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Subject: REPRESENTATIVE RODNEY W. MOORE'S RALEIGH REPORT - April 20, 2015

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[Representative Rodney W. Moore](#)

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For Immediate Release

April 20, 2015

REPRESENTATIVE RODNEY W. MOORE'S RALEIGH REPORT

ON THE FLOOR

Last week, the Senate passed [S 123](#), Uniform Fraudulent Transfer Act; [S 154](#), Clarifying the Good Samaritan Law; [S 183](#), Eliminate CRVs for Misdemeanants; [S 233](#), Automatic Expunction/Mistaken Identity; [S 269](#), Landlord/Tenant-Alias and Pluries Summary Eject; [S 311](#), Register of Deeds/Filing False Marriage Docs; [S 488](#), Amend Uniform Interstate Family Support Act; [S 675](#), Limit Parole Review Frequency; [H 140](#), Lineman Appreciation Day in NC; [S 366](#), Amend Certain Reqs/Permanency Innovation Comm; [S 462](#), Public Authorities/Nonprofit Corporations; [S 487](#), Health Choice Technical Revisions; [S 682](#), Modify Sunset Re: Contingent Audits; [H 364](#), Clarify Laws on Exec. Orders and Appointments; [S 7](#), Allow Seating for Food Stand Customers; [S 174](#), Rail Corridor Lease/City of Wilmington; [S 238](#), Stalking by GPS/Criminal Offense; [S 313](#), License Plate/Retired Register of Deeds; and [S 712](#), Confirm Director of SBI.

The House passed [H 322](#), Zoning/Recreational Land Req. – Morrisville; [H 337](#), Town of Cary/Release Unneeded Easements; [H 255](#), Building Code Reg. Reform; [H 303](#), Dispute Resolution Amendments; [H 108](#), Site and Building Development Fund; [H 163](#), Captive Insurance Amendments; [H 235](#), Godwin/Repeal Spirituous Liquors Ban; [H 237](#), Repeal Personal Ed Plans/Modify Trans Plans.; [H 259](#), General Government Technical Corrections; [H 277](#), Retirement Admin. Changes Act of 2015; [H 288](#), Insurance Technical Changes; [H 356](#), NCUC Reg. Fee Changes; [H 357](#), Toxicology Reports/District Court; [H 393](#), Tri-County CC/Bd. Of Trustees; [H 408](#), Adoption/Post-Adoption Services Study Comm.; [H 434](#), Handicap Placard/Med. Recertification; [H 437](#), Create Permit Exemptions/Home Renal Products; [H 464](#), Regional Transportation Authority Revisions; [H 513](#), Real Property/Technical Corrections; [H 551](#), DOT Sales of Unused Property; [H 552](#), Graffiti Vandalism; [H 561](#), School System Auth. Re: Legal Proceedings; [H 574](#), Opossum Exclusion from Wildlife Laws; [H 183](#), Repeal Map Act; [H 190](#), State Health Plan Modifications; [H 253](#), Justice Reinvestment Act Changes; [H 264](#), Community Colleges 403(b) Plan; [H 311](#), ABC Store Election/Town of Leland; [H 327](#), Allow Use of Pepper Spray by EMS Workers; [H 332](#), Natural Gas Econ. Dev. Infrastructure; [H 340](#), Weekend Burials/State Veterans Cemeteries; [H 402](#), Study Municipal Elections in Even Years; [H 540](#), Billy Graham/National Statuary Hall; [H 558](#), Reserve and Nat. Guard/Military Affairs Comm.; and [H 595](#), Military Experience/LEO Cert. Requirements.

COMMITTEES

Joint Health and Human Service Committee

The Committee met Tuesday, Wednesday and Thursday last week. Over the course of the week, the Committee received updates on child care subsidy, a legislative update on Federal CCDF reauthorization, a presentation by the State Auditor Beth Wood regarding the 2014 financial statement audit of DHHS, Smart Start and NC Pre-K.

House Education K-12 Committee

The Committee met Tuesday, April 14, to take up [H 237](#) (PCS), Repeal Personal Ed Plans/Trans Teams & Plans, which aims to repeal personal education plans and transition teams. The PCS requires local boards of education to adopt and implement rules that direct school improvement teams to consider transition plans for at risk student. The measure was given a favorable report.

House Transportation Committee

The Committee met Tuesday, April 14, to take up and pass six bills. [H 464](#) (PCS), Regional Transportation Authority Revisions, aims to provide instruction on conduct and organizational order to the Piedmont Regional Transportation Authority of Greensboro. [H 256](#), Handicapped Parking/Veterans Plate, would allow partially disabled veterans to utilize handicap reserved parking spaces. [H 350](#), Restore Driving Privileges/Competency, would require the Division of Motor Vehicles to restore a person's driving privilege upon notification from the clerk of court that the person has been adjudicated to be restored to competency. [H 434](#) (PCS), Handicap Placard/Med. Recertification, aims to change the requirement of a person who is totally and permanently disabled to get a medical recertification in order to qualify for a handicap placard. [H 550](#) (PCS), Clarify Dealer Plate Requirements, would allow an employee of a dealer meeting certain criteria to drive a vehicle displaying a dealer license plate. Lastly, [H 551](#), DOT Sales of Unused Property, does as it suggests and creates a process to sell off DOT property no longer needed.

House Health Committee

The Committee met on Wednesday, April 15, and approved three bills. [H 355](#), Enhance Protection of Group Home Residents, seeks to enhance protections for clients of facilities whose primary purpose is to provide services for the care, treatment, habilitation, or rehabilitation of individuals with mental illness. [H 437](#), Create Permit Exemptions/Home Renal Products, would amend the Pharmacy Practice Act to create a pharmacy permit exemption and a device and medical equipment permit exemption for the dispensing and delivery of home renal productions and to allow the dialysis facilities to be designated as agents to receive home medications for patients with renal failure. [H 543](#), Amend Laws Pertaining to NC Medical Board, seeks to amend laws pertaining to the North Carolina Medical Board.

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House Commerce Committee

The House Commerce Committee met on Wednesday, April 15 and approved [H 318](#), Protect North Carolina Workers Act. H 318 would make various changes to the law related to verification of work authorization for certain employees, including a) amending the law to increase the number of employers who are required to participate in the federal E-Verify Program, b) repealing the exemption for temporary employees, c) excluding farm workers from the definition of employee, d) requiring E-Verify compliance in certain governmental contracts, and e) providing that consulate or embassy documents may not be used to determine identification or residency for law enforcement purposes.

House Finance Committee

The Committee met on Tuesday, April 14, and approved four bills. [H 81](#), Expand 1%/\$80 Rate for Mill Machinery, would expand the types of industries eligible for preferential tax treatment on purchases of machinery and equipment used by the taxpayer and would require a study of taxes imposed on machinery and equipment. [H 303](#), Dispute Resolution Amendments, would make several changes with respect to certified mediators. [H 356](#), NCUC Reg. Fee Changes, would increase the amount of funding reserves the Utilities Commission and the Public Staff could maintain, sets the utility regulatory fee in statute, partially increases the fee for the 2015 fiscal year, and authorizes the Commission to raise and lower the fee based on operating expenses. [H 255](#), Building Code Reg. Reform, would make various changes to the law relating to the State Building Code, creating a building code committee for nonresidential construction in addition to creating the residential code committee.

The Committee met on Thursday, April 16, and approved two bills. [H 332](#), Natural Gas Econ. Dev. Infrastructure, seeks to provide recovery of capital-related costs incurred by a natural gas utility for constructing natural gas infrastructure for a large manufacturing employer. [H 183](#), Repeal Map Act, seeks to repeal the Transportation Corridor Official Map Act.

House Health Committee

The House Health Committee met on Thursday, April 16, and approved two bills. [H 647](#), Epi Pens in All Child-Serving Businesses, would authorize health care providers to prescribe and dispense epinephrine auto-injectors to authorized entities at which allergens capable of causing anaphylaxis may occur. The bill would allow employees or agents of authorized entities to provide or administer epinephrine under certain circumstances to specified individuals. The bill would also confer immunity on individuals acting pursuant to the act and specifies that

actions taken pursuant to the act do not constitute the practice of medicine. [H 652](#), Right to Try Act for Terminally Ill Patients, would establish a process by which eligible patients who are terminally ill could obtain access to investigational drugs, biological products, and devices so long as various requirements are met.

House Environment Committee

The Committee met on Thursday, April 16, and passed three bills. [H 186](#), Cape Fear Water Resources Availability Study, would require the Environmental Resources Commission to conduct a study of water resources availability in the Cape Fear River Basin. [H 430](#), County Omnibus Legislation, seeks to reestablish the State Payment In Lieu of Taxes Study Commission, directs the ERC to study issues relating to statewide approaches to control invasive aquatic noxious weeds in the state's waters and clarifies the authority of counties to establish residential recyclable materials collection programs. [H 571](#), Implementation of Carbon Dioxide Regulations, would direct the DENR to develop a state implementation plan in compliance with the US EPA's regulation of carbon dioxide emissions for existing stationary sources.

Senate Health Care Committee

The Committee met Tuesday, April 14, to take up three bills. [S 423](#), Foster Care Family Act, aims to amend the law applying to foster care families and the children in their care through: 1) implementation of a reasonable and prudent parent standard; 2) providing liability insurance for foster parents; 3) reducing barriers to obtaining a driver's license for foster children; and 4) requiring the Department of Health and Human Services to study a Medicaid waiver for children with serious emotional disturbance

[S 487](#), Health Choice Technical Revisions and [S 366](#), Amend Certain Reqs/Permanency Innovation Comm, make clarifying and technical changes that were approved with little discussion.

Senate Commerce Committee

The Committee met on Tuesday, April 14, and approved four bills. [S 455](#), seeks to block state contracts with any company that has connections to Iran's energy industry. [S 679](#), NC Consumer Finance Act Amendments, seeks to provide for the recovery of court costs and related costs upon voluntary dismissal at the request of a borrower of an action to recover a loan granted under the North Carolina Consumer Finance Act or upon reduction of a loan made under the act to judgment. It also clarifies the multiple loan limitations under the act and clarifies the statute related to whether or not borrowers are members of the military prior to making loans under the act. [S 682](#), Modify Sunset Re: Contingent Audits, seeks to limit use of contingent-based contracts for an audit or assessment purposes. [S 7](#), would allow food stands to provide tables and chairs for customers to use while consuming drinks or food upon premises.

Senate Education Committee

The Committee met on Wednesday, April 15, and approved two bills. [S 333](#), Teacher Attrition Data, would require that the State Board of Education include specific data in its annual report on the teaching profession. [S 343](#), Student Assault on Teacher/Felony Offense, would make it a felony offense for a student who is sixteen years of age or older who does not have an individualized education program or Section 504 plan to assault a school employee on school property when the employee is discharging official duties, the assault is committed as a result of the discharge or attempt to discharge the individual's duties as a school employee.

In The News

[Retro Tax Changes Costly, Unacceptable](#)

A bill signed into law by Gov. Pat McCrory, known primarily as fuel-tax legislation, included adjustments for removing taxpayer eligibility for a federal tax deduction on three income categories. Taxpayers now are required to declare as state income their deduction for qualified tuition and related expenses, monetary debt relief from a federal foreclosure prevention program, and their deduction for a qualified charitable distribution from an individual retirement plan. Also affected is bonus depreciation for small-business owners. A limited number of taxpayers is

affected. But many of them are, quite understandably, upset, in large part because the adjustments were made retroactive to the 2014 state tax season. Now, some of the affected taxpayers are scrambling to amend their returns by tax day, Wednesday. Some may have to return their refunds. Others may have to pay more in state taxes.

[Don't Try to Make Sense of This Tax Plan](#)

What's the approach for the party in power? Comb the budget, scour the tax code and look under the legislative cushions to find anything that can help pay for billions in tax cuts that favor the wealthy and big business. Then cut some more. In other words, it's not very focused at all. But it is painful for a lot of North Carolinians. Seniors are already feeling that hurt this tax season, thanks to lawmakers eliminating deductions for medical expenses. Parents felt it when they learned they lost a deduction for contributing to the state's 529 college savings fund. Small business owners haven't been spared; Republicans repealed a 2011 tax break they gave small companies on their first \$50,000 of income.

[Citizens Take Stand Against Coal Ash at Public Hearing](#)

N.C. DENR hosted the first of two scheduled public hearings at the Dennis A. Wicker Civic Center to let the public comment on two draft permits and one certification required for Duke Energy to store coal ash in Lee County. More than 100 people attended, and prior to the hearing, several local environmental groups, including Blue Ridge Environmental Defense League, EnvironmentalLEE and Chatham Citizens Against Coal Ash Dump, congregated outside the civic center to ask N.C. DENR to deny Duke Energy the necessary permits. "No these communities do not have to take [the coal ash]," Therese Vick, a BREDL community organizer, said. "They have the right to say 'no,' and we're here to tell Duke Energy, 'No.' We're going to fight with every tool we have in the toolbox, and we are going to last one day longer than they do."

[House Republicans Seek to Make Elections More Partisan](#)

Races for North Carolina appellate court judgeships and nearly all local school boards would become partisan under legislation written by Republicans and approved late Tuesday by a state House committee. GOP lawmakers sponsoring the two pieces of legislation argued successfully that moving away from nonpartisan races would give voters more information about candidates and boost turnout. But Democrats on the House Elections Committee said potential judges and school board members should separate themselves from partisanship for the sake of sound justice and public education.

[Lawmakers Moving Along with Protest Petitions Bill](#)

When Cecil Kriminger learned a new townhouse development was planned across the street in his neighborhood, he did what North Carolina property owners have done for decades – launch a protest petition. He and 21 of his Plaza Midwood neighbors signed the petition against a rezoning of the Vanlandingham Estate. By requiring a supermajority of the City Council – not a simple majority – to approve the rezoning, it gave him and his neighbors substantial leverage. But protest petitions would cease to exist under a bill that has passed the N.C. House and is now in a Senate committee. Advocates say the petitions give average homeowners a stronger voice against large, well-financed developers.

[Bill Would Aide Lenders in Avoiding Loans to Low Ranked Soldiers](#)

A bill in the state Senate intends to make it easier for installment loan companies to avoid making loans to lower-ranked members of the military. It's illegal for these consumer finance lenders to loan money to military personnel of rank E-4 or below. The law would still allow other members of the public and higher-ranked military personnel to borrow from these lenders. These lenders charge 18 percent to 30 percent annual interest, depending on the amount of the loan. The loans are capped at \$15,000. In 2011, representatives for the military, including the Fort Bragg garrison commander, fought efforts by the installment loan industry to get the legislature to allow them to increase the size of the loans they could offer (then capped at \$10,000) and the interest rates they charge. Military leaders have argued that some consumer finance lenders have exploited personnel, and put them into debts they could not afford.

[NC ACA Sign Ups Increase 60%](#)

The second round of signups for the federal health insurance marketplace gained 100,897 Triad and Northwest North Carolina residents, a national advocacy group said last week. That represents a 59.9 percent increase over the 2013-14 signup period.

The data reflects consumers "who selected an insurance plan through the federal exchange or automatically reenrolled" between Nov. 14 and Feb. 22. Analysts cautioned that the N.C. and national enrollment figures are likely to decline as some people who signed up for coverage choose not to pay their monthly premium costs. Guilford County had the most enrollees in the region at 31,854, up 59.1 percent, while Forsyth County was second at 19,753, up 58.9 percent.

CALENDAR

Tue, April 21, 2015

- | | | |
|----------|-------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------|
| 8:30 AM | Appropriations, Capital (House) | 425 LOB |
| 8:30 AM | Finance -- CORRECTED (House)
Drivers License Fee/Donate Life NC. (H476)
Amend Laws Pertaining to NC Medical Board. (H543) | 644 LOB |
| 8:30 AM | Appropriations, Health and Human Services (Joint) (House) | 643 LOB |
| 8:30 AM | Joint Appropriations on Health and Human Services (Senate) | 643 LOB |
| 9:00 AM | Homeland Security, Military, and Veterans Affairs (House) | TBD---will advise once confirmed. |
| 10:00 AM | Judiciary I (Senate)
Handgun Standards for Retired Sworn LEO. (S212)
Estate Planning/Uniform Trust Code. (S336) | 1027/1128 LB |

Enjoin Street Gang/Expires in Three Years. ([S391](#))
No One-Yr Separation Req/Felony Conviction. ([S416](#))
Business Court Amendment. ([S435](#))
LLC Act Clarification. ([S482](#))
Manufactured Home Purchase Agreement Change. ([S491](#))
Proof Required for Debt/Fees. ([S511](#))
Protection Against Unconst. Foreign Judgmnts. ([S596](#))

- 10:00 AM **[Pensions and Retirement \(House\)](#)** 425 LOB
Agency Participation Procedures Act of 2015.-AB ([H276](#))
Sheriffs' Supp. Pension Fund/Sick Leave. ([H331](#))
Increase Sheriffs' Supp. Pension Court Cost. ([H385](#))
Local Governmental Employees' Retire. COLA. ([H616](#))
- 10:00 AM **[Regulatory Reform \(House\)](#)** [644 LOB](#)
- 10:00 AM **[Education - K-12 \(House\)](#)** [643 LOB](#)
Sudden Cardiac Arrest Prevention/Students. ([H162](#))
Charter School Extracurricular Activity Fees. ([H334](#))
Statewide School Safety Management. ([H380](#))
Competency-Based Assessments. ([H439](#))
Healthy Out-of-School Recognition Program. ([H474](#))
School Playgrounds Available to Public. ([H539](#))
Computer Coding Course Elective. ([H581](#))
Expand Bd. of Trustees/Sch. of Science & Math. ([H878](#))
Testing Feedback for Students/Teachers. ([H559](#))
- 10:30 AM **Rep. Insko - Press Conference** [Press Room LB](#)
- 11:00 AM **[Commerce \(Senate\)](#)** 1027/1128 LB
Historic Artifact Mgt. and Patriotism Act. ([S22](#))
Motor Vehicle Service Agreement Amendments. ([S195](#))
Allow Prize-Linked Savings Accounts. ([S327](#))
Prohibit Improper Reporting to Credit Agency. ([S357](#))
Modify For-Hire License Logbook Requirement. ([S374](#))
- 11:00 AM **[Environment \(House\)](#)** 423 LOB
Stormwater/Flood Control Activities. ([H141](#))
Amend Environmental Laws - 1. ([H576](#))
Amend Environmental Laws - 2. ([H593](#))
Alternative WQ Protection for Falls Lake. ([H630](#))
- 11:00 AM **[Education - Universities \(House\)](#)** [643 LOB](#)
UNC-Fixed Tuition. ([H657](#))
Student-Athlete Stipends & Trust Funds. ([H866](#))
Reinstate Setoff Debt Collection/UNC Health. ([H884](#))
- 11:30 AM **Rep. Fisher - Press Conference** [Press Room LB](#)
- 12:00 PM **[State and Local Government \(Senate\)](#)** 423 LOB
- 12:00 PM **[Transportation \(House\)](#)** [643 LOB](#)
Handicapped Parking Windshield Placard. ([H170](#))
Evidence Passed Vehicle is a School Bus. ([H233](#))
Amend Transportation Laws.-AB ([H268](#))
CDLs for Veterans Revisions. ([H319](#))
Amend Funeral Procession Law. ([H422](#))
Permanent Plates/Charter Schools. ([H428](#))
Clarify Weight Limits/Ag. Vehicles. ([H456](#))
Drivers License/Concealed Carry. ([H618](#))
- 1:00 PM **[Insurance -- CORRECTED \(House\)](#)** [1228/1327 LB](#)
Property Insurance Fairness. ([H182](#))
Surplus Lines Amendments. ([H262](#))
NC Cancer Treatment Fairness. ([H306](#))
Establish Chiropractor Co-Pay Parity. ([H528](#))
Athletic Trainer/Health Coverage Option. ([H667](#))
Occup. Therapy/Choice of Provider. ([H683](#))
Principle-Based Reserving. ([H361](#))
Surcharge Transparency. ([H496](#))
Insurance Required for Mopeds. ([H148](#))
Third-Party Premium Payments. ([H809](#))

Update Fire and Rescue Comm'n. Membership. ([H147](#))

1:00 PM **Judiciary II -- CORRECTED (House)** 421 LOB
Stalking by GPS/Criminal Offense. ([H187](#))
Restore Driving Privileges/Competency. ([H350](#))
Civ Pro/Modernize Expert Discovery. ([H376](#))
Clarify Statutory Scheme/Sex Offenses. ([H383](#))
Clarify Protections/Exploitation of Elders. ([H397](#))
Property Protection Act. ([H405](#))
McDowell/Burke Firing from Road. ([H435](#))
Prohibit Counterfeit/Nonfunctional Air Bags. ([H711](#))
Fail to Obtain DL/Increase Punishment. ([H338](#))

1:00 PM **Finance (Senate)** [644 LOB](#)
Transferred Properties in Corrected Revals. ([S159](#))
Infrastructure Assessments/Repeal Sunset. ([S284](#))
Disposition of Minimal Property Tax Refunds. ([S566](#))
Clarify Proof of Eligibility Reqs. for PUV. ([S592](#))

1:00 PM **Agriculture (House)** [643 LOB](#)
Broaden Sales Tax Exemption for Farmers. ([H227](#))
Strengthen Oyster Industry. ([H302](#))
Amd. Criteria/Certain Ag. Cost-Share Pgms. ([H378](#))
Ordinances Regulating Animals. ([H553](#))

1:00 PM **North Carolina General Statutes Commission, Trust Drafting Committee** Room 5003, UNC School of Law, 160 Ridge Road

Wed, April 22, 2015

10:00 AM **Agriculture/Environment/Natural Resources -- CORRECTED(Senate)** [644 LOB](#)
Protect Safety/Well-Being of NC Citizens. ([S303](#))
Agricultural Regulatory Relief. ([S572](#))
Amend Trapping Law. ([S647](#))
Create Inspection Program/Venison Donations. ([S546](#))

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

1:00 PM **Public Utilities (House)** [643 LOB](#)
Develop Broadband Connectivity Plan. ([H349](#))

Thu, April 23, 2015

10:00 AM **Environment (House)** [644 LOB](#)
Risk-Based Remediation Amends. ([H639](#))
Stormwater/Built-Upon Area Clarification. ([H634](#))
Env. Technical Corrections. ([H765](#))
SEPA Reform. ([H795](#))
Add Fonta Flora Trail to State Parks System. ([H339](#))

12:30 PM **Banking -- CORRECTED (House)** [1228/1327 LB](#)
Credit Unions/Statutory Changes. ([H511](#))
Proof Required for Debt/Fees. ([H541](#))
Mortgage Origination Support Registration. ([H126](#))
NC Money Transmitters Act.-AB ([H289](#))

Mon, April 27, 2015

3:00 PM **Joint Legislative Program Evaluation Oversight Committee** [644 LOB](#)
Agenda: NCGEAR Hearing

Tue, April 28, 2015

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

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. 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

