

## Fwd: REPRESENTATIVE RODNEY W. MOORE'S RALEIGH REPORT - April 6, 2015

sjohnclt@aol.com [sjohnclt@aol.com]

**Sent:** Monday, April 06, 2015 5:57 PM

**To:** Steve Johnston

**Attachments:** ; ; ; ; ; ; ; ;

-----Original Message-----

From: Charmey Morgan (Rep. Rodney Moore) <Moorerla@ncleg.net>

To: 'sjohnclt@aol.com' <sjohnclt@aol.com>

Sent: Mon, Apr 6, 2015 4:37 pm

Subject: REPRESENTATIVE RODNEY W. MOORE'S RALEIGH REPORT - April 6, 2015



[Representative Rodney W. Moore](#)

N. C. House Of Representatives

Legislative Office Building

Raleigh, NC 27603-5925

(919) 733-5606

[Rodney.Moore@ncleg.net](mailto:Rodney.Moore@ncleg.net)

Mecklenburg County



For Immediate Release

April 6, 2015

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

#### ON THE FLOOR

Last week, the Senate passed [S 52](#), Cities/Means For Activating Parking Meters; [S 71](#), Stagger RRC Member Terms; [S 199](#), Funds Deposited with Clerk of Court; [S 247](#), Raleigh/Donate Services Animals to Officers; [S 248](#), Town of Cary/Release Unneeded Easements; [S 252](#), Wake County Local Board of Equalization/Review; [S 258](#), Party Exec. Comm./Fill Vacancy/Washington Cty; [S 372](#), Renewable Energy Safe Harbor; [S 379](#), Cemeteries Located on State Property; [S 43](#), CDLs for Veterans Revisions; [S 46](#), Jacksonville Occupancy Tax; [S 90](#), Required Number of Operating Brake Lights; [S 116](#), Handicapped Parking Windshield Placard; [S 188](#), Adjust Cap on Turnpike Projects; [S 279](#), Amend Qualifications/Practice of Counseling; [S 315](#), School Playgrounds Available to Public; and [S 359](#), Promote NC-Thinks.

The Senate also adopted the conference report for [S 20](#), IRC Update/Motor Fuel Tax Changes; and [H 41](#), Rev Laws Tech Changes.

The House passed [H 156](#), Legal Notices/Require Internet Publication; [H 199](#) Raleigh/Donate Services Animals to Officers; [H 204](#), Caswell Beach/Quick Take Eminent Domain; [H 243](#), Local Mod: Economic Development Commissions; [H 244](#), Community Corr./Interstate Compact/Fund.-AB; [H 263](#), City of Trinity Terms of Election; [H 293](#), Adoption Law Changes; [H 297](#), DHHS Child Support Recommendations; [H 39](#), Labor/Up Amusement Device Penalties; [H 70](#), Charlotte Firefighters' Retirement; [H 106](#), Amend Banking Commission Membership; [H 110](#) Cherokee/Rutherford Bds. Of Ed. Elections; [H 111](#), Stanly Co. Bd. Of Ed. Recall; [H 112](#), Standly Co Bd of Ed Elections Method; [H 189](#), Rockingham Co. School Bd; [H 232](#), Study/Update Bicycle Safety Laws; [H 274](#), Retirement Technical Corrections Act of 2015; [H 279](#), Wake Cty Local Board of Equalization/Review; [H 358](#), School Performance Grade Scale; [H 388](#), Dare County Local Option Sales Tax; [H 95](#), Tribal Alcoholic Beverage Control; [H 140](#), Lineman Appreciation Day in NC; [H 174](#), Landlord/Tenant-Foreclosure and Evict. Changes; [H 185](#), Repeal DCR's Obsolete Comms and Language; [H 188](#), Trustee Appointments/Isothermal Comm. Colleges; [H 236](#), Certain Counties/Purchasing Exemption; [H 254](#), Protect National Guard Reemployment Rights; [H 273](#), Clarify Cond. Discharge Law/No DWI Expunge; [H 283](#), Supreme Court Sessions in Morganton; [H 284](#), CivPro/Civil Contempt/No Fines; [H 291](#), Haz. Materials in Safe Deposit Box; [H 308](#), Clarify Reasonable Health Insur./Child Support; [H 312](#), Certain Counties Sheriff/Food Purchases; [H 313](#) Promotion Grievances/City of Statesville; [H 345](#), Currituck County/Remove Abandoned Vessels; [H 364](#), Clarify Laws on Exec. Orders and Appointments; [S 78](#), Off-Duty Correctional Officers/Conceal Carry; [S 181](#), Wake County Commissioner Districts; [S 305](#), NCEMPA Asset Sale; [H 184](#), Change DCR Process for Unclaimed Property; [H 195](#), Allow Substitution of Biosimilars; [H 215](#), Procedure for Waiver of Jury Trial; and [H 298](#), Amend Uniform Interstate Family Support Act.

The House also adopted the conference report for [S 20](#), IRC Update/Motor Fuel Tax Changes; and [H 41](#), IRC Update/Rev Laws Tech Changes.

#### COMMITTEES

##### Joint Appropriations Subcommittee Meetings

The House and Senate continued with joint appropriations meetings as they work towards putting together a budget for this year. Individual subcommittees met last week and reviewed specific budget areas such as Transportation, Health and Human Services, Education, Public Safety, General Government and Information Technology. These committees took this time to review the current budget and identify key priorities for the upcoming year.

#### **House Regulatory Reform Committee**

The Committee met on Tuesday, March 31, and approved two bills. [H 255](#), Building Code Reg. Reform, seeks to reform building code enforcement to promote economic growth by conforming work in progress inspection authority to recently enacted inspection limitations as well as a host of other building code reform measures. [H 282](#), Streamline Seized Vehicle Disposal, would authorize the Department of Administration to tow, store, process, maintain and sell motor vehicles seized pursuant to G.S. 20-28.3. It also would expand the authority to sell vehicles seized pursuant to G.S. 20-28.3 through an expedited sale.

#### **House Finance Committee**

The Committee met on Tuesday, March 31, and quickly approved two bills. [H 388](#), Dare County Local Option Sales Tax, would allow Dare County to levy an additional local sales and use tax at a rate of 0.25% without first obtaining approval in a referendum. Currently, the County has the authority to levy the tax, but the increase must first be approved by voters. If the County levies the tax without a referendum, the proceeds of the tax may be used only for dredging purposes. The change was intended to give the County an additional source of funding to pay for dredging necessary to reopen Oregon Inlet. [S 305](#), NCEMPA Asset Sale, would facilitate the sale of electricity generating facility owned by the North Carolina Eastern Municipal Power Agency by providing for cost recovery for a utility for acquisition of ownership interests in the facilities, to authorize municipalities to enter into support contracts and to issue bonds to pay the remaining costs of the projects that are sold.

#### **House Education K-12 Committee**

The Committee met Tuesday, March 31, to discuss [H 358](#), School Performance Grade Scale. The bill aims to address the issue of extending the current 15-point grading scale, which was set to tighten to a 10-point scale this year. The measure allows the grade point scale to be consistent for three years through 2016-17 school year. The bill was given a favorable report and sent to the House floor for debate.

#### **House Transportation Committee**

The Committee met on Tuesday, March 31 to address two bills. [H 86](#), Utility Line Relocation/School Board requires the Department of Transportation to pay the nonbetterment cost of relocating water and sewer lines owned by local boards of education. H 86 received a favorable report and was referred to the House Appropriations Committee. [H 232](#), Study/Update Bicycle Safety Laws, directs the Department of Transportation to study bicycle safety laws and recommend revisions to ensure the safety of bicyclists and motorists. H 232 received a favorable report in Committee before getting approval on the House floor and heading to the Senate.

#### **House Public Utilities Committee**

The Committee met on Wednesday, April 1, and approved three bills. [H 332](#), Natural Gas Econ. Dev. Infrastructure, seeks to provide recovery of capital-related costs incurred by a natural gas utility for construction of natural gas infrastructure for a large manufacturing employer. [H 351](#), Clarify Utility Rates, seeks to clarify that tax changes enacted in L.S. 2013-316 must be reflected in utility rates. [H 356](#), NCUC Reg. Fee Changes, seeks to clarify the cap on the Utilities Regulatory Fee Reserve, to set the regulatory fee in statute and to allow the Commission to raise or lower the fee.

#### **House Health Committee**

The Committee met on Wednesday, April 1, and approved [H 195](#), Allow Substitution of Biosimilars. The bill would amend the North Carolina Pharmacy Practice Act to allow for the substitution of an interchangeable biological product for a prescribed biological product. In addition, the bill would require the pharmacist or his or her designee to communicate to the prescriber the product name and manufacturer of the specific biological product dispensed to the patient within a reasonable time following the dispensing of a biological product.

#### **House Rules Committee**

The Committee met on Thursday, April 2, to make changes to the Chamber's permanent rules. The changes included extending the filing deadline to April 14, increasing the limit on the number of bills members can file to 15 and allowing certain cell phone use on the floor. A trio of amendments from Rep. Blust failed to pass that would have required unrelated provisions in bills to split and voted separately, kept policy out of the budget and prohibited provisions in conference reports that were not included in either of the original bills.

#### **Senate Appropriations/Base Budget Committee**

The Committee approved one bill on Wednesday, April 1. [S 160](#), Enhance Safety and Commerce for Ports/Inlets, would provide for the dredging and maintenance of the State's waterways in order to enhance safety and commerce.

#### **Senate Education/Higher Education Committee**

The Committee approved three bills on Wednesday, April 1. [S 279](#), Amend Qualifications/Practice of Counseling, would amend the Professional Counselors Act to modify educational qualifications for the practice of counseling. [S 298](#), School Bus Cameras/Civil Penalties, would authorize the use of photographic or video evidence for the civil enforcement of violations for passing a stopped school bus. [S 315](#), School Playgrounds Available to Public, would authorize local boards of education to make outdoor school property available to the public for recreational purposes.

#### **Senate Finance Committee**

The Committee met on Wednesday, April 1, and quickly approved [S 46](#), Jacksonville Occupancy Tax. S 46 would modify the use of occupancy tax proceeds for the City of Jacksonville. The City would still be required to use all of the proceeds for tourism-related expenditures and to promote travel and tourism within the City, but specific percentages would be changed.

#### **Senate Transportation Committee**

The Committee met on Wednesday, April 1, to take up five bills. [S 43](#), CDLs for Veterans Revisions, extends the period immediately preceding the date of application from 90 days to one year in which a veteran seeking a waiver of the commercial skills test must have regularly employed and provides a veteran with an additional method for satisfying the requirement. S 43 received a favorable report in Committee and given approval by the full Senate.

[S 90](#), Required Number of Operating Brake Lights, clarifies that vehicles must have at least one working brake light on each side of the vehicles. The bill was given a favorable report in Committee and passed on the Senate floor.

[S 116](#), Handicapped Parking Windshield Placard, provides handicapped vehicle owners who qualify for distinguishing plates with a removable windshield placard. S 116 received a favorable report in Committee and passed on the Senate floor.

[S 188](#), Adjust Cap on Turnpike Projects, removes the cap on the number of projects the Turnpike Authority may study, plan, develop and undertake design work. It increases the number of projects the Authority may design, establish, purchase, construct, operate and maintain. S 188 also includes a provision allowing various segments of the Triangle Expressway to constitute one project. The bill was given a favorable report and passed on the Senate floor.

[S 349](#), Restore Driving Privileges/Competency, directs the DMV to restore the license of a person adjudicated to be restored to competency. S 349 received a favorable report and was referred the Judiciary I.

## **In The News**

### **[NC Vaccine Bill Dead](#)**

Senate sponsors of a controversial proposal to remove the religious exemption from immunization requirements say they're dropping the bill.

Senate Bill 346, sponsored by Sens. Jeff Tarte, R-Mecklenburg, Tamara Barringer, R-Wake, and Terry Van Duyn, D-Buncombe, would have required all children entering school in North Carolina to have had all vaccines on the schedule recommended by the federal Centers for Disease Control and Prevention. The only exemption granted would have been for medical reasons with a doctor's approval.

Sponsors cited concerns about the growing number of children whose parents were using the religious exemption to opt them out of vaccination requirements. But opponents decried the bill as governmental overreach and said the proposal violated parental rights as well as the constitutional right to free exercise of religion.

### **[Legislation getting final OK targets eastern NC power rates](#)**

The General Assembly did its part Wednesday to expedite a power deal between Duke Energy Progress and more than 30 eastern North Carolina cities and towns that is expected to lower electric bills for their residents.

By a unanimous vote, the House gave final legislative approval to a bill that helps firm up the agreement announced last summer in which the utility would purchase the municipalities' electricity-generating capacity for \$1.2 billion. The measure passed the Senate last week. It now goes to Gov. Pat McCrory's desk. The governor plans to sign the bill Thursday, spokesman Ryan Tronovitch said by email.

### **[Governor Signs Gas Tax Bill](#)**

Senate Bill 20 would lower the state gas tax from 37.5 cents per gallon to 36 cents per gallon on Wednesday. But it would cancel out a much larger cut to the gas tax scheduled to take effect in July. Rep. David Lewis, R-Harnett, said the current formula by which the gas tax is calculated, passed 25 years ago, is outdated and too inherently unstable to allow the state to plan for road and bridge construction and maintenance."

### **[Senator: Historic Tax Credits DOA in Senate](#)**

A bill that the N.C. House passed last week to bring back North Carolina's Historic Property Tax Credit program is dead in the state Senate, said state Sen. Tom Apodaca of Hendersonville. "That's nothing the Senate will handle. It doesn't match anything we believe the historic tax credit should look like," Apodaca said in an interview on Wednesday evening. Apodaca is one of the top-ranked state senators and chairman of the Rules Committee -- a role that has great power over the fate of legislation...The credit would be a percentage of how much a developer spends to rehabilitate a designated historic property and could be used to lower his income tax

bill. Developers typically sell such credits to investors to generate cash for the rehab.

### **[NC Bill Similar to Indiana's "Religious Freedom" Legislation](#)**

North Carolina legislation that's similar to Indiana's controversial Religious Freedom Restoration Act could come up for debate in the state House as soon as this week. Identical bills were filed just last week in the House and Senate. And by Monday, there were signs that the firestorm that greeted Indiana's recently enacted law could spread to North Carolina if the predominantly Republican legislature goes ahead with a similar measure. Critics said the legislation would provide legal cover for businesses and individuals who discriminate against gays and lesbians. That charge was disputed by conservative Christian leaders, who said North Carolina needs a law to protect people as they exercise the religious liberty guaranteed in the First Amendment of the U.S. Constitution.

### **[National Charter Chains Could Get Easier Path in NC](#)**

Charter schools run by national chains would have an easier time branching out in North Carolina under a bill proposed by a powerful state senator. Senate Bill 456 would direct the state Board of Education to come up with a new process and set of rules for charter schools run by for-profit or nonprofit management companies to be able to replicate their model across the state. This would apply to chains such as the for-profit Charter Schools USA or nonprofit KIPP. Both have at least one school in the Charlotte area and have plans for more.

### **[New Bill Would Alter Abortion Laws](#)**

A bill filed by some Republican House members Wednesday would change certain restrictions on abortions. Those opposed to this bill said it would drastically change abortion in North Carolina. The bill would:

- Increase the waiting period to get an abortion from 24 hours to 72 hours
- Require that the procedure would need to be done by a licensed obstetrician or gynecologist
- Ban abortions at the medical schools at the University of North Carolina and East Carolina or facilities owned by them.

### **[Audits Find Deficiencies, Errors at Commerce, DHHS](#)**

During an audit period, the N.C. Department of Commerce's Division of Employment Security determined it had overpaid \$50 million in unemployment insurance benefits in 54,527 cases; however, as many as one-quarter might not have required documentation to support the department's conclusion, according to an audit...A wide-ranging audit of the N.C. Department of Health and Human Services... found problems in many areas, including Medicaid, Vocational Rehabilitation and the Children's Health Insurance Program, to name three. Instances of noncompliance included making overpayments to medical providers and errors with enrolling and terminating medical providers. In addition, auditors determined that the agency, led by Secretary Aldona Wos, did not implement full correction action on prior recommendations from the previous audit on DHHS.

### **[Senate Bill Guts Revenue For Cities, Towns](#)**

When state Sen. Harry Brown presented a plan this week to change how the state distributes sales tax revenues, few understood that language in the legislation would cause about half of North Carolina's cities and towns to lose money. Brown, a Jacksonville Republican, acknowledged Friday that he is among them. Brown's bill, which has the support of Senate Republican leadership, was introduced late Monday along with a chart showing that about 90 of the state's 100 counties would gain revenue over a five-year span under the change. The plan would distribute sales tax revenue based on each county's population, instead of allocating it by where goods are sold.

### **[Competing Medicaid Bills Filed](#)**

House Bill 372 and Senate Bill 574 serve as placeholders for legislators, including Rep. Donny Lambeth, R-Forsyth, trying to find common ground over differences. Compromise discussions have been taking place formally for at least four months.

Two more bills — Senate bills 696 and 703 — revive dramatic measures, one of which failed to get out of a joint legislative oversight commission in February.

And Senate Bill 701 would forbid the state from providing financing to primary care case management programs, such as Community

**CALENDAR**

Mon, April 13, 2015

3:00 PM [Joint Legislative Program Evaluation Oversight Committee](#)  [544 LOB](#)

Tue, April 14, 2015


10:00 AM [Education - K-12 \(House\)](#)  [643 LOB](#)

Sudden Cardiac Arrest Prevention/Students. ([H162](#))  
Repeal Personal Ed Plans/Trans Teams & Plans. ([H237](#))  
Statewide School Safety Management. ([H380](#))

11:00 AM [Commerce \(Senate\)](#) 1027/1128 LB


Iran Divestment Act. ([S455](#))  
NC Consumer Finance Act Amendments. ([S679](#))  
Modify Sunset Re: Contingent Audits. ([S682](#))  
Allow Seating for Food Stand Customers. ([S7](#))  
Historic Artifact Mgt. and Patriotism Act. ([S22](#))

12:00 PM [Joint Legislative Program Evaluation Oversight Committee, Subcommittee on Personal Services Contracts -- CORRECTED](#) 421 LOB

1:00 PM [Insurance \(House\)](#)  [1228/1327 LB](#)

Captive Insurance Amendments. ([H163](#))  
Amend Insurance Laws.-AB ([H287](#))  
Insurance Technical Changes.-AB ([H288](#))

Wed, April 15, 2015

10:00 AM Rep. Brockman - Press Conference  [Press Room LB](#)

Tue, April 21, 2015

10:30 AM Rep. Insko - Press Conference  [Press Room LB](#)

11:30 AM Rep. Fisher - Press Conference  [Press Room LB](#)

Wed, April 22, 2015

11:30 AM Rep. Fisher - Press Conference  [Press Room LB](#)

Tue, April 28, 2015

11:00 AM Rep. Pierce - Press Conference  [Press Room LB](#)

*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.*

