

# ALERTS

## North Carolina Legislative Report - June 27, 2014

June 21 - 27, 2014

The General Assembly's Short Session began Wednesday, May 14, 2014. The MVA Public Affairs Legislative Report on North Carolina will be distributed weekly to keep you up to date on the latest legislative issues facing the state.

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### *Governor's Desk*

This week, Governor McCrory signed H 183, Delay Transfer/Cleveland County Correctional Facility, H 558, Soil and Water/Regional Jails Refunds, H 777 Sex Offender/Expand Residential Restrictions, H 1031, NC Economic Development Partnership Modifications, H 698, Background Checks for Firefighters, S 463, Jail Dormitory Minimum Standards, S 719, Student Organizations/Rights & Recognition into law. The Governor also vetoed H 1069, Unemployment Insurance Law Changes.

### *On The Floor*

This week, the Senate passed S 729, Coal Ash Management Act of 2014, S 882, Honor Senator Martin Nesbitt, H 1247, Asheville Regional Airport, H 267, Captive Insurance Amendments, H 366, NC Farm Act of 2014 and H 1220, Hope 4 Haley and Friends.

The House passed S 38, Amend Environmental Laws 2014, S 403, Omnibus Election Clarifications, S 812, Replace Common Core with NC's Higher Academic Standards, S 815, Ensuring Privacy of Student Records, S 882 Honor Senator Martin Nesbitt, H 1099, Unmanned Aircraft Regulation, H 1268, Honor Jim Gulley, S 493, Health and Safety Regulatory Reform, S614, Military Lands Protection Act, S 648, NC Commerce Protection Act, S 734, Regulatory Reform Act of 2014, and S 3, 2014 Budget Modifications/Pay Raises/Other Changes.

### *Committee Reports*

#### **Senate Agriculture/Environment/Natural Resources**

The Committee met on Tuesday, June 24. The Committee took up H 366, the NC Farm Act of 2014, H 379, Amend Veterinary Practice Act/Fees, and H 1139, State Nature and Historic Preserve Adds & Deletes. H 366 contains a host of agriculture related law changes including provisions that would prohibit local governments from regulating the use or sale of fertilizer, landscape contractors would have to be licensed by the state and illegal trespassing on farm property could be a felony if a person intends to disrupt the operation. H 379 seeks to authorize the NC Veterinary Medical Board to change the Board's laws pertaining to licensure fees and license reinstatement. H 1139 seeks to accept and remove certain properties as part of the State Nature and

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Historic Preserve. All three bills passed the Committee. H 366 and H 379 have been referred to the Senate Finance Committee for further consideration.

**Senate Finance Committee**

The Committee met on Wednesday, June 25 and approved five bills. H 366, NC Farm Act of 2014, would make numerous changes with respect to laws regarding agricultural operations, including provisions that would allow for the confidentiality of environmental investigations of agricultural operations, allow the Commissioner of Agriculture to appoint limited-jurisdiction law enforcement officers, rewrite the landscape contractor licensing statutes, classify trespassing on an agricultural facility as first degree trespass, and clarify the inspection authority of the North Carolina Housing Finance Agency. H 379, Amend Veterinary Practice Act/Fees, would allow the Veterinary Medicine Board to change some licensing fees and would amend the laws with respect to license reinstatement. H 1052, Adjust the Utility Regulatory Fee, would allow the General Assembly to establish a different utility regulatory fee for the retail services of telecommunications providers that have elected an alternative method of regulation. H 1067, Murphy Deannexation, is a local bill that would remove certain land from the Town of Murphy. H 1182, UNC Nonappropriated Capital Projects, would authorize various capital projects in the University system to be paid for by receipts other than State appropriations.

**Senate Appropriations/Base Budget Committee**

The Committee met on Thursday, June 27. Office of State Budget and Management (OSBM) Director Art Pope and OSBM staff presented the Administration's Medicaid spending projections. Fiscal Research staff and members of the committee asked questions to Administration staff regarding projections. No legislation was taken up during this committee meeting.

**House Regulatory Reform Committee**

The Committee met on Tuesday, June 25. Two regulatory reform bills were considered and passed out of Committee during this meeting. S 493, Health and Safety Regulatory Reform, was modified to include only health and safety related regulatory reform issues. S 734, Regulatory Reform Act of 2014, was modified to include a host of business and government related regulatory reform issues. The bill next goes to the full House for consideration.

**House Finance Committee**

The Committee met three times this week - on Monday, Wednesday, and Thursday. All but three of the bills taken up by the Committee were local bills. H 1033, Special Assessment/Dam Repair, (which was approved by the Committee on Wednesday) began as a local bill for Richmond County but was converted into a public bill due to concerns about whether a local bill on the subject matter would be constitutional. The bill would allow a county to impose a special assessment on property contiguous to a lake for the purpose of repairing the dam of that lake. S 105, Political Signs/Add Towns to SHP, (which was approved by the Committee on Thursday) would clarify that a municipal political sign ordinance may apply to State highways within the municipality and would authorize the towns of Elizabethtown and Matthews to enroll their employees in the State Health Plan. S 871, Raleigh/Durham/Deannexation/Annexation, (which was approved by the Committee

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on Thursday) would shift certain property from the corporate limits of the City of Raleigh to the City of Durham and amends a bill enacted in 2013 regarding the annexation of other specific property into the City of Durham.

The local bills that passed were: H 1054, Spindale/Cape Fear Sewer Fee Collection; H 1151, Fayetteville Red Light Changes; H 1245, Pleasant Garden Annex/Watha Deannex; S 523, Wrightsville Beach Deannex/Wilmington Annex.; S 848, Infrastructure Reimbursement Agmts.; and S 870, Durham/Payments for On-Street Parking.

### House Judiciary B Subcommittee

The Subcommittee met on Wednesday, June 25, and approved two bills. H 1099, Unmanned Aircraft Regulation, would regulate the use of unmanned aircraft systems (commonly referred to as 'drones') within the State. S 648, NC Commerce Protection Act of 2014, would regulate contracts between the Attorney General and private outside counsel and would establish procedures intended to reduce frivolous claims with respect to patent infringement. The Committee heard, but took no action on, a proposed committee substitute for S 853, Business Court Modernization.

### House Appropriations Committee

The Committee met twice this week to address their new budget bill and an omnibus Justice and Public Safety bill. On Wednesday, June 25, the House Committee approved a PCS to S 3 that addresses teacher and state employee raises, teacher career development, in state tuition for veterans and funding for new coal ash regulators. S 3 received a favorable report in Committee and was approved on the House floor by a vote of 117-0. On Thursday, June 26, the Committee met again to take up S 594, Omnibus Justice Amendments. The bill makes numerous criminal justice changes including a provision that moves the SBI out of the Attorney General's office and into the Department of Public Safety. S 594 received a favorable report in Committee and passed second reading in the House by a vote of 75-39.

## *In The News*

Raleigh News & Observer: House, Senate political theater leads to little progress on budget bill

WRAL: SBI moved - again - in House crime omnibus bill

Raleigh News & Observer: Veto leads to change

Charlotte Observer: For sale: Coal ash to right buyer

Raleigh News & Observer: NC House reassembles Senate regulatory overhaul bill

AP: NC House Oks plan to replace Common Core testing

*Calendar*

Mon, June 30, 2014

12:00 PM

**Joint Permanency Innovation Initiative Oversight Committee**

414 LOB

4:00 PM

**Judiciary Subcommittee B -- CORRECTED (House)**

Improve Ed. for Children Who Are Deaf. (S320)

Disapprove Industrial Commission Rules. (S794)

Business Court Modernization. (S853)

WC/Inflation Indexing for Organ Injury/Loss. (S101)

421 LOB

4:00 PM

**Government (House)**

Political Signs/Add Towns to SHP. (S105)

544 LOB

6:00 PM

**Session Convenes (House)**

House

7:00 PM

**Session Convenes (Senate)**

Senate