

# ALERTS

## North Carolina Legislative Report - March 15, 2013

March 9 - 15, 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*

#### **Governor's Office**

Governor Pat McCrory signed the following bills into law this week:

- **HB 82: Internal Revenue Code Update**  
A bill updating statutory references to the Internal Revenue Code, incorporating and conforming to many provisions contained in the American Taxpayer Relief Act of 2012.
- **HB 77: Board of Law Examiners/Update Expense Law**  
A bill deleting a provision for a \$50 payment to members of the Board of Law Examiners that has not been paid since the 1970s and clarifying a provision relating to expenses of that Board.

#### **Senate**

After flying through the Senate on Wednesday, SB 81, a bill to create a Charlotte airport authority, faces a slower ride through the state House. The Senate passed the bill 32-18, largely along party lines. The bill, introduced by Republican Sen. Bob Rucho of Matthews, would transfer airport control from the city of Charlotte to an independent, 13-member authority.

#### **House of Representatives**

Sponsors of a bill to revise North Carolina's residential building code on a longer cycle and to prevent local governments from offering additional inspections have gained more state House support. The House gave its final approval to HB 120 99-18 on Tuesday and sent it to the Senate.

By unanimous votes, House lawmakers on Wednesday approved proposals to evaluate Internet access in schools statewide and to improve access to campus police records at private colleges and universities. HB 45, Internet Access for Public Schools, directs the State Board of Education to "establish a standard for sufficient classroom wireless connectivity for a digital learning environment and conduct an inventory of the wireless access and bandwidth capacity of each public school in the state based on that standard." The other bill, House Bill 142, would apply public records standards to campus police at private colleges and universities.

## *Committee Meetings*

### **Senate Commerce Committee**

The Senate Commerce Committee met on Tuesday, March 12 to take up SB 9, Utilities/Design/Survey Location Services. The bill would require a utility or utility association to provide information regarding the location of utilities infrastructure upon the request of a surveyor. The requirement to provide the location of known utilities infrastructure is similar to that already in place when a person will be excavating land. The bill passed the Committee easily. The Committee then heard from the Secretary of Commerce, Sharon Decker, about the Department's and the McCrory administration's vision for the State's role in economic development efforts.

### **Senate Agriculture, Environment and Natural Resources Committee**

SB 38, Various Emergency Management Changes, and HB 33 passed of the Senate Agriculture, Environment and Natural Resources Committee this week. SB 38 seeks to make various changes to North Carolina's energy management laws as recommended by the Joint Legislative Emergency Management Oversight Committee. HB 33 repeals the law prohibiting the setting of steel traps on certain rented or leased land in Cleveland, Polk, and Rutherford counties.

SB 171, Limit Regulation of Greenhouse Gases, was on the calendar for consideration earlier this week, but it was removed from consideration during the committee meeting.

### **Senate Judiciary I Committee**

An effort to make it a criminal misdemeanor for an official to violate North Carolina's public records and open meetings laws faced hurdles after Senate committee members and local government lobbyists objected Tuesday. SB 125 would make any elected or appointed office holder who willfully denies access to public records or violates open meetings laws guilty of the lowest-grade misdemeanor. The committee didn't take a vote and it's unclear what the next step would be for the bill beyond the discussion attended by about half the senators on the panel.

### **House Government Committee**

The House Government Committee met on Thursday, March 14 to take up a host of local bills. The first, and most anticipated bill was HB 193, Expand Uses for Meck Ct/Charlotte Local Taxes. The bill would allow the local occupancy tax and the local prepared food and beverages tax in Mecklenburg County to be used for costs of constructing, renovating, and maintaining stadiums or ballparks with a seating capacity in excess of 60,000 and amateur sporting facilities. After a significant amount of debate, the bill was approved on a voice vote. The committee also took up a number of local bills dealing with the City of Asheville on issues ranging from government fund transfers to involuntary annexation to public construction contracts.

### **House Public Utilities Committee**

## NORTH CAROLINA LEGISLATIVE REPORT - MARCH 15, 2013

---

The House Public Utilities Committee met Wednesday, March 13, to address two pieces of legislation. HJR 271 confirms the appointment by Governor McCrory of Don Bailey to the North Carolina Utilities Commission to fill the vacancy created by the resignation of Lorenzo Joyner. Bailey is the General Manager of Engineering at ATI Allvac in Monroe, NC. His term runs through June 30, 2017. HJR 271 received a favorable report and will be heard on the House floor on Tuesday, March 19.

The second bill addressed by the committee was HB 223, Electric Membership Corps/Member Control. HB 223 exempts the EMC's from integrated resource planning and service regulation requirements established by the NCUC and returns oversight to the EMC's board of directors. HB 223 received a favorable report and referred to the House Committee on Regulatory Reform.

### House Health and Human Services Committee

A battle involving big money, professional pride, health care costs and, patient care played out as the House Health Committee gave near unanimous approval to HB 181 that requires physician supervision of nurse anesthetists. At the heart of the anesthesiology battle is whether nurse anesthetists need to work "collaboratively" with or "under the supervision of" doctors.

### House Elections Committee

A day after dozens of people spoke for and against a plan to require North Carolina voters to present photo identification before casting their ballots, five people considered experts in the field of voter ID made their cases Wednesday to lawmakers. The House Elections Committee is trying to collect as much input as possible before drafting a voter ID bill, which Republican lawmakers said could occur by the end of the month.

### House Judiciary Committee

The House Judiciary Committee has agreed to let the North Carolina Education Lottery keep its name for now but wants new advertising restrictions on the games. The legislation unanimously passed through committee Wednesday. The measure would require commercials to include the odds of winning a game's largest prize. Advertising or sponsorships at university sporting events would have to stop. Ads also would have to disclose that big jackpot winners receive less if they take winnings upfront.

## *In the News*

### **TBJ: North Carolina spends \$1.35 billion on economic development, report states**

North Carolina's total commitment to economic development hit \$1.35 billion in fiscal 2011-2012, according to a new state report.

### **WRAL: Bill seeks to put death penalty back on track**

Sen. Thom Goolsby, R-New Hanover, has filed a bill he said will end North Carolina's de facto moratorium on the death penalty.

**NORTH CAROLINA LEGISLATIVE REPORT - MARCH 15, 2013**

---

**WRAL: NC employment agency's accuracy rate continues to lag**

The state Division of Employment Security continues to trail the rest of the nation in determining who is eligible for unemployment benefits, according to new figures from the U.S. Department of Labor.

**News&Observer: House bill would end state's renewable energy program**

House Republicans on Wednesday introduced legislation that would roll back a sweeping energy program that has paid financial incentives to North Carolina homeowners for buying efficient appliances, solar panels and home energy audits.

**News&Observer: McCrory backs Claude Pope for GOP chairman**

Pope, a Brunswick County businessman and former Wake County Party GOP chairman, announced earlier this week his intentions to seeking the state party chairmanship at the convention in Charlotte in June.

**WRAL: Decker promises new approach at Commerce**

New Commerce Secretary Sharon Decker told the Senate Commerce Committee Tuesday that she plans to look "broadly and freshly" at how the state recruits new businesses.

**Observer: Lawmakers: Surgery centers would provide alternative to high hospital bills**

Hospitals could face significantly more competition for routine surgeries under a bill that proponents say could save N.C. patients and taxpayers hundreds of millions of dollars.

**News&Observer: Competing auto insurance bills split industry groups**

The state's one-of-a-kind system for regulating auto insurance rates has divided Republican legislators, insurance companies and insurance agents alike. In recent weeks, leading Republicans have introduced competing bills to implement changes in the regulatory system.

**AP: Feds bust up \$100 million NC crop insurance fraud ring; say it's largest uncovered in US**

Federal investigators have unraveled a massive scheme among dozens of insurance agents, claims adjusters, brokers and farmers in eastern North Carolina to steal at least \$100 million from the government-backed program that insures crops.

**Observer: Mecklenburg incentives were 'crucial' to land MetLife, Commerce Secretary Decker says**

Commerce Secretary Sharon Decker Tuesday sought to allay concerns about the timing of Mecklenburg County incentives for insurance giant MetLife, calling the incentives "crucial."

**Observer: MetLife to bring 2,600 jobs to Charlotte and Cary**

## NORTH CAROLINA LEGISLATIVE REPORT - MARCH 15, 2013

---

In one of the biggest jobs announcement in state history, Gov. Pat McCrory Thursday announced the arrival of 2,600 jobs with insurance giant MetLife, with half coming to Charlotte.

### **WRAL: Clean water group targets two GOP lawmakers on 'fracking'**

Clean Water for North Carolina has begun airing a radio ad accusing Republican lawmakers of going back on promises to oversee gas drilling practices known as "fracking."

### **McClatchy: Five companies vie to build wind farms off North Carolina coastline**

Five companies are interested in developing wind farms in the ocean off North Carolina, hoping to take advantage of what could be the East Coast's most promising chance to create energy through giant turbines anchored to the sea floor.

### **AP: McCrory praises deal for eco-industrial park**

Gov. Pat McCrory said Monday the conversion of polluted industrial property into an ecologically friendly industrial park shows public and private sectors can work together to improve the environment while potentially creating hundreds of jobs.

### **Press Release: Cooper calls on FDA to make generic pain pills safer**

Generic versions of popular pain relievers must be made harder to abuse, Attorney General Roy Cooper and 47 other state attorneys general told federal officials in a letter.

## *Legislative Calendar*

### Mon, March 18, 2013

6:45 PM

Session Convenes (House)

House

6:45 PM

Session Convenes (Senate)

Senate

### Tue, March 19, 2013

**NORTH CAROLINA LEGISLATIVE REPORT - MARCH 15, 2013**

---

8:30 AM

Appropriations Subcommittee on Transportation (Joint)

1228/1327 LB

8:30 AM

Appropriations Subcommittee on General Government (Joint)

1425 LB

8:30 AM

Appropriations Subcommittee on Justice and Public Safety (Joint)

415 LOB

8:30 AM

Appropriations Subcommittee on Education (Joint)

421 LOB

8:30 AM

Appropriations on Natural and Economic Resources (Joint)

423 LOB

8:30 AM

Finance (House)

NC Railroad Company Reporting and Dividends. (H174)

Unclaimed Property Program Improvements. (H257)

Cancel Aircraft Lien W/Surety Bond Deposit. (S84)

Property Tax/Deannexation. (S97)

544 LOB

8:30 AM

Appropriations Subcommittee on Health and Human Services (Joint)

**NORTH CAROLINA LEGISLATIVE REPORT - MARCH 15, 2013**

---

643 LOB

8:30 AM

Appropriations Subcommittee on Natural and Economic Resources (House)

Room 423 LOB

10:00 AM

Health and Human Services (House)

Enact CON Committee Recommendations. (H83)

544 LOB

10:00 AM

Education -- CORRECTED (House)

Charter School Election. (H176)

Amend Law Defining Home Schools. (H230)

Substitute Teacher Deduction/Personal Leave. (H249)

Charter School Enrollment. (H250)

UNC Tuition Surcharge/Advance Notice. (H255)

643 LOB

11:00 AM

Agriculture/Environment/Natural Resources (Senate)

Eliminate Unnecessary Testing/Animal Waste (S205)

544 LOB

12:00 PM

State and Local Government (Senate)

Ocean Isle Beach/Sea Turtle Sanctuary. (S229)

Sunset Beach/Canal Dredging/Maintenance Fee. (S268)

Ayden Charter/Terms of Office Extended. (S272)

1124/1224 LB

**NORTH CAROLINA LEGISLATIVE REPORT - MARCH 15, 2013**

---

12:00 PM

Transportation (House)

Permanent License Plates for Charter Schools. (H67)

Require Safety Helmets/18 and Under. (H109)

Revise Laws for Unoccupied School Buses. (H117)

643 LOB

1:00 PM

Insurance (House)

Dept. of Insurance/Public Health Service Act. (H170)

1228/1327 LB

1:15 PM

North Carolina General Statutes Commission - Trust Drafting Committee

Room 5001, UNC-CH School of Law

Wed, March 20, 2013

8:30 AM

Appropriations Subcommittee on General Government (Joint)

1425 LB

8:30 AM

Appropriations Subcommittee on Justice and Public Safety (Joint)

415 LOB

8:30 AM

Appropriations Subcommittee on Education (Joint)

421 LOB



## NORTH CAROLINA LEGISLATIVE REPORT - MARCH 15, 2013

---

8:30 AM

Appropriations on Natural and Economic Resources (Joint)

423 LOB

8:30 AM

Appropriations Subcommittee on Natural and Economic Resources (House)

Room 423 LOB

10:00 AM

Judiciary Subcommittee A (House)

Gun Permits/Restaurants & Confidentiality. (H17)

WC/Taxi Driver/Independent Contractor. (H163)

Study Savings for Administration of Claims. (S43)

Workers Comp Coverage/Public Records. (S44)

1228/1327 LB

10:00 AM

Judiciary Subcommittee C (House)

Liens/Self-Service Storage Facilities. (H243)

Use of Criminal History Records by Lic. Bds. (S33)

415 LOB

10:00 AM

Judiciary Subcommittee B (House)

Increase Jurisdictional Amount/District Ct. (H199)

Criminal Law/Procedure Amendments. (H217)

1st Degree Murder Appeals/Supreme Ct. (H219)

Good Samaritan Law/Naloxone Access. (S20)

Expunction of Drug Offenses. (H207)

DOT Condemnation Changes. (H272)

421 LOB

**NORTH CAROLINA LEGISLATIVE REPORT - MARCH 15, 2013**

---

10:00 AM

Education/Higher Education (Senate)

Modify Duties/Advisory Council on Indian Education (S231)

544 LOB

11:00 AM

Health Care (Senate)

Encourage Volunteer Care in Free Clinics (S83)

Require Pulse Oximetry Newborn Screening (S98)

Financial Exploitation of Older Adults (S140)

544 LOB

Thu, March 21, 2013

8:30 AM

Appropriations Subcommittee on General Government (Joint)

1425 LB

8:30 AM

Joint Appropriations on Justice and Public Safety

415 LOB

8:30 AM

Appropriations Subcommittee on Education (Joint)

421 LOB

8:30 AM

Appropriations on Natural and Economic Resources (Joint)

423 LOB

## NORTH CAROLINA LEGISLATIVE REPORT - MARCH 15, 2013

---

8:30 AM

Appropriations Subcommittee on Health and Human Services (Joint)

643 LOB

8:30 AM

Appropriations Subcommittee on Natural and Economic Resources (House)

Room 423 LOB

12:00 PM

Homeland Security, Military, and Veterans Affairs (House)

Zoning Changes/Notice to Military Bases. (H254)

V.A. Survivors Benefits/Medicaid Eligibility. (H256)

421 LOB

### Mon, March 25, 2013

4:00 PM

Joint Legislative Program Evaluation Oversight Committee

544 LOB

### Wed, March 27, 2013

10:00 AM

Rep. Samuelson/Press Conference

Press Room LB

### Tue, April 09, 2013

11:45 AM

Rep. D. Ross/NC Women United's Press Conference

NORTH CAROLINA LEGISLATIVE REPORT - MARCH 15, 2013

---

Press Room LB

Wed, April 10, 2013

12:00 PM

Rep. Carney

Press Room LB