
Amend Insurance Laws.-AB (H287)  
Insurance Technical Changes.-AB (H288)

1228/1327 LB

### Wed, April 15, 2015

10:00 AM

Rep. Brockman - Press Conference

Press Room LB

## NORTH CAROLINA LEGISLATIVE REPORT - APRIL 3, 2015

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### Tue, April 21, 2015

10:30 AM

Rep. Insko - Press Conference

Press Room LB

11:30 AM

Rep. Fisher - Press Conference

Press Room LB

### Wed, April 22, 2015

11:30 AM

Rep. Fisher - Press Conference

Press Room LB

### Tue, April 28, 2015

11:00 AM

Rep. Pierce - Press Conference

Press Room LB