

NC Legislative Update: September 20, 2019

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09.20.2019

Legislators returned to Raleigh this week to finish work on their court-ordered redistricting, and to take up a few bills before leaving town for the week. The Senate wrapped up its business on Tuesday and the House left town on Wednesday, and neither chamber is expected back in Raleigh until September 30.

New Legislative Maps

The House and Senate finished redrawing legislative district maps this Tuesday, after a three judge panel ruled that their current maps are unconstitutional. The court found that the current maps relied too heavily on partisan voter data and discriminated against Democrats by forcing them into districts where their votes were either diluted or clumped together, guaranteeing that they could not elect a majority in either chamber. The court ordered that all maps be created in public view and that public input be allowed. The legislature live streamed all map drawing meetings, and held a joint meeting Monday afternoon to allow members of the public to comment on the proposed maps. The Senate map redraw went a bit smoother than the House, with the Senate maps gaining bipartisan approval, while the House maps passed on party lines. Under the North Carolina Constitution, the Governor does not get a voice on redistricting matters, so now the new maps will go back to the three judge panel for approval.

Senate Map: https://webservices.ncleg.net/ViewBillDocument/2019/6584/0/SB%20692,%202nd%20Edition%20-%20Senate%20Consensus%20Nonpartisan%20Map%20v3_19x36

House Map: https://webservices.ncleg.net/ViewBillDocument/2019/6578/0/HB%201020,%202nd%20Edition%20-%20HB%201020%202nd%20Edition_19x36

Ruling: <https://www.documentcloud.org/documents/6380175-18-CVS-14001-Final-Judgment.html#document/p7/a522617>

WRAL: <https://www.wral.com/senate-house-approve-each-other-s-voting-district-maps/18639174/>

NC Health Care for Working Families

One of the most heated issues of the legislative session, and the issue surrounding the current budget stalemate between the legislature and Governor, Medicaid expansion, made its first sign of progress through the legislative process this week. House Bill 655, NC Health Care for Working Families, was passed out of the House Health Committee this week. Speaker Moore had long said that he would allow a vote on the bill if the House was able to override the Governor's veto of the budget. The legislation differs from typical Medicaid expansion envisioned by the Affordable Care Act, as it includes a work requirement and monthly premiums paid by enrollees. Bill sponsors support a requirement that the premiums paid by enrollees be considered State dollars and be allowed to count towards Medicaid's matching funds for federal dollars. The work requirement and premiums have helped the bill gain traction among some Republicans, who have indicated that they will not support traditional Medicaid expansion, but has led to some Democrats opposing the bill. Democrats claim that other states that have included premiums have seen that they raise little money and have a negative budget impact when you add in the costs to administer the premium. The Health Committee approved several amendments before passing the bill, which will now go to the Rules Committee before going to the full House for a vote. If approved, the bill will go to the Senate, where its future is not bright, as the Senate has indicated numerous times that they will not support any Medicaid expansion legislation.

WRAL: <https://www.wral.com/gop-medicaid-plan-again-advancing-in-house/18643215/>

NC DOT Funding

Pressure is building for the legislature to intervene in the North Carolina Department of Transportation's (DOT) current budget shortfall that is causing hundreds of projects to be delayed. Last month, DOT announced that a cash flow shortage will force them to lay off around 1,000 temporary employees and delay many planned projects. The Department cited increased costs due to hurricane-related road repairs and slow federal reimbursements for road damage costs. In an average year, DOT spends around \$65 million on storm damage road repair, however, this year they have spent nearly \$300 million. DOT has also spent \$311 million defending the controversial Map Act, which prevents landowners from developing property in areas where future highway projects are planned. The legislature repealed the Map Act earlier this year. The NC Chamber is spearheading a coalition called "North Carolina Can't Afford to Stop" and is working to convince members of the General Assembly that there is an immediate need for funds to allow DOT to continue with planned projects, which will hurt many employers and construction businesses if work is halted. It is unclear how or if the legislature will act, as some members have criticized DOT for poor financial planning, and do not have the appetite to bail them out.

Triangle Business Journal: <https://www.bizjournals.com/triangle/news/2019/09/16/chamber-leader-execs-cant-afford-to-wait-for-ncdot.html>

2019 Session Laws

The following 225 bills have become law this session:

1. SB 7: Bipartisan Ethics Appointments
2. SB 75: Restore Ct. of Appeals Membership
3. SB 77: Ag Disaster Fund/Certain Counties
4. SB 214: Ensure Orderly 2019 Elections
5. SB 12: Fill Certain Vacancies/Alexander & Burke Co.
6. SB 56: Revenue Laws Technical Changes
7. SB 4: Extend Terms of 2 Members/Coastal Carolina CC
8. SB 272: Zoning for University Facilities-Durham
9. SB 6: Dare County/CC Construction Funds
10. SB 162: Loan Origination/Late Payment Charge Changes
11. HB 263: Fill Vacancies/Modify 2018 Appointments
12. SB 63: City of Kannapolis/Annexation
13. HB 130: Allow Game Nights
14. SB 505: Rural Job Retention Act
15. SB 605: Highway Storm Recovery Act
16. HB 1014: 2020 Census VTD Verification Program
17. SB 310: Electric Co-Op Rural Broadband Services
18. HB 363: Craft Beer Distribution & Modernization Act
19. HB 233: State Auditor/Local Finance Officer Amends
20. HB 532: DNCR Add New Trails & Various Changes
21. HB 388: Immunizing Pharmacists
22. HB 646: ID Approval/Flex Muni One-Stop
23. HB 70: Delay NC HealthConnex for Certain Providers
24. HB 9: Bessemer City Charter Amendment
25. HB 201: Randolph Co. Register of Deeds Tax Cert
26. SB 252: Dental Bill of Rights
27. SB 138: Even-Yr Municipal Elections/Town of Black Mtn.

28. SB 139: Even-Yr. Municipal Elections/Town of Montreat
29. HB 336: Extend Suspension of Spencer Mountain
30. SB 235: Franklin/Nash Municipalities/Unfit Dwellings
31. SB 30 Stanly CC/Contracting Date Extension
32. SB 381: Reconstitute/Clarify Boards and Commissions
33. HB 301: CIP Revisions/Juvenile Code
34. HB 179: Mini-Truck Classification
35. HB 131: Repeal Map Act
36. HB 82: Railroad Crossings/On-Track Equipment
37. SB 648: Support Shellfish Aquaculture
38. SB 448: Amend Appt For Compact on Education/Military
39. SB 255: State Board Construction Contract Claim
40. SB 151: Break or Enter Pharmacy/Increase Penalty
41. HB 617: Allow Repeat Referral to Teen Court
42. HB 578: Modify Legitimations Provisions
43. HB 548: Modify Physical Therapy Definition
44. HB 383: Topsail Beach Charter/Board Vacancies
45. HB 1016: UNC Boards of Trustees Appointments
46. HB 1017: Special Master Wake House Plan
47. HB 415: Photos of Juveniles/Show-Ups
48. SB 148: Public Records/Release of LEO Recordings
49. SB 11: ABC Regulation and Reform
50. SB 466: EDPNC Modifications
51. HB 57: Create Term for Public Schs. & Codify NCVPS
52. HB 389: ABC/Univ Athletic Facility
53. HB 531: Tenants at Foreclosure Act Restored
54. HB 658: Allow Donations of Unexpired Drugs
55. HB 664: myFutureNC/Postsecondary Attainment Goal
56. HB 432: Water/Sewer to Contiguous Dwelling Units
57. HB 219: NAIC Accreditation Amendments.-AB
58. SB 80: China Grove Satellite Annexation
59. SB 242: Recreational Land Fee Changes

60. SB 227: TP3/Principal Fellows Consolidation
61. SB 84: Walkertown Zoning Authorizations
62. SB 262: Union/Prohibit Certain Hunting Acts
63. SB 674: Surry Co./Mt. Airy/Elkin City/Bd. Ed Partisan
64. HB 15: Lexington/Dissolve Utilities Commission
65. HB 240: Albemarle/City Labor for Business Ctr
66. HB 299: Henderson City/Build Community College Bldgs
67. HB 6: Burlington Airport/Lease/Contract Authority
68. SB 225: Repeal Tuition Surcharge
69. HB 537: Hwy Use Tax Vehicle Subscriptions
70. HB 934: Right to Try Adult Stem Cell Treatments
71. SB 219: Modify Teacher Licensing Requirements
72. SB 55: Continuing Education for General Contractors
73. SB 483: Vacation Rental Act Changes
74. SB 610: Authorize Northern Peaks Trail
75. SB 95: Veterans Memorial Funds/Do Not Revert
76. SB 556: GSC People First Language 2019
77. SB 529: Fees/Returned Checks
78. SB 88: Electrician Requirements for Certain Orgs
79. SB 313: Guar. to Streamline Afford. Housing
80. SB 127: Protect Governmental Accountability
81. HB 656: Medicaid Changes for Transformation
82. HB 924: Teacher Contract Changes
83. HB 474: Death by Distribution
84. HB 67: Road Barrier Prohibition
85. HB 310: Clarify Insurance Prod'r Crim. Bckgrd Check
86. HB 812: Nutrient Offset Amendments
87. HB 886: Study Participation of Operators in NC Pre-K
88. HB 529: Utilities/Water and Wastewater Consumption
89. HB 917: Emergency Declaration/Clarify Rd Closure
90. HB 747: NC Missing Person Information Sharing
91. HB 770: Freedom to Work/OLB Reform

92. HB 871: Fair Contracts
93. HB 4: Claremont Deannexation
94. HB 52: Wrightsville Beach Local Act Amendment
95. HB 204: Town of Beaufort/Annexation
96. HB 349: Wilkes County Fire Tax-Procedure
97. HB 489: Lincolnton-Lincoln County Airport Authority
98. HB 80: Roanoke Rapids Lake/Unattended Equip
99. HB 237: Brunswick County Zoning Procedure Changes
100. HB 368: Bermuda Run/Speed Restrictions
101. HB 98: Macon/Clay/No Right-of-Way Spotighting
102. HB 134: Filling Vacancy/Onslow County Board of Comm
103. HB 170: Various Satellite Annexations
104. HB 187: Amend Town of Elon Charter/Parking Ordinances
105. HB 285: City of Sanford/Town of Beaufort/Vol Annex
106. HB 239: Pitt County Animal Control Records
107. HB 324: Local Hunting Omnibus
108. HB 429: Navigable Waters/Manteo/Hyde
109. SB 191: Out-of-State Law Enforcement/2020 Rep Convtn
110. SB 399: Rehire High-Need Teachers
111. SB 355: Land-Use Regulatory Changes
112. SB 378: Local Economic Development Modifications
113. SB 394: Changes to Estates & Trusts Statutes
114. SB 311: Massage Board Membership
115. HB 257: Motorcycles/Face Masks
116. HB 224: Assault w/ Firearm on LEO/Increase Punishment
117. SB 594: Register of Deeds Updates
118. SB 525: Textile Hist. Site/Operate SE NC Museum
119. SB 220: Removal of Political Signs by Citizens
120. SB 500: Modify Advanced Math Course Enrollment
121. SB 186: Beaufort-Morehead Cty Airport Authority/Amend
122. SB 686: Appointments Bill 2019
123. HB 492: Simplify Builder Inventory Exclusion

124. HB 402: UNC Capital Projects
125. SB 384: Clarify Motor Vehicle Dealer Laws
126. HB 761: Clarify Wastewater Permitting Liability
127. HB 758: MSD Expansion and Governance/DACS Study
128. HB 755: Travel Insurance Amendments
129. HB 735: Adopt Rules Incorporating 2017 Food Code
130. HB 629: Law Enforcement Mutual Aid
131. HB 495: No Municipal Reg/Off-Site Wastewater Systems
132. HB 329: Renewable Energy Amends
133. HB 156: Swain County Settlement Trust Fund
134. HB 138: Damage Jail & Prison Fire Sprinkler/Penalty
135. HB 106: Inmate Health Care & 340B Program
136. HB 18: Allow Absentee Ballots/Fire District Election
137. HB 757: Pender County/Butner Property Transfers
138. SB 535: Authorize State Park/Clarify Corps Name
139. HB 668: Various Higher Education Changes
140. HB 590: Amend Administrative Procedure Laws
141. SB 444: Allow Use of Oyster Shells As Serving Dishes
142. HB 411: Modify School Qual./Student Success Indicator
143. SB 210: Organ & Tissue Donation/Heart Heroes
144. SB 316: Affordable Housing
145. SB 297: Cancer Research Advisory Panel
146. SB 462: Modifications to NC Appraisal Board
147. SB 508: Civil Procedure/Deponent Declaration
148. SB 606: Prioritize Native NC Plants on Highway ROW
149. HB 107: PED Oversight/EPP Changes
150. HB 323: Assess Costs of Local LEO Crime Lab Analysis
151. HB 268: Amend On-Site Wastewater Laws/Misc. TC
152. HB 243: State Human Resources Act Amendments.-AB
153. HB 337: Change Salvage Vehicle Transfer Requirements
154. HB 362: 15-Point Scale For School Performance Grades
155. HB 546: Prohibit Counterfeit/Nonfunctional Airbags

156. HB 620: Street Database/Manual/Public Record Except
157. SB 29: Move Over Law/Increase Penalties/Amber Lights
158. HB 198: Human Trafficking Commission Recommendations.-AB
159. HB 325: Opioid Epidemic Response Act
160. SB 194: West Jefferson/Saluda Satellite Annexations
161. SB 420: NC Servicemembers Civil Relief Act
162. SB 218: Clarify State Recognition - Lumbee Indians
163. SB 145: Allow Sports/Horse Race Wagering Tribal Lands
164. SB 332: Civil Procedure/Limitations/Land Surveyors
165. SB 343: Various Education Law Changes
166. SB 391: Expand Youth Internship Opportunities
167. SB 478: Modify Appointment Reporting
168. SB 493: DVPO Abuser Treatment/Time of Expiration
169. SB 523: Laws Clarifying & Administrative Changes
170. SB 604: Amend NC Veterinary Practice Act
171. SB 108: PED/Safekeeper Health Care Cost Recov. Pract
172. HB 469: Various Family Law Changes
173. HB 628: 2019 Banking & Mortgage Corrections & Changes
174. HB 675: 2019 Building Code Regulatory Reform
175. HB 50: Allow Hyperbaric Oxygen Therapy for TBI/PTSD
176. HB 922: Enhance Insurance Coverage/Educ. Buildings
177. HB 264: GSC Technical Corrections 2019
178. SB 532: Amends Probate/Trusts/Wills Choice of Law
179. HB 220: Insurance Technical Changes.-AB
180. SB 302: Update ACH Svc & Care Plan/Bd of Nursing
181. SB 385: Clarify/Auto Dealers Regulatory Req
182. SB 290: ABC Regulatory Reform Bill
183. SB 9: Female Genital Mutilation/Clarify Prohibition
184. SB 301: Regional School Modifications
185. SB 366: 9th/10th Grade/College Transfer Pathways
186. SB 413: Raise the Age Modifications
187. SB 498: Facilitate Response to Disasters

188. HB 724: Truth in Caller ID Act
189. HB 872: Underground Utility Safety Act/Changes
190. SB 190: Expand Special Assessments for Dam Repair
191. HB 228: Modernize Laws Pertaining to NC Medical Board.-AB
192. HB 961: Ensuring Authorization of Federal Funds
193. HB 760: Expand Loss Prevention Investigations
194. HB 391: Passenger Protection Act
195. HB 590: Modify Continuing Ed for Real Estate Brokers
196. SB 321: Federal Motor Carrier Safety/PRISM
197. SB 68: Relocation of Water/Sewer Line Costs
198. SB 584: Criminal Law Reform
199. HB 206: Various Transportation Changes
200. HB 217: DIT Changes.-AB
201. SB 230: NC Military and Veteran Act of 2019
202. SB 86: Small Business Health Care Act
203. HB 99: Transfer ALE/Move Boxing Advisory Commission
204. HB 597: Wildlife Resources Commission Amends
205. HB 604: Small Business Retirement Program
206. HB 55: Cleveland County/Sheriff Vacancies
207. HB 554: Funeral Practice Licensure Tech. Corrections
208. HB 609: Salary Increases/Adult Correctional Employees
209. HB 226: Pay Increases/State Employees
210. HB 126: Pay Increases/State Highway Patrol
211. HB 777: Pay Increases/SBI & ALE
212. SB 621: Testing Reduction Act of 2019
213. HB 449: Handicapped & Special Registration Plates
214. SB 600: Vets Children/Short-Term Workforce Training
215. SB 353: Amend Cartway Path/Septic Tank Laws
216. SB 682: Implement Crime Victim Rights Amendment
217. SB 574: Study Establish Gaming Comm/Sports Betting
218. SB 270: Durham Deannexation
219. SB 682: Implement Crime Victim Rights Amendment

- 220. HB 1020: 2019 House Remedial Map
 - 221. HB 29: Standing Up for Rape Victims Act of 2019
 - 222. HB 75: School Safety Funds, Programs, and Reports
 - 223. SB 118: Prison Safety/TANF State Plan/Clarifications
 - 224. SB 429: Disaster Recovery - 2019 Budget Provisions
 - 225. SB 458: PTS Day/Cardiac Task Force/Titus's Law/Data
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More about Nexsen Pruet's North Carolina Public Policy Team

In addition to providing Government Affairs Services, the Nexsen Pruet Public Policy team provides attorneys and clients with a newsletter summarizing the week's activities and conveying the inner workings of the legislative process and state government in Raleigh during the legislative session. Please feel free to pass this along to your clients or other interested parties. If you would like to receive the update in your inbox, please email shernandez@nexsenpruet.com to be added to the list. If you are interested in learning more about how Nexsen Pruet can help you achieve your public policy goals and acquiring legislative representation in North Carolina or South Carolina, please reach out to Sandy Sands at ssands@nexsenpruet.com or Ross Barnhardt at rbarnhardt@nexsenpruet.com.