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Subject: REPRESENTATIVE RODNEY W. MOORE'S RALEIGH REPORT - May 13, 2013

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For Immediate Release

May 13, 2013

REPRESENTATIVE RODNEY W. MOORE'S RALEIGH REPORT

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On last Monday evening, Republican House members approved a bill allowing permit holders to carry concealed weapons on college campuses, state property, greenways, public sporting venues and restaurants where alcoholic beverages are served. The measure drew heavy opposition from both Democrats and UNC system officials concerned with public safety for students and citizens alike.

Previous to the vote, Democrat House members held a press conference speaking out against the extensive debate and repeated efforts by Republicans to halt any amendments we attempted to put forth regarding the bill. House Democrats attempted multiple times to amend the bill to ensure the state conducted universal background checks on gun purchases. The Republicans used procedural maneuvers to block this amendment.

Approving the legal possession of firearms in public places opens the door to unwanted violence in our communities. This is not the time to soften restrictions on concealed weapons and our state's safety measures. The majority of North Carolinians voiced their concerns and it is a mistake in policy to blatantly disregard their voices and concerns. The passing of this legislation now puts the safety and protection of our citizens at a much greater risk.

More devastating cuts to early childhood education have officially been made. Final approval was given on Tuesday and will severely reduce the number of children eligible for North Carolina's pre-kindergarten program. House Democrats were able to pass an amendment permitting day care facilities to have one year to prepare for the changes. During this session, North Carolinians have witnessed a number of unacceptable cuts to programs that are beneficial to their quality of life such as unemployment benefits, Medicaid, teacher assistants

and now early education.

This state has served as a national model for providing high-quality early education programs, but we have now taken a drastic step backwards. Scaling back on eligibility requirements will restrict access to a vital component of our education system. We are doing our children a great disservice when we directly overlook the importance of supporting early educational opportunities that are critical to their future academic success.

Republican legislators have also voted to repeal the state's estate tax. The tax only applies to estates valued at more than \$5 million. Only 23 families paid this tax in 2012. The tax contributed \$50 million to the state budget. At a time when we are trying to find every dollar we can to keep educators in the classroom, it does not make sense to provide this tax credit for the wealthiest estates in the state.

Last week, we celebrated National Teacher Appreciation Week. The NC Democratic House caucus would like to extend our sincere appreciation to all educators for their continued work and tireless dedication in educating our children, and preparing future generations to become leaders. Teachers are an invaluable asset to our nation's school system and economy, and a week is simply not long enough to thank them for their contributions made in the classroom.

House votes to relax gun laws in NC

State House lawmakers voted late Monday night to allow concealed weapons on college campuses, state property, greenways, bike trails, at sporting events and in businesses that serve alcohol. Proponents of [House Bill 937](#) say it protects and expands the Second Amendment rights of law-abiding citizens while increasing punishment for those who use guns in the commission of crimes.

House approves Pre-K changes, beer sales

A proposal to cut in half the number of children eligible for the state's free pre-kindergarten program won House approval Tuesday. Democrats secured a one-year delay for the change, saying it would give child care centers a chance to prepare. [House Bill 935](#) would lower the number of eligible children to about 31,000 by changing the legal definition of an at-risk child.

Eliminating estate tax provides tax cut to North Carolina's wealthiest individuals

Comprehensive tax reform remains vague and "short on details" as the 2013 legislative session is beyond its halfway point. Nevertheless, stand-alone bills continue to make their way through the legislative process that would provide tax cuts to the state's wealthiest individuals including [House Bill 101](#). Policymakers have just voted in the House to eliminate the estate tax and both the Senate leadership and the Governor have stated their commitment to do the same.

House passes restrictions on abortion based on sex selection

Doctors could be sued if they perform an abortion on a woman who sought the procedure because of the sex of her baby under a bill that cleared the House on a 79-40 vote last Tuesday for [House Bill 716](#). The measure now goes to the state Senate. Like all abortion bills, the measure prompted heated debate on the floor. Doctors would no longer have an "affirmative duty" to probe patients on why they were seeking an abortion; they would merely be prohibited from performing the procedure if they happen to find out that gender selection is a factor.

N.C. House approves bill requiring teens to get parents' OK for birth control

[House Bill 693](#) states that parents would have to give their teenagers permission before they could receive birth control or be treated for sexually transmitted diseases, substance abuse or mental illness, under a bill approved in a House committee on Tuesday. Opponents said it would be the most restrictive law in the nation and would put teenagers' health in danger. Supporters say the intention is to restore parental control over their children's lives.

North Carolina STD Testing Bill Called 'Regressive' By State Representative

A North Carolina state House committee quickly backtracked on its approval of [House Bill 693](#); a bill that would require teenagers to get notarized parental consent to access sexually transmitted disease testing and treatment, mental health counseling, pregnancy care or substance abuse treatment. State Rep. Susi Hamilton (D), joined HuffPost Live Wednesday to express her opposition to the bill. Hamilton said many in the North Carolina General Assembly believe the bill won't resurface in this legislative session, and that it may never be heard at all.

Senate GOP debuts far-reaching tax overhaul

A far-reaching proposal by Republicans in the state Senate would slow government spending and affect the wallet of every North Carolinian as it slashes income tax rates and raises the cost of food, prescription drugs and more than 100 tax-exempt services. It shifts the tax burden to consumption rather than income, a move that will disproportionately affect low-income taxpayers and families.

Senate passes bill to create separate charter school board

Charter schools and all other publicly funded schools would be overseen by two different boards under [House Bill 337](#) that cleared the state Senate last week. The bill also adjusts other provisions of the state's charter law, including a requirement that school districts lease would-be charter schools unused property. Charter schools are funded by public tax dollars but managed by a volunteer boards rather than school districts.

New highway funding formula gets tentative House nod

The House on Wednesday approved Gov. Pat McCrory's plan to divvy up money for highway construction by emphasizing projects that will boost North Carolina's economy. House Bill 817 scraps the current road-funding system that evenly divides construction money across 14 districts and shifts money away from secondary road

maintenance to plow more funding into new construction.

ON THE FLOOR

[H 274](#) Taxpayer Bill of Rights

Re-referred to House Committee on Finance, 5/9/13

[H 817](#) Strategic Transportation Investments

Passed third House reading and ordered engrossed, 5/9/13

[H 834](#) Modern State Human Resources Management/RTR

Re-referred to House Committee On Appropriations, 5/9/13

[H 1011](#) Government Reorg. and Efficiency Act

Passed second and third House readings, 5/9/13

[S 473](#) HealthCare Cost Reduction & Transparency

Passed second and third Senate readings, 5/9/13

[S 634](#) Increase Penalties/Utilities Theft

Passed first House reading and referred to House Committee on Judiciary Subcommittee C, 5/8/13

COMMITTEE MEETINGS

Senate Agriculture/Environment/Natural Resources Committee

This week the Senate Agriculture/Environment/Natural Resources Committee passed four bills out of the committee. [S 626](#), Recodify Animal Shelter Law, seeks to recodify and amend the existing law enacted to assist owners in recovering lost pets, relieve overcrowding at

animal shelters, and facilitate adoptions from animal shelters. It also seeks to improve enforcement of that law by making it part of the Animal Welfare Act. [S 636](#), Wildlife Resources Comm. Penalty Change, seeks to amend the Boating Safety Act by increasing the penalties and by amending the penalty provision for specific violations of the wildlife laws. S 636 has been re-referred to the Senate Judiciary II Committee. [S 638](#), NC Farm Act of 2013, seeks to make various changes to laws that impact farming including limiting the liability of farm animal activity sponsors as a result of inherent risks of farm animal activities, limiting the personally identifying information that the Department of Agriculture may disclose about its animal health programs and expand the agricultural dam exemption to the Dam Safety Act. [H 484](#), Permitting of Wind Energy Facilities, seeks to establish a permitting program for the siting and operation of wind energy facilities.

Senate Commerce Committee

The Senate Commerce Committee met on Tuesday and Thursday of this week. On Tuesday, the committee heard and approved five bills. [S 127](#), Customer Srv., Econ. Dev., and Transportation, would establish eight geographically uniform zones throughout the state to facilitate constituent interaction with state agencies and would end state funding for the seven current regional economic development commissions. The Departments of Commerce, Transportation, Public Instruction, and Environment and Natural Resources would be required to co-locate liaison personnel at a facility in each zone. Most of the questions on this bill dealt with the zone to which specific counties were assigned. [S 199](#), Electric Membership Corps/Member Control, would eliminate some reports electric membership corporations are currently required to submit with respect to long-range planning efforts. [S 420](#), UI/Clarify Required Contributions, would make clarifying changes to the laws regarding unemployment insurance to make the statutes more easily understandable. [S 613](#), Create Military Affairs Commission, reorganizes the North Carolina Advisory Commission on Military Affairs, provides it with broader responsibilities, and renames it the North Carolina Military Affairs Commission. [S 648](#), NC Commerce Protection Act of 2013, was the most controversial bill on the agenda. It would a) make it a crime to lie on an employment application with the intent of gaining access to the facility to gain access to records or to make recordings, b) reduce the statutory rate of interest on judgments with respect to personal injury or wrongful death, c) prohibit third-party lawsuit loans, and d) provide limitations and transparency with respect to contracts between the Attorney General and private litigators.

On Thursday, the committee heard and approved five bills. [S 73](#), Local Workforce Dev./Dislocated Workers, would require local workforce development boards to use a competitive selection process to hire agencies to provide services. [S 327](#), Clarify Motor Vehicle Licensing Law, would make changes to the law with respect to automobile manufacturers and dealers. [S 403](#), Amend Uniform Prudent Investor Act, would allow cemeteries and funeral homes more investment options to ensure the availability of pre-paid services or burial plots. [S 468](#), Align Inspections W/Installer Licensing, would provide that when appliance installers are licensed to perform all aspects of an installation, no more than one permit and inspection would be required. Finally, [HJR 444](#), Confirm Andrew T. Heath to Industrial Comm, confirms the Governor's appointment of Andrew Heath as Chairman of the Industrial Commission.

Senate Finance Committee

The Senate Finance Committee met on Tuesday and Wednesday of this week. On Tuesday, the committee heard and approved four bills. [H 254](#), Zoning Changes/Notice to Military Bases, would amend the notice requirements that local governments have with respect to nearby military bases when changing zoning or other land use ordinances. [S 380](#), Adjust Landfill Permit Fee Timing, would adjust the fee schedules for landfill permits to conform to changes enacted to the permits themselves in 2012. [S 454](#), Registration of Petroleum Device Technicians-AB, clarifies that the Gas and Oil Inspection Board has the authority to register petroleum device technicians who perform necessary repairs to equipment. [S 490](#), Exclude Custom Software From Property Tax, would do just as the short title suggests.

On Wednesday, the committee heard [S 473](#), HealthCare Cost Reduction & Transparency, would create new reporting requirements for health care facilities on pricing for the most common procedures in each facility. The North Carolina Department of Health and Human Services (DHHS) would publish this information. In addition, certain facilities would also report on their annual expenditures on financial assistance and bad debt and make this information available to the general public. The bill would also prevent the UNC Health Care System and its affiliates from utilizing setoff debt collection procedures to collect outstanding debts from tax refunds and lottery winnings of debtors. The bill was approved with little debate.

Senate Education Committee

The Senate Education Committee met Wednesday to hear three bills. [H 370](#), Respect for Student Prayer, allows students to pray silently at any time or out loud during non-instruction time if the prayer is initiated by students. [S 444](#), UNC/Cherokee Language, requires schools in the UNC system to recognize the Cherokee language as a language that satisfies foreign language requirements for graduation. [S 719](#), Student Organizations/Rights and Recognition, prohibits any UNC school or community college from denying recognition to student groups for exercising its right to free association. All three bills received a favorable report in committee and unanimous approval on the Senate floor.

House Commerce Committee

The House Commerce and Jobs Development Committee met on Wednesday to consider four bills. [H 563](#), Foreign Trade Zone/Expand Def of Public Corp, would designate a certain type of entity as a public corporation. This will facilitate five counties in the northeastern part of the state in joining a free trade zone based around the Norfolk port. [H 675](#), Amend Pharmacy Laws, makes several changes with respect to pharmacy technicians and audits and would provide for an expiration date for written prescriptions for Schedule II substances. [H 680](#), Jump-Start Our Business Start-Ups Act, would provide an exception to the securities laws for certain types of capital-raising activities for small businesses. These three bills were approved by the committee. The committee failed to approve [H 69](#), Opportunity

Advancement Zones, which would have created enhanced tax incentive benefits for certain distressed areas in more prosperous counties.

House Public Utilities Committee

The House Public Utilities Committee met Wednesday to take up a trio of bills sponsored by committee chairman, Mike Hager. [H 664](#), Cell Tower Deployment Act, amends the authority of local governments to regulate wireless telecommunication facilities to comply with the Middle Class Tax Relief and Job Creation Act of 2012. It received a favorable report and sent to the House floor. [H 710](#), Water Utility Recovery, permits water utilities to adjust rates for changes in cost based on third party rates and authorizes the Utilities Commission to approve a rate adjustment mechanism for water and sewer authorities to recover costs for system improvements. H 710 received a favorable report from the committee with a referral to House Finance. A PCS was adopted for [H 818](#), stripping it of the original content and replacing it with language authorizing qualified UNC institutions to self-perform energy conservation measures. H 818, University Energy Savings Contracts, received a favorable report in committee and was referred to House Finance.

House Education Committee

The House Education met Tuesday to address eight bills as they try to move bills out of committee ahead of the May 16 crossover deadline. [H 691](#), Limit Soldiers Community College Tuition, waives the cost difference between the out-of-state tuition rate at North Carolina community colleges and the amount of tuition assistance available from the Department of Defense for active duty members of the Armed Forces. H 691 was approved by the committee with a referral to House Appropriations. Other bills passed out of committee include, [H 337](#), Forsyth Tech Repurpose of Funds, [H 537](#), Edenton-Chowan Sch. Board Terms, [H 718](#), Study of Duty-Free Period for Teachers, [H 968](#), Increase Successful CTE Participation and [H 969](#), Broaden Successful AP Participation.

House Finance Committee

The House Finance Committee met Wednesday and Thursday of this week, while its subcommittees met on Tuesday. On Wednesday, the committee took up nine bills. [H 526](#), Chadbourn Voluntary Deannexation; [H 545](#), Modify Henderson Co. Occupancy Tax; and [H 567](#), Lumberton Deannexation, are local bills that passed without controversy. [H 364](#), Treas. Debt Issuance Accountability/PED Stdy, would require a study of State agencies' ability to enter into debt-like agreements without General Assembly oversight. [H 442](#), Municipal Incorporation Changes, would add an additional requirement in order to apply for municipal incorporation. [H 552](#), Remove Area From County Service District, would allow county commissioners to remove an area from a service district if certain conditions are met. Those three bills passed without controversy as well. The remaining three bills all generated some debate. [H 269](#), Children w/Disabilities Scholarship Grants, would replace a tax credit for the special education needs of children with a grant program. [H 341](#), Tax Credit for DoL Apprentice Hires, would allow for a tax credit of \$1,000 per employee hired and placed in a

Department of Labor apprenticeship program. [H 656](#), Forfeiture for Speeding to Elude Revisions, would transfer responsibility for certain seized vehicles from local sheriff offices to the Department of Public Instruction, which already has responsibility for vehicles seized as a result of DWI offenses.

On Thursday, the committee took up five bills. [H 501](#), Buncombe Cty/Community College Projects, and [H 562](#), Cramerton Charter Revisal, are local bills and passed without controversy. [H 473](#), NC Captive Insurance Company, would authorize certain entities that provide insurance coverage to related members to incorporate in North Carolina. [H 629](#), Amend Definition of Special Purpose Project, clarifies the definition of special purpose project for industrial revenue bonds so that it includes facilities involved in recycling agricultural or forestry waste. [H 664](#), Cell Tower Deployment Act, would streamline the process for local government approval for the placement of wireless facilities. All of these bills passed easily.

House Environment Committee

The House Environment Committee passed one bill out of the committee this week. [H 94](#), Amend Environmental Laws 2013, seeks to amend certain environmental and natural resources laws to allow landfill developments to apply for a permit to operate. It also clarifies the process for appeals from civil penalties assessed by a local government that has established an erosion and sedimentation control program. Finally, it seeks to provide that civil penalties assessed by a local government pursuant to the Sedimentation Pollution Control Act of 1973 shall be remitted to the civil penalty and forfeiture fund.

House Agriculture Committee

The House Agriculture Committee passed two bills out of committee this week. [H 614](#), NC Agriculture and Forestry Act, seeks to provide that agricultural and forestry operations are not nuisances under certain circumstances. This bill has been re-referred to the House Judiciary Subcommittee A. [H 628](#), Protect/Promote NC Lumber, seeks to protect North Carolina timber producers by requiring that sustainable building standards not disadvantage or forbid the use of building materials produced in this state.

Tax Reform

On Tuesday, Senate leadership held a press conference to outline their plan for tax reform this session. As expected, the plan focuses on reform of the corporate franchise tax and a lowering of the corporate income tax, a significant reduction of the individual income tax, and a broad expansion of the sales and use tax to services. Details of the plan are not available and it is unclear when a bill might be ready. On the other side of the building, the House of Representatives passed [H 101](#), Repeal Estate Tax. As the title suggests, that bill would repeal the state estate tax effective for decedents dying on or after January 1, 2013.

LEGISLATIVE CALENDAR

Mon. May 13, 2013

6:00 PM Session Convenes (House) House
7:00 PM Session Convenes (Senate) Senate

Tue. May 14, 2013

8:30 AM Appropriations (House) 643 LOB
9:00 AM Agriculture/Environment/Natural Resources (Senate) 421 LOB
Nutrient Management Standards Reform Act. ([S515](#))
Amend Trapping Law. ([S689](#))
Black Bear Management. ([S352](#))
Amend Veterinary Practice Act/Fees. ([S382](#))
Expedite Cleanup of Orphan Landfill Sites. ([S580](#))
10:00 AM Judiciary I (Senate) 1027/1128 LB
OSC/Gov't Data Analytics/State Data Sharing. ([S284](#))
Amend False Liens Law. ([S584](#))
NC Commerce Protection Act of 2013. ([S648](#))
10:00 AM Health and Human Services (House) 544 LOB
Amend Certificate of Need Laws. ([H177](#))
Medicaid Managed Care/Behavioral Health Svcs. ([H320](#))
Standardize Emergency Hospital Codes. ([H634](#))
Prevent Hazardous Drug Exposure. ([H644](#))
Study Medicaid Provider Hearings. ([H674](#))
Exempt Continuing Care Facilities From CON. ([H900](#))
10:00 AM Education -- CORRECTED (House) 643 LOB
Charter School/LEA Accounting of Funds. ([H273](#))
Increase Dropout Age From 16 to 17. ([H287](#))
Comm. Coll. Trustee Appointments/Lee Co. ([H512](#))
Ed. Services for Children in PRTFs. ([H831](#))
Dropout Prev./Recovery Pilot W/Charters. ([H884](#))
Education and Workforce Innovation Act. ([H902](#))
Protect Religious Student Groups. ([H735](#))
11:00 AM Commerce (Senate) 1027/1128 LB
Exclusion From Post-Construction Practices. ([S294](#))
Winston-Salem/Local Development. ([S297](#))

Electronic Vehicle Lien/Title. ([S407](#))
Metal Theft Statute Amendments. ([S583](#))
Exempt Certain Columbariums/Cemetery Act. ([S607](#))

11:00 AM Agriculture/Environment/Natural Resources (Senate) 544 LOB

Coastal Policy Reform Act of 2013. ([S151](#))
Amend Environmental Laws 2013. ([S112](#))
Permitting of Wind Energy Facilities. ([S491](#))
Limit Local Regulation Of Outdoor Smoking. ([S703](#))

12:00 PM Transportation (House) 643 LOB

Lengthen Replacement Cycle for School Buses. ([H162](#))
Public Safety Technology/State ROW. ([H348](#))
Customer Srvcs., Econ. Dev., and Transport'n. ([H356](#))
Study Oversight of MPOs. ([H378](#))
Omnibus County Legislation. ([H458](#))
Ferry Tolling Alternatives. ([H475](#))
Stock Car Racing Theme Plate Proceeds. ([H485](#))
Buncombe MPO Membership. ([H530](#))
Use Actual Alcohol Concentration Result. ([H658](#))
Farmland Preservation/DOT Projects. ([H920](#))
Restrict Railroad Height Change at Crossings. ([H939](#))

1:00 PM Insurance (House) 1228/1327 LB

Mandate Autism Health Insurance Coverage. ([H498](#))
Property Insurance Rate-Making Reform. ([H519](#))
WC/Insurance Cancellation. ([H639](#))

1:00 PM Finance (Senate) 544 LOB

Amend Petition & Method for Crit. Assessments. ([S103](#))
Choice of Hearing Aid Specialist. ([S248](#))
Salisbury/Deannex Rowan County Airport Property. ([S269](#))
Jail Dormitory Minimum Standards. ([S463](#))
Returns w/Refunds Filed Late Penalty. ([S523](#))

1:00 PM Agriculture (House) 643 LOB

Study Tobacco Acreage Assessment. ([H816](#))
Weight Limits/Animal Feed Trucks. ([S379](#))

Wed. May 15, 2013

10:00 AM Judiciary Subcommittee A (House) 1228/1327 LB

Judicial Department Travel Reimbursement. ([H461](#))
NC Agriculture and Forestry Act. ([H614](#))
Commonsense Consumption Act. ([H683](#))
Health Care Conscience Protection Act. ([H730](#))
NC Religious Freedom Restoration Act. ([H751](#))
Ban Smoking in Foster Care Setting/Infants. ([H805](#))
Job and Education Privacy Act. ([H846](#))
Human Trafficking. ([H855](#))
Modify Medicaid Subrogation Statute. ([H982](#))

10:00 AM Education/Higher Education (Senate) 544 LOB

Counties Responsible for School Construction. ([S236](#))
Prohibit Costly Local Government Litigation (for discussion only)
([S674](#))

12:00 PM Public Utilities and Energy (House) 643 LOB

Telecommunications/Universal Service Payments. ([H854](#))

Mon, May 20, 2013

11:00 AM Rep. Brandon & Rep. Bryan / Press Conference Press Room LB

4:00 PM Joint Legislative Program Evaluation Oversight Committee 544 LOB

Please remember that you can listen to committee meetings and press conferences on the General Assembly's website at www.ncleg.net. Once on the site, select "Audio," and then make your selection – House Chamber, Senate Chamber, Appropriations Committee Room or Press Conference Room. A schedule of committee meetings and other events is also available on the website.

2 Attached Images



