

# ALERTS

## North Carolina Legislative Report - June 12, 2015

June 12, 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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### *On The Floor*

For legislative action lookup by day, click below:

- [Bills with House Action by Day](#)
- [Bills with Senate Action by Day](#)

### *Committees*

#### **House Regulatory Reform Committee**

The Committee met Monday, June 8, and passed one bill. S 25, Zoning/Design and Aesthetic Controls, seeks to clarify when a county or municipality may enact zoning ordinances related to design and aesthetic controls.

#### **House Agriculture Committee**

The Committee met on Tuesday, June 9, to take up one bill. S 513, North Carolina Farm Act of 2015, makes various changes to agriculture, transportation and environmental laws. S 513 received a favorable report in Committee and referred to the House Finance Committee.

#### **House Finance Committee**

The Committee met twice this week. On Tuesday, June 9, the Committee approved H 328, Highway Safety/Citizens Protection Act. The bill would increase penalties for certain offenses involving the manufacture or sale of a false or fraudulent form of identification; disallow the use of certain documents in determining a person's actual identity or residency; provide for the issuance of a restricted drivers permit or a restricted identification card to a person not lawfully present in the United States; and provide a procedure for the seizure, impoundment and forfeiture of a motor vehicle for 1) driving while license revoked if the person's license was originally revoked for an impaired driving license revocation, or 2) driving without a restricted

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drivers permit unless the person possesses an expired permit.

On Thursday, June 11, the Committee approved nine bills. H 131, Town of Maggie Valley/Deannexation; H 386, Hope Mills/Spring Lake/Satellite Annexations; H 411, Town of Angier/Deannexation; H 412, City of Dunn Annexation; S141 Waynesville Annexation/Referendum; S 218, Franklin/Archdale/Satellite Annexation; and S 256, Durham Voluntary Annexations/Adjacent Streets are local bills that involve annexations or deannexations in the affected municipalities. H 247, Hoke County Local Option Sales Tax, would allow Hoke County to levy an additional sales and use tax at the rate of 0.5% to be used for school construction. S 682, Modify Sunset Re: Contingent Audits, would make permanent the prohibition, established in 2012, on local governments from using third-party contractors paid on a contingent fee basis for audit and assessment purposes.

**House Heath Committee**

The Committee met on Wednesday, June 10, and gave a favorable report to two bills. H 372, 2015 Medicaid Modernization, seeks to modernize and stabilize North Carolina's Medicaid program through provider-led capitated health plans. H 714, Behavior Analyst Licensure, seeks to create a licensure process for behavior analysts.

**House Public Utilities**

The Committee met on Wednesday, June 10, to take up one bill. S 716, Mountain Energy Act of 2015, directs the NC Utilities Commission to give an expedited decision on an application for a certificate of public convenience and necessity for an applicant to build a natural gas generating facility. In addition, it extends the closure deadline for coal ash ponds at the Asheville Steam Electric Generating Plant to August 1, 2022. S 716 received a favorable report in Committee and passed on the House Floor.

**Senate Finance Committee**

The Committee met twice this week. On Tuesday, June 9, the Committee approved six bills. H 73, Cary Annexation; H 99, Polkton Annexation; H 217, Clayton Annexation/Deannexation; and H 218 Clayton Annexation are local bills that involve annexations or deannexations in the affected municipalities. S 50, Wilson County Occupancy Tax Modification, would authorize an additional three percent occupancy tax for Wilson County and modify the distribution of the tax proceeds. S 448, Equalize Tax on Propane Used as a Motor Fuel, would amend the motor fuels tax rate applicable to liquefied propane gas, when used as a motor fuel, by specifying that the gas gallon equivalent of liquefied propane gas is 5.75 pounds of liquefied propane gas.

On Wednesday, June 10, the Committee began discussion of two bills but did not vote on either of them. The bills were H156, Legal Notices/Require Internet Publication, and S 544, Requirements-Based Workforce Development. In each case, proposed committee substitutes proved controversial. In the case of S 544, the subject matter of the proposed committee substitute was substantially different from that of the original bill. That proposed committee substitute would have required registration and the payment of a fee for businesses run as partnerships or sole proprietorships.

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**Senate Commerce Committee**

The Committee met twice this week. On Tuesday, June 9, the Committee gave a favorable report to two bills. H 289, NC Money Transmitters Act, would enact the North Carolina Money Transmitters Act as requested by the Office of the North Carolina Commissioner of Banks. H 511, Credit Unions/Statutory Changes, makes various statutory changes related to credit unions.

On Wednesday, June 10, the Senate Commerce Committee met and considered a proposed committee substitute for H 117, NC Competes Act. No action was taken on the bill. As expected, the proposed committee substitute included the proposed Senate finance package, including significant changes to various economic development programs, the corporate and personal income taxes, the corporate franchise tax, and the distribution of local sales tax proceeds. In addition, the proposed committee substitute also included a further expansion of the sales and use tax base to include several services such as repair, maintenance, and installation of tangible personal property; pet care services; and advertising services.

**Senate Rules Committee**

The Committee met on Wednesday, June 10, to address two bills. HB 836, Election Reform, authorizes electronic submission of absentee ballot lists by county boards of election and the use of new technology for paper ballots. It extends the time frame to implement the requirement for paper ballots from January 1, 2018 to September 1, 2019 for counties that currently use direct record machines and allows certain municipalities hold malt beverage and unfortified wine elections. HB 339, Add Fonta Flora Trail to State Parks System, authorizes the Department of Environment and Natural Resources to add the Fonta Flora Loop Trail to the State Parks System. Both bills received favorable reports in Committee and passed on the Senate Floor.

**Senate Agriculture/Environment/Natural Resources Committee**

The Committee met Wednesday, June 10, and passed two bills. S 647, Amend Trapping Law, passed easily and was re-referred to the Finance Committee. H 44, Local Government Regulatory Reform 2015, primarily addresses concerns about chronic violators of local overgrown vegetation ordinances. The bill seeks to consolidate city ordinances and clarify which ordinances, city or county, apply to various types of developments. The Committee approved five amendments to the bill before ultimately giving it a favorable report.

**Senate Healthcare Committee**

The Committee passed four bills on Thursday, June 11. H 467, Cleveland County Coroner/ME Recommendations, gives the Coroner more flexibility and authority when selecting Medical Examiners. H 766, Amend CBD Oil Statute, is a follow up to the 2014 Hope for Haley bill (H 1220). It would make CBD Oil more accessible by removing the pilot status of the program, making CBD oil available to all NC neurologists, and allowing the oil to be shipped to NC without hindrance. It also removes liability from physicians prescribing and care-givers administering CBD oil. The bill received favorable report, but legislators are still looking for the best way to monitor THC levels and track prescriptions. H 327, Study EMS Safety, would create a study to address hostile threats against EMS personnel and make recommendations for non-lethal means of protection. H 653, Right to Try Act for Terminally Ill Patients, would allow terminal patients who have

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exhausted all other lifesaving options to participate in investigational treatment without impediment, while also preventing sanctions against participating physicians and limiting manufacturer liability.

### *In The News*

Raleigh News and Observer: NC House overrides governor's veto on marriage bill, making it law

Charlotte Observer: Senate sales tax proposal could cost Mecklenburg residents millions

Raleigh News and Observer: McCrory signs opossum, graffiti bills; 10 others

Charlotte Observer: McCrory to tout tax credit program in Mooresville

Charlotte Observer: Duke skipping Carolina solar fight as Apple, Google pick sides

Raleigh News & Observer: NC Senate rolls out sweeping economic development and tax bill

Associated Press: NC House Republicans stick to same Medicaid overhaul plan

Associated Press: North Carolina Rep. Glazier to resign, will become center's director

### *Calendar*

#### Mon, June 15, 2015

1:30 PM

Session Convenes (Senate)

Senate

4:00 PM

Appropriations on Department of Transportation (Senate)

Presentation of the SCS of HB 97 "2015 Appropriations Act"

1027/1128 LB

4:00 PM

Appropriations on Justice and Public Safety (Senate)

Presentation of the SCS of HB 97 "2015 Appropriations Act"

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415 LOB

4:00 PM

Appropriations on Natural and Economic Resources (Senate)

Presentation of the SCS of HB 97 "2015 Appropriations Act"

421 LOB

4:00 PM

Appropriations on Health and Human Services (Senate)

Presentation of the SCS of HB 97 "2015 Appropriations Act"

422 LOB

4:00 PM

Appropriations on Education/Higher Education (Senate)

Presentation of the SCS of HB 97 "2015 Appropriations Act"

423 LOB

4:00 PM

Appropriations on General Government and Information Technology (Senate)

Presentation of the SCS of HB 97 "2015 Appropriations Act"

425 LOB

4:30 PM

Finance, Subcommittee on Occupancy Tax (House)

Sanford Occupancy Tax Authorization. (H490)

Lake Santeetlah Occupancy Tax Authorization. (S140)

544 LOB

7:00 PM

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Session Convenes (House)

House

**Tue, June 16, 2015**

8:30 AM

Finance (House)

Exempt Builders' Inventory. (H168)  
UNC Self-Liquidating Projects. (H679)

544 LOB

10:00 AM

Pensions and Retirement (House)

Iran Divestment Act. (S455)

415 LOB

10:00 AM

Regulatory Reform -- CANCELLED (House)

544 LOB

11:00 AM

Education - Universities (House)

In-State Tuition For Certain Vets/Fed Prog. (S478)

643 LOB

12:00 PM

Transportation (House)

CDLs for Veterans Revisions. (S43)  
Infrastructure Assessments/Extend Sunset. (S284)  
Registration Renewal Notice/E-Mail.-AB (S621)

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643 LOB

1:00 PM

North Carolina General Statutes Commission, Trust Drafting Committee

Room 5003, UNC School of Law, 160 Ridge Road

### Thu, August 06, 2015

12:00 PM

Rep. Rodney Moore - Press Conference - 50th Anniversary of Voting Rights Acts.

Press Room LB