

# ALERTS

## North Carolina Legislative Report - April 19, 2013

April 12 - 19, 2013

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 while the North Carolina Legislature is in session.

### *On the Floor*

- H 75 - Kilah's Law/Increase Child Abuse Penalties

Passed the Senate and has been presented to the Governor, 4/19/2013

- H 176 - Charter School Election

Passed third reading in the House, 4/18/2013

- H 248 - Taxpayer Debt Information Act

Passed third reading in the House, 4/18/2013

- H 719 - Education Improvement Act of 2013

Passed third reading in the House, Ordered engrossed, 4/18/13

### *Committee Meetings*

#### **Senate Education Committee**

The Senate Education Committee met Wednesday to address S 374, NC Public Schools Budget Flexibility Act. S 374 removes the cap on the number of students in public school classrooms and gives local school districts more flexibility in how they spend state dollars. S 374 received a favorable report and now moves to the Senate Appropriations Committee before making its way to the floor.

#### **Senate Finance Committee**

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The Senate Finance Committee met on Tuesday to hear S 129, Limit State Facilities Finance Act Debt, for discussion purposes only. The bill would place some additional limitations on the state issuing special indebtedness. For debt issued after January 1, 2013, special indebtedness supported by the General Fund could not be more than 25% of the total amount of debt supported by the General Fund issued after that date. As a practical matter, this would prohibit the State from issuing any additional special indebtedness supported by the General Fund until after issuing additional general obligation debt.

**Senate Commerce Committee**

The Senate Commerce Committee met on Tuesday and approved five bills – S 378, Assess Propane Dealers/Distributors; S 430, Clarify Electric Load Control Process; S 520, WC/Record Full IC Hearings; S 547, Energy Savings Contracting Amendments; and S 635, Transmission Line Ownership. None of the bills generated significant amounts of debate. S 378 would authorize a voluntary assessment on propane dealers to generate funds for educational and promotional programs of the industry. S 430 would exempt from permitting requirements persons installing electric load control switches under the laws regulating electrical contractors. S 520 would require that hearings of the Industrial Commission be recorded. S 547 amends the contracts/purchasing process with respect to government projects paid for through energy savings contracts. S 635 clarifies that only a public utility may own electric transmission lines.

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

This committee passed one bill out of committee on Tuesday. S 639, Board of Agriculture Modifications, seeks to clarify the authority of the Board of Agriculture over plants.

**House Finance Committee**

The House Finance Committee met on Wednesday and Thursday. On Wednesday the Committee approved seven bills – H 135, Adjust Landfill Permit Fee Timing; H 242, Volunteer Fire Department Sales Tax Refund Change; H 248, Taxpayer Debt Information Act; H 336, UNC School of Arts/Student Fees; H 409, Shelby Deannexation; H 449, State Contracts/Furniture; and S 56 Wallace/Satellite Annexations. Only three of the bills generated much debate. H 248 would require additional information about the cost of general obligation indebtedness to be published during the process of approving that indebtedness. H 336 would allow the UNC School of the Arts to charge fees to in-State high school students up to the difference between State appropriations and actual costs. H 449 would make it easier for certain North Carolina furniture manufacturers to be placed on the approved vendor list for sales to State government.

On Thursday, the Committee heard H 589, VIVA. H 589 makes numerous changes with respect to voter identification and verification. The bill would require voters to verify their identities through the presentation of certain types of approved identification such as drivers licenses or passports. The bill was referred to House Finance because it would waive fees imposed with respect to obtaining certain types of State-issued identification. The bill received a fair amount of debate, but ultimately was approved by the committee by a vote of 18-10.

**House Environment Committee**

The House Environment Committee passed two bills out of committee on Thursday. H 279, Transfer Environmental Permits, seeks to authorize DENR to transfer certain environmental permits associated with property development when the original property owner is unwilling or unable to agree to the permit transfer. H 707, Ensure Safe Navigation Channels, directs DENR to pursue various strategies to ensure that the state's shallow draft navigation channels are safe and navigable. H 706, Preserve Landfill Space, seeks to provide that the disposal of on-site demolition debris from the decommissioning of manufacturing buildings, including electric generating stations, is exempt from the landfill permitting requirements.

**House Public Utilities and Energy Committee**

The House Public Utilities and Energy Committee met Wednesday to take up H 484, Permitting of Wind Facilities. H 484 seeks to establish a program for the permitting and siting of wind energy generating facilities. H 484 was given a favorable report in committee and now heads to the House Finance Committee.

**House Education Committee**

The House Education Committee met Tuesday to take up a four bills, with the most debate coming from H 269, Children with Disabilities Scholarship Grants. H 269, sponsored by Speaker Pro Tempore Paul Stam, would provide scholarships to children 22 or younger with disabilities that attend private or home schools and meet certain criteria. In order to provide the \$6,000 grant, H 269 repeals an existing tax credit available to families with disabled children. H 269 received a favorable report and now heads to the House Finance Committee.

Also given approval were H 587, H 588 and H 719. H 587, OCS/ECS/Exemption From ACT, exempts students who are enrolled in the occupational and extended course of study from the ACT and pre-testing requirements. H 588, Public School Report Flexibility, seeks to make individualized education program forms more efficient and reduce the frequency of certain education reports. H 719, Education Improvement Act of 2013, is a bipartisan bill looking to reform tenure in North Carolina's public schools.

***In the News*****WRAL: NC Senate OKs car insurance changes**

State senators approved two big changes to North Carolina's auto insurance laws Thursday.

**AP: Rare bipartisan bill on NC tenure rules pass House**

The North Carolina House has approved an unusually bipartisan effort to make changes to the usually divisive subject of public school teacher tenure rules.

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### **AP: NC official: MetLife breaks could shut out others**

North Carolina business recruiters say a historically outsized package of about \$100 million in state and local incentives to get MetLife Inc. to move 2,600 jobs from other states to North Carolina could stall benefits to other companies or force lawmakers to loosen up the rules.

### **Observer: Clodfelter eyes mayoral bid**

A few weeks ago longtime Democratic Sen. Dan Clodfelter raised eyebrows when he said he might run for the Charlotte City Council. Now he might run for mayor.

### **WRAL: Education key to MetLife recruiting**

Email exchanges and other documents released by the Commerce Department Monday regarding the effort to recruit MetLife to the state show that North Carolina State University and other educational institutions played a role in landing the company.

### **AP: NC lawmakers hope to keep historic sites running**

If the North Carolina General Assembly includes the recommendation of Gov. Pat McCrory in its two-year budget starting July 1, [five] historic sites across the state would close to the general public, keeping just enough staff to maintain buildings and grounds.

### **News&Observer: School voucher bill filed in House**

A bill that would give students who transfer from public to private schools up to \$4,200 a year to pay tuition was filed Monday in the House.

### **News&Observer: McCrory outlines new strategy for transportation spending**

North Carolina will build better transportation projects and create more jobs if it scraps an outmoded formula created in 1989 to sprinkle road-building money among different regions of the state, Gov. Pat McCrory said Thursday.

### **News&Observer: At halfway point, GOP lawmaking slows**

The N.C. General Assembly started fast and furious in January as Republicans, bolstered by big majorities and equal ambition, pushed major agenda items into law, such as changes to the state's unemployment system and limits on the federal health care law. Now at the halfway mark, momentum has slowed.

### **Fayetteville Observer: N.C. group discusses environmental issues related to fracking**

The state Mining and Energy Commission will look at how the state's open record laws apply to chemical mixtures that oil and gas companies consider trade secrets, the head of the commission said Friday.

### Press Release: Ipreo Holdings to Create 250 Jobs in Wake County

Governor Pat McCrory and North Carolina Commerce Secretary Sharon Decker announced today that Ipreo Holdings, a global company that provides market intelligence, data and technology solutions to capital markets and corporate professionals around the world, will establish a business center in Wake County.

## *Legislative Calendar*

### Fri, April 19, 2013

10:00 AM

#### North Carolina General Statutes Commission

1027/1128 LB

### Mon, April 22, 2013

4:00 PM

#### Joint Legislative Program Evaluation Oversight Committee

544 LOB

6:45 PM

#### Finance, Subcommittee on Occupancy Tax (House)

Correct Tech. Error in Burgaw Occupancy Tax. (S152)

At Rep. Tim Moffitt's Chamber Desk.

7:00 PM

#### Session Convenes (House)

House

7:00 PM

#### Session Convenes (Senate)

Senate

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### Tue, April 23, 2013

8:30 AM

#### **Finance (Joint Meeting)**

Agenda: Dr. Barry Boardman, Fiscal Research Division, will present the General Fund Revenue Report/Economic Outlook.

544 LOB

8:30 AM

#### **Appropriations (House)**

VIVA. (H589)

643 LOB

10:00 AM

#### **Health and Human Services (House)**

Revise Controlled Substances Reporting. (H173)

Encourage Volunteer Care in Free Clinics. (S83)

MHDDSA Providers As Uncompensated Guardians. (H543)

Tier II Medicaid Personal Care Services for Alzheimers/Dementia. (H492)

Establish Aging Subcommittee/HHS Oversight. (H605)

Study Medicaid Provider Hearings. (H674)

Study and Encourage Use of Telemedicine. (H704)

Ban Smoking in Foster Care Setting/Infants. (H805)

NC Cancer Treatment Fairness Act. (H609)

1228/1327 LB

10:00 AM

#### **Education (House)**

Special Election Chatham Co. School Bd. (H365)

Limit Soldiers CC Tuition. (H691)

Exempt NC Pre-K/Bldg Specification Requiremnt. (H717)

Summer Reading Camps. (H760)

Jury Instructions for School Budget Dispute. (H765)

Epi Pen in Schools. (H824)

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643 LOB

11:00 AM

**Agriculture/Environment/Natural Resources (Senate)**

Hunting & Fishing/Active Duty Military (S25)

NC Agriculture and Forestry Act (S509)

401 Certification Clarification (S391)

544 LOB

12:00 PM

**Program Evaluation (Senate)**

Amend State Contract Review Laws (for discussion only) (S78)

Nonprofit Grants/Increase Accountability (S144)

Child Nutrition Program Solvency and Support (S193)

421 LOB

12:00 PM

**Transportation (House)**

Clarify Dealer Plates Law. (H513)

Electronic Vehicle Lien/Title. (H621)

Bioptic Lenses for Drivers License Tests. (H673)

Cost-Sharing/Transportation Improvements. (H785)

643 LOB

1:00 PM

**Insurance (House)**

NC Captive Insurance Act. (H473)

1228/1327 LB

**Wed, April 24, 2013**

8:30 AM

### Appropriations Subcommittee on Education (House)

2013 School Safety Act. (Companion Bill to SB 589) (H452)

421 LOB

8:30 AM

### Finance (House)

544 LOB

10:00 AM

### Judiciary Subcommittee A (House)

Amend Laws Pertaining to DHHS.-AB (H399)

Taxpayer Standing Act. (H457)

Amend Various Firearms Laws. (H937)

1228/1327 LB

10:00 AM

### Judiciary Subcommittee C (House)

Involuntary Commitment Custody Orders. (H635)

Allow Alimony/Post Sep Supp During Marriage. (H763)

Prohibited Imitation Controlled Substances. (H813)

Local Law Enforcement Officers/Serve Subpoena by Phone. (H876)

Grand Jurors/Service. (H879)

Consular Documents Not Acceptable as ID. (H118)

415 LOB

10:00 AM

### Judiciary Subcommittee B (House)

RECLAIM NC Act. (Bill to be heard for the first hour for discussion purposes only. ) (H786)

Towns Enforce Ordinances on Lake Norman. (H186)

Planned Community Act/Declarant Rights. (H330)

HOAs/Uniform Lien Procedure. (H331)

Increased Penalty/Seed Law Violations.-AB (H369)

Cancel Title to Manufactured Home. (H410)



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421 LOB

10:00 AM

### **Regulatory Reform Subcommittee on Business and Labor (House)**

Establish General Gov't Oversight Committee. (H153)

Establish Music Therapy Practice Act. (H292)

Chiropractic Assistant Certification/Fee.-AB (H371)

Enact CON Committee Recommendations. (H83)

424 LOB

10:00 AM

### **Education/Higher Education (Senate)**

Amend Law Defining Home Schools. (S189)

Back to Basics. (S243)

Public School Regulatory Reform. (S516)

544 LOB

11:00 AM

### **Health Care (Senate)**

HealthCare Cost Reduction & Transparency (S473)

Prohibit Co-pay Waiver/Medicaid Providers (S137)

544 LOB

11:00 AM

### **Rep. Pierce - Press Conference**

Press Room LB

12:00 PM

### **Public Utilities and Energy (House)**

Rewrite Underground Damage Prevention Act. (H476)

Clarify Electric Load Control Process. (H489)

Telecommunications Relay Service Surcharge Modernization. (H598)

Cell Tower Deployment Act. (H664)

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643 LOB

Thu, April 25, 2013

8:30 AM

Finance (House)

544 LOB

Wed, May 08, 2013

12:00 PM

Rep. Rodney Moore-Press Conference

Press Room LB