

ALERTS

North Carolina Legislative Report - April 20, 2012

April 18, 2012

On The Floor

The General Assembly is currently out of session and returns for a special session on Monday, April 23rd at 12 pm. Both the House and Senate will return for the "short" legislative session (the second year of a 2-year session) on May 16th.

The Speaker of the House and the Senate President Pro Tempore recently stated that there will be no votes during the April 23rd special session.

Interim Committee Meeting Highlights

Revenue Laws Committee - The committee reviewed a draft bill that would create expedited rule-making for forced combinations. Senator Richard Stevens (R-Wake) requested that committee staff put together another version of the bill to review during the May meeting that would expand expedited rule-making for other parts of the Department of Revenue. Votes will be taken on committee recommendations during the May meeting.

House Select Committee on State-Owned Assets - A group of legislators took the first step toward reining in UNC Health Care by proposing to limit its ability to grow and compete with local hospitals such as rival WakeMed. In a narrow and rushed vote, eight representatives voted to prohibit UNC Health Care from growing beyond its current footprint and put in place quotas on indigent care in counties where UNC does business. The legislators also proposed to limit the size and power of UNC Health Care's board of directors.

Joint Legislative Oversight Committee for Health and Human Services - Legislators will be asked to pass a law this Spring that would require them to formally sign off on any sale or lease of the Dorothea Dix hospital property near downtown Raleigh. The law would complicate plans to put a park on the property, an initiative that got a boost this year from Governor Bev Perdue. Without a law requiring legislative approval, the Council of State -- a group of statewide elected officials -- could approve the Dix property land sale without the legislature's input.

Automobile Insurance Committee - A legislative study committee examining North Carolina's automobile insurance system approved few detailed recommendations, leaving most of the heavy lifting to next year. The committee agreed that it wants legislation that would shift the state's roughly 7 million insured personal vehicles from the current rate system to one that relies less on a high-risk pool for drivers that insurers aren't willing to cover. The members want to eliminate a surcharge that all insured drivers pay to keep the N.C. Reinsurance Facility solvent and want increased competition.

House Select Committee on Education Reform - A House committee endorsed an arrangement that would have the state spend \$11.7 million to pay for students' Advanced Placement tests and give bonuses to teachers whose students earn good scores. That amount includes \$7.17 million for the test fees, \$2.9 million for teacher bonuses, and \$1.5 million for teacher professional development.

Joint Legislative Study Commission on the Modernization of NC Banking Laws - Paul Stock with the Office of the NC Commissioner of Banks gave a comparison of the provisions of current G.S. 53-19 and proposed G.S. 53-9-301. The new language seeks to modernize the existing language and provide for more clarity by identifying more specific situations in which a bank may be operating in unsafe or unsound conditions. Stock also reviewed the proposed revisions to G.S. 53-5-2. The committee also reviewed the recommendations from the NC Bar Association task force. The commission will meet on April 26th to vote on final recommendations to be considered during the short session.

In the News

Effectiveness Rankings - Republicans dominated the top spots of a biennial effectiveness survey released Monday by a nonpartisan think tank, but a handful of Democrats now out of power still wield significant influence. Senate GOP members claimed the highest 10 spots and House Republicans 12 of the top 15 in surveys of their respective chambers for the 2011 sessions accumulated by the North Carolina Center for Public Policy Research. The findings of GOP ascendancy in the report were not surprising given that party members held majorities simultaneously in the House and Senate for the first time since 1870. Rank-and-file Republicans soared and Democrats fell in the rankings as General Assembly chairmanships and other key positions changed hands. Speaker Thom Tillis (R-Mecklenburg) was ranked No. 1 in effectiveness in the House, while the top Senate spot went to President Pro Tempore Phil Berger (R-Rockingham).

Energy Merger - The Federal Energy Regulatory Commission wants more information from Duke Energy and Progress Energy on their latest merger plan. The commission, in a letter April 10th, gives the companies seven days to answer its request for more information or clarification of the companies' March 26 merger filing. The March filing attempted to answer FERC's concern that the merger would reduce competition for wholesale electricity in the Carolinas. The commission has twice objected to the merger on those grounds.

CMS Superintendent - A Charlotte-Mecklenburg Schools veteran, the leader of a tumultuous urban district in Tennessee and the current national superintendent of the year visited Charlotte schools as they vie to be the next CMS superintendent. The CMS board announced three finalists for the job: Heath Morrison, superintendent of the school district in Reno, Nev.; Kriner Cash, superintendent of Memphis City Schools; and Ann Clark, chief academic officer of CMS.

NC governor candidates on fracking - The Associated Press posed a question to the 13 candidates for North Carolina governor, followed by their responses. Question: The Legislature is poised to consider in the coming months whether it makes sense for the state to issue permits for the exploration of natural gas by using methods called horizontal drilling or hydraulic fracturing. Supporters of the expanded exploration say the "fracking" process could tap safely into 40-year supplies of the clean-burning natural gas in Piedmont shale rock formations and lower the nation's dependence on imported energy. Opponents say the process threatens

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drinking water safety and hurts the environment. Do you support the use of hydraulic fracturing in North Carolina? If you were governor, what would it take for you to sign into law the regulatory framework to authorize fracking?

Upcoming Committee Meetings

Wednesday, April 18, 2012

9:30 AM - House Select Committee on Public -Private Partnerships
10 AM - Unemployment Fraud Task Force
11 AM - Criminal Record Expunctions Committee (LRC)
1 PM - Senate Energy Policy Issues Committee

Thursday, April 19, 2012

9 AM - Joint Legislative Education Oversight Committee
10 AM - House Select Committee on Certificate of Need Process and Related Hospital Issues
10 AM - Metropolitan Sewerage/Water Committee (LRC)
1 PM House Select Committee on Energy Independence and Alternative Fuel
2 PM Arts Education Commission
4 PM Life Cycle Cost Analysis Committee

Mon, April 23, 2012

9:00 AM Transportation Oversight, Jt Leg Committee
10:00 AM Judiciary Subcommittee B - CANCELLED (House)
10:00 AM State-Owned Assets, House Select Committee on
12:00 PM Session Convenes (Senate)
12:00 PM Session Convenes (House)
12:00 PM Senator Berger Press Conference

Tue, April 24, 2012

9:00 AM Governmental Operations, Joint Legislative Commission on
10:00 AM Military Affairs, House Select Committee on
1:00 PM Appropriations Subcommittee on Education (House)
2:00 PM House Select Committee on Public-Private Partnerships (House)
2:00 PM Methamphetamine Abuse, House Select Committee on

Wed, April 25, 2012

9:00 AM House Select Committee on Childhood Obesity (House)
10:00 AM Justus-Warren Heart Disease and Stroke Prevention Task Force
10:00 AM Program Evaluation Oversight Comm., Jt. Leg.
1:00 PM E-Procurement, House Select Committee on

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1:00 PM Extraterritorial Jurisdiction, House Select Committee on
2:00 PM Senate Judiciary I - Pharmaceutical Liability

Thu, April 26, 2012

9:30 AM Environmental Review Commission
10:00 AM Banking Laws Modernization, Jt. Leg. Study (2011)

Fri, April 27, 2012

4:00 PM House Select Committee on Homeowners Associations (House)