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May 27, 2013

## **REPRESENTATIVE RODNEY W. MOORE'S RALEIGH REPORT**

As Crossover came to a close, the speed at the General Assembly intensified as the Senate gave final approval to their budget proposal. The budget now heads to the House where Republicans will make changes before presenting a final plan to Gov. Pat McCrory. In a heated debate, Senate Democrats condemned the measure citing harmful cuts to working families to pay for tax handouts for the wealthy. The Senate budget is another step in the wrong direction for North Carolina. The Republican budget fails to take meaningful action to create jobs while continuing devastating cuts to public education. Their plan places new and unnecessary limits on Medicaid eligibility in an effort to solve the problem North Carolina Republicans created when they turned down the Medicaid expansion.

Some of these harmful cuts include:

Elimination of the Rural Center, Golden LEAF, regional economic development boards and the Bio-Fuels Center costing roughly \$100 million in cuts.

Creating a misleading new rural economic development within the Department of Commerce with a budget of only \$17 million over the biennium – that's nearly an \$83 million cut.

Over \$400 million slashed from education: removes the cap on class sizes; eliminates teacher tenure; makes deep cuts to Pre-k classrooms reducing 2,500 seats in 2013-2014 and 5,000 seats in 2015; and ends the NC Education Lottery funding for school construction.

Approximately \$100 million in job creation funds has been removed.

Weakened healthcare by cutting Medicaid reimbursement in rural hospitals, reducing benefits, lowering reimbursement rates for providers and increasing co-pays.

Cutting guaranteed funding for road and bridge construction, and other maintenance projects in rural areas.

Both House and Senate Republicans are planning to pay for their budgets with tax plans that cut taxes for the wealthiest individuals and corporations while increasing the tax burden on the middle class. North Carolina deserves better. Rather than pushing budgets and tax plans that harm middle class families, we should focus on developing a budget and tax system that gives our citizens a fair shot at success.

On Tuesday, the NC House Education Committee hosted a passionate debate regarding a proposal allowing low-income students to use public funds to attend private or religious schools. The Opportunity Scholarship Act would provide annual vouchers totaling \$4,200 to students, with \$90 million transferred from the state's education budget to the program over the next two years. The effectiveness of this bill warrants a great deal of concern for families who may have difficulty affording the remaining costs of private schools once vouchers have been distributed. It does not require private schools to follow accountability measures of reporting student test results and performances in the same manner as public schools.

The bill is expected to return to the committee for another debate and vote before heading to the Appropriations Committee and the House floor next week.

On Wednesday, the Racial Justice Act – which passed the Senate last month – received a hearing before a House judiciary committee. Members heard firsthand from attorneys, a physician and family members of murder victims on opposite sides of the issue. Opponents made an appeal to legislators to preserve the measure and prevent pending attempts to resume capital punishment. There were no votes taken, however the bill is scheduled for a vote next week. A press conference followed where supporters of the Racial Justice Act discussed the severe implications of repealing the bill. The act has worked to eliminate racial bias among prosecutors in jury selections in capital cases. Repealing this measure will send North Carolina backwards by inviting discrimination back into our justice system and courtrooms. We must do all we can to uphold this bill that ensures fairness and integrity in the

name of justice.

North Carolina celebrated the 20<sup>th</sup> anniversary of the "Click It or Ticket" campaign by renewing efforts to motivate resident drivers and passengers to fasten their seat belts. North Carolina was the first state in the nation to adopt the seatbelt safety campaign in 1993, and since its establishment, the Governor's Highway Safety Program has reported that the number of crashes, fatalities and injuries involving unbelted passengers has decreased significantly.

Lastly, I would like to offer my sincere thoughts and prayers to the tornado victims in Oklahoma. I stand with those adversely affected by the devastating storms, and fully support them as they begin the road to recovery and rebuilding their lives and communities again.

### **HB 267: N.C. House blocks attempt to amend I-95 toll bill**

A House proposal that [won unanimous approval last week](#) to allow limited toll collection on Interstate 95 faced an unexpected challenge from toll foes when it returned for a final House floor vote Tuesday. The House eventually gave its final approval -- not unanimous, this time -- and sent to the Senate a bill that would let the state Department of Transportation charge tolls only on new lanes added to interstate highways, while guaranteeing that drivers still can use the original lanes without paying tolls.

### **HB 786: NC immigration bill advances to House floor**

A bill granting driving privileges to North Carolina residents who are living in the country illegally is headed to the state House floor. The bill that cleared the House Finance Committee Tuesday extends driving privileges and authorizes police to detain those reasonably suspected of living in the country illegally. The bill also includes new E-Verify rules for government contractors and some tougher criminal justice provisions.

### **SB 402: Senate finishes work on its budget plan**

The state Senate finished debate on its \$20.6 billion budget Thursday, voting 33-17 to send the measure to the state House. Although the debate was much shorter than Wednesday, Democrats still decried a \$770 million set-aside to pay for a tax reform package. Although there are only a handful of fee changes in the budget bill itself, senators have outlined a tax proposal they say they want to pursue this year.

### **SB 306: Racial Justice Act repeal heard by NC House panel**

Opponents of a measure to repeal North Carolina's law that created another method to challenge racial bias in death row cases pleaded with House members Wednesday to preserve the Racial Justice Act and prevent the acceleration of capital punishment. The measure, which passed the Senate last month, got a hearing before a House judiciary

committee, where members heard from attorneys, a physician and family members of murder victims on opposite sides of the issue. No vote was taken but the bill would return at a later date, the committee co-chairman said.

### **HB 944: Packed house for school voucher bill hearing**

Members of the House Education Committee heard public comments only for HB 944, Opportunity Scholarship Act, also known as the school voucher bill. The time allotted for the hearing today was cut down to one hour from two, prompting Chairman Langdon to declare that a vote on the bill would come sometime in the future, likely next week. Rep. Rob Bryan laid out the specifics of the updated legislation. The bill would offer \$4,200 maximum scholarships to students wishing to attend private schools instead of their local public schools.

### **Mooresville lawmaker quits co-chairman post over upset with House Speaker Thom Tillis**

A private spat turned very public Wednesday when a [Mooresville lawmaker aired a list of grievances against N.C. House Speaker](#) – and fellow Republican – Thom Tillis, even handing over his gavel as co-chair of a powerful committee. Tillis, 52, is in his second and last term as speaker. He's widely expected to run for U.S. Senate next year. Even by legislative standards, their dispute became unusually personal.

### **SB 334: McCrory, McFarlane want time to renegotiate Dix lease**

Gov. Pat McCrory and Raleigh Mayor Nancy McFarlane on Thursday asked the General Assembly to give the city and state about 10 months to rework an agreement for the Dorothea Dix property, but a leading lawmaker balked at that idea. The statement by McCrory and McFarlane comes less than 24 hours after a House committee voted to rewrite Senate-passed legislation and allow Raleigh one year to renegotiate with the state its lease of the 325-acre Dix campus for a "destination park."

## **COMMITTEE MEETINGS**

### **Senate Appropriations Committee**

Senate appropriations subcommittees met Monday afternoon to allow budget writers the opportunity to walk through individual budgets and hear from the public. No amendments were allowed during the meetings. The following morning, the full Appropriations committee met to approve the budget on its way to the Senate floor. Budget writers again hit the highlights of individual budgets and addressed amendments offered by committee members. Five amendments were adopted by the committee before sending the spending bill to Finance.

## House Education Committee

The House Education committee met Tuesday to take up [H 944](#), Opportunity Scholarship Act. [H 944](#) creates scholarship grants of \$4,200 per year for eligible students to attend nonpublic schools. To be eligible for a scholarship for the 2013-2014 school year, students must reside in a household with an income level of 185 percent of the federal poverty level and be a full-time student assigned and attending a North Carolina public school in the 2013 spring semester. Starting in school year 2014-2015, students who live in households with income of 240.6 percent of the federal poverty level and meets one of the following; a full-time North Carolina public school student the previous semester, received a grant the previous school year, entering kindergarten or first grade, is in foster care or was adopted within the year prior to submitting the grant.

Grants will be administered by the State Education Assistance Authority with 10 million dollars appropriated in year one of the program, 40 million in year two and 50 million in each subsequent year. The majority of the time in committee was dedicated to public comment. No vote was taken, but the committee expects to resume debate and vote on the bill next week.

## House Finance Committee

The House Finance Committee met on Tuesday, May 21 to hear [H 786](#), RECLAIM NC Act. The bill deals with immigration reform and would do the following: 1) increase penalties for possession, manufacture, or sale of false identification documents, 2) create a rebuttable presumption against the pretrial release of certain undocumented aliens, 3) require undocumented aliens to reimburse the State for the costs of incarceration, 4) authorize immigration status checks for certain persons who are lawfully stopped, detained, or arrested, 5) prohibit the use of certain documents for identification purposes, 6) require government contractors to use the e-Verify system to ensure employees are not undocumented aliens, 7) require undocumented alien drivers to obtain restricted drivers permits, and 8) authorize the impoundment and sale of vehicles for driving while license revoked, driving without a license, and driving while failing to maintain financial responsibility. After a great deal of debate and public comment, the bill passed.

## House Commerce Committee

The House Commerce and Jobs Development Committee met on Wednesday, May 22 to hear three bills. [S 9](#), Utilities/Design/Survey Location Services, would require utility companies to identify the location of underground utilities upon the request of a surveyor or designer. The committed substitute was reported without prejudice and re-referred to the Public Utilities Committee. [S 71](#), Amend Irrigation Contractors Licensing Laws, would provide for exemptions from the licensing law, allow the licensing of additional business entities, provide for suspension of a license rather than forfeiture for failure to complete continuing education requirements, authorize fees, and authorize cost assessments for attorney fees and investigatory costs related to licensure violations. The bill was approved by the Committee. Finally, the Committee considered [H 661](#), Rewrite Landscape Contractor Laws, would provide

new licensing requirements for landscape contractors. The registration requirements for landscape contractors are currently voluntary. While these provisions would be mandatory, there would be numerous exceptions and licensure would eliminate the necessity of having a general contractor's license for certain large projects. The Committee ran out of time before finishing debate on the bill and held it over for another meeting.

## House Environment Committee

The House Environment Committee passed one bill out of committee this week. [S 234](#), Hunter Education/Apprentice Permit, seeks to clarify the hunter education requirements and establish a hunting heritage apprentice permit.

## LEGISLATIVE CALENDAR

### Tue, May 28, 2013

8:30 AM	<b>Appropriations Subcommittee on General Government (House)</b>	1425 LB
8:30 AM	<b>Appropriations Subcommittee on Justice and Public Safety (House)</b>	415 LOB
8:30 AM	<b>Appropriations Subcommittee on Education (House)</b>	421 LOB
8:30 AM	<b>Finance (House)</b>	544 LOB
	Chiropractic Assistant Certification/Fee.-AB ( <a href="#">H371</a> )	
	Ignition Interlock Req'd/All DWIs. ( <a href="#">H536</a> )	
	Transitional Mortgage Loan Originator. ( <a href="#">H616</a> )	
	Electronic Vehicle Lien/Title. ( <a href="#">H621</a> )	
	Update Physical Therapy Practice Act. ( <a href="#">H828</a> )	
8:30 AM	<b>Appropriations Subcommittee on Health and Human Services (House)</b>	643 LOB
10:00 AM	<b>Health and Human Services (House)</b>	544 LOB
	Effective Operation of 1915(b)/(c) Waiver. ( <a href="#">S208</a> )	
10:00 AM	<b>Education (House)</b>	643 LOB
	Opportunity Scholarship Act. ( <a href="#">H944</a> )	
	Start-up Funds for New Charter Schools. ( <a href="#">H291</a> )	
	Ed. Services for Children in PRTFs. ( <a href="#">H831</a> )	
	Teacher Licensure Fees. ( <a href="#">H965</a> )	
	STEM Teacher Scholarship Program. ( <a href="#">H997</a> )	

- 12:00 PM **Transportation (House)** 643 LOB  
 Ferry Tolling Alternatives. ([H475](#))  
 Various Special Plates. ([H556](#))
- 1:00 PM **Session Convenes (House)** House
- 1:00 PM **Agriculture (House)** 643 LOB  
 Hunting & Fishing/Active Duty Military. ([S25](#))  
 Bedding Law/Right of Entry.-AB ([S388](#))  
 Clarify Agricultural Zoning. ([S505](#))
- 3:00 PM **Appropriations Subcommittee on Transportation (House)** 1228/1327 LB
- 4:00 PM **Session Convenes (Senate)** Senate

**Wed, May 29, 2013**

- 8:30 AM **Appropriations Subcommittee on General Government (House)** 1425 LB
- 8:30 AM **Appropriations/Base Budget (Senate)** 643 LOB  
 Medicaid/2012-2013 Additional Appropriations. ([H980](#))
- 10:00 AM **Judiciary Subcommittee A (House)** 1228/1327 LB  
 Amend NC Business Corporation Act. ([S239](#))  
 Estates/Trusts/Guardianship Amendments. ([S279](#))  
 Constructive Fraud/Limitations Period. ([S393](#))  
 Clarify Petit Juror Oath. ([S528](#))
- 10:00 AM **Judiciary Subcommittee B (House)** 421 LOB  
 Capital Punishment/Amendments. ([S306](#))  
 Prohibit E-Cigarette Sales to Minors. ([S530](#))  
 Jurisdictional Amts/Arbitration/Sm Claims Ct. ([S452](#))  
 Safe Harbor/Victims of Human Trafficking. ([S683](#))  
 Extend Time For Forensic Accreditation. ([S200](#))  
 MAP 21 Conforming Revisions.-AB ([S659](#))
- 10:00 AM **Commerce and Job Development (House)** 643 LOB
- 12:00 PM **Public Utilities and Energy (House)** 643 LOB  
 Utilities Commission Confirmation. ([H1006](#))  
 Confirm Ayers as Exec Director NCUC. ([H1007](#))
- 1:00 PM **Elections (House)** 643 LOB

**Thu, May 30, 2013**

12:00 PM **Banking (House)**

1228/1327 LB

Confirm Commissioner of Banks. ([S431](#))

Consumer Finance Act Amendments. ([S489](#))

Investments/Cemeteries/Funeral Funds. ([S403](#))



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*Please remember that you can listen to committee meetings and press conferences on the General Assembly's website at [www.ncleg.net](http://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





