

ALERTS

North Carolina Legislative Report - May 23, 2014

May 16 - 23, 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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On The Floor

This week, the Senate voted on final passage of S 786, the Energy Modernization Act, and gave tentative approval to S 734, the Regulatory Reform Act of 2014. S 786 would require the state to start issuing permits for natural gas fracturing in the summer of 2015. S 734 seeks to remove outdated or burdensome regulations.

The House gave final approval to H 1050, Omnibus Tax Law Changes. Some of the key provisions in the bill include a \$100 cap on the annual business license tax that cities can charge business and it also expands the types of businesses that can be taxed. It also imposes an excise tax on the liquid used to create vapor in electronic cigarettes.

Committee Reports

Senate Agriculture/Environment/Natural Resources Committee

The Committee met on Tuesday, May 20, to take up a proposed committee substitute (PCS) for S 734, Authority to Adopt Certain Ordinances. The PCS is the Senate's regulatory reform package for this session called the Regulatory Reform Act of 2014. The bill seeks to provide regulatory relief by providing various administrative reforms, eliminating certain unnecessary statutes and regulations and modernizing cumbersome regulations. The Committee passed the bill by a voice vote and the bill was referred to the Senate Finance Committee for consideration.

Senate Commerce Committee

The Committee met Tuesday, May 20, to take up S 786, the Energy Modernization Act. The bill includes a variety of provisions dealing with oil and gas development in North Carolina. The highlights of the bill include extending the deadlines for development of a modern regulatory program for the management of oil and gas exploration, modifying certain exemptions from requirements of the Administrative Procedures Act, and establishing a date certain of July 1, 2015, for issuance for permits for oil and gas exploration. The Committee passed the bill by a voice vote, and the bill was referred to the Senate Finance Committee for consideration.

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Senate Finance Committee

The Committee met on Tuesday, May 20, to take up S 786, the Energy Modernization Act, and reviewed its finance related provisions. The Committee passed the bill by a voice vote.

Senate Judiciary I

The Committee met twice this week to discuss S 648, NC Commerce Protection Act of 2013. S 648 seeks to make various changes to the statutes governing commerce in North Carolina. Included in the bill are provisions to create transparency in contingency fee contracts between State agencies and private attorneys, to create transparency in claims against asbestos and silica trusts, to amend the laws governing products liability actions, to prevent patent abuse and to enforce exclusive forum provisions assented to by shareholders in derivative actions. No vote was taken on the bill. The Senate Judiciary I Committee will continue discussion on S 648 next week.

House Finance Committee

The Committee met on Tuesday, May 20, and Wednesday, May 21. On Tuesday, the Committee approved H 1034, Volunteer Fire and Rescue Finances, and H 1069, Unemployment Insurance Laws Changes. As the titles suggest, the bills deal with changes to the retirement, relief and workers compensation funds for volunteer firefighters and rescue workers, and numerous changes with respect to the administration of the unemployment insurance system. On Wednesday, the Committee approved S 261, Sales Tax on Private Res. Rented by Broker, which imposes the sales and use taxes (and by extension local occupancy taxes) on private residences listed for rental with real estate brokers regardless of whether the minimum rental period requirement is met.

House Public Utilities Committee

The Committee met on Wednesday, May 21, to take up S 742, Adjust the Utility Regulatory Fee. The bill seeks to adjust the utility regulatory fee to reflect the changing regulatory climate for the telecommunications industry as recommended by the LRC Committee on the Assessment of Regulated and Non-Regulated Industry Utility Fees. The Committee passed the bill by a voice vote and it was referred to the House Finance Committee.

House Commerce and Jobs Development Committee

The Committee met on Wednesday, May 21, to address two bills. H 1032 Patent Abuse Bill, aims to prevent patent abuse in North Carolina by establishing civil penalties for unfair assertions of patent infringement. H 1032 received a favorable report and was sent to the House Judiciary B Committee. S 294, Allow Use of DOT Stormwater BMPs, allows entities regulated under phase II of the National Pollutant Discharge Elimination System Program to utilize the Department of Transportation's best management practices toolbox for linear transportation projects. S 294 received a favorable report and was placed on the House calendar for Tuesday, May 27.

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House Rules Committee

The Committee met on Thursday, May 22, to take up three bills. HJR 1074, Confirm Linda Combs as State Controller, confirms Linda Combs as the State Controller through June 30, 2015. HJR 1112, Confirm Charlton L. Allen to Industrial Commission, confirms Charlton Allen to the NC Industrial Commission for a term beginning July 1, 2014 through June 30, 2020. H 1131, Clay County Opossum Exclusion/Wildlife Laws, exempts Clay County from state wildlife laws regarding opossums from December 26 to January 2. All three bills received a favorable report and were placed on the House calendar for Tuesday, May 27.

House Banking Committee

On Thursday, May 22, the Committee met and approved H 1117, Conform Pledge of Joint Account Laws. The bill would conform the law governing the pledge of joint accounts in credits unions, savings and loan institutions, and savings banks to that of the law governing the pledge of joint accounts in other banks.

In the News

Raleigh News & Observer: Senate tentatively OKs regulatory overhaul bill

Raleigh News & Observer: NC Senate votes to lift fracking moratorium, removes some provisions

Charlotte Observer: Duke Energy, EPA sign Dan River cleanup agreement

WRAL: Tax bill clears state House

AP: NC lawmakers consider new patent abuse rules

Calendar

Tue, May 27, 2014

10:00 AM

Education (House)

Improve Admin Prog Monitoring at DPI. (H1040)

Military Student Identifier. (H1060)

Schematic Diagrams and Keys of Schools. (H1062)

643 LOB

12:00 PM

Transportation -- CANCELLED (House)

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DMV Inspection Station Case Continuances. (H1025)
MAP-21 Update/Rail Safety. (H1026)
Single License Plate Renewal Sticker. (H1028)
DMV Conversion of Paper Titles. (H1029)
Agritourism Sign Location/DOT Standards. (H1071)
Turnpike Authority Annual Audit Date Change. (H1072)
Repeal Report/Right Turn on Red. (H1073)
DOT Study of State Parks & Trails Signage. (H1086)
DMV DL Medical Review Program Changes. (H1098)
Drivers License Material Technical Standard. (H1122)
Exclude Federal Lands Access Funds from STI. (H1123)
DOT Minority/Women Business Program. (H1124)
Alt. Criteria under STI for Emergency Repair. (H1125)
DOT Partnerships with Private Developers. (H1126)

643 LOB

1:00 PM

Insurance (House)

No Set Fee/Noncovered Vision Services. (S477)

1228/1327 LB

1:00 PM

Agriculture -- CANCELLEDAgriculture -- CANCELLED (House)

NCSU Plant Sciences Research Initiative. (H1188)
Farm GPS Coordinates/Photos/Public Records. (H1189)

643 LOB

15 MINUTES AFTER SESSION

Public Utilities and Energy -- CORRECTED (House)

643 LOB

3:00 PM

Judiciary Subcommittee B (House)

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DWI Interlock Violation/DMV Hearing Site. (H1027)
Patent Abuse Bill. (H1032)
Reduce Hard Copies/Appellate Div. Reports. (H1076)

421 LOB

4:00 PM

Session Convenes (House)

House

5:00 PM

Session Convenes (Senate)

Senate

Wed, May 28, 2014

10:00 AM

Judiciary Subcommittee A (House)

Service of Hearing Order/MV Dealer Licensee. (H1097)

1228/1327 LB

10:00 AM

Judiciary Subcommittee C (House)

Mechanics Liens - Leased Public Property. (H1101)
Mechanics Liens - Clarify Lien Agent Notice. (H1102)
Verification/Jurisdiction in Juvenile Cases. (H1103)
Study Oversight/Conflicts of Int./Foster Care. (H1104)
Improve Oversight of Public Guardianship. (H1110)

415 LOB

10:00 AM

Education/Higher Education (Senate)

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Amend Law Defining Home Schools. (H230)

544 LOB

11:00 AM

Rep. Insko - Press Conference

Press Room LB

12:00 PM

State Personnel (House)

Volunteer Fire and Rescue Finances (PED). (H1034)

Positions for State Treasurer Compliance Unit. (H1079)

544 LOB

1:00 PM

Elections (House)

Morganton Charter Amendment. (H1158)

Duplin Comm. Elections Technical Correction. (H1108)

643 LOB

Thu, May 29, 2014

12:00 PM

Homeland Security, Military, and Veterans Affairs (House)

AG Selection Criteria/Amendments. (H1048)

421 LOB

Wed, June 04, 2014

10:30 AM

Rep. Insko - Press Conference (Date Change &Time Change)

Press Room LB