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Senator Joyce Waddell's December 21, 2017, Newsletter

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Senator Joyce Waddell's December 21, 2017, Newsletter

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Senator Joyce Waddell
 NC Senate
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 Raleigh, NC 27601-2808

The Waddell Weekly Bulletin



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Serving District 40 Mecklenburg County



Committees

- Agriculture/Environment/Natural Resources
- Appropriations on Education/Higher Education
- Education/Higher Education
- Finance
- Transportation
- Joint Legislative Education Oversight Committee
- Joint Legislative Commission on Energy Policy
- Joint Legislative Study Committee on the Division of Local School Administration Units

Dear Friends:

On December 12, the North Carolina Democratic Party filed an injunction in federal court against Senate President Pro Tem Phil Berger, House Speaker Tim Moore, the state of North Carolina, the State Board of Elections and Ethics Enforcements and its Executive Director, Kim Strach, to overturn Senate Bill 656. The law, adopted by the Republican-led General Assembly in October after overriding the Governor's veto, eliminates judicial primaries for 2018. The North Carolina Democratic Party believes that the bill violates the rights given to citizens by the First and Fourteenth Amendments. The Democrats requested that the court make a decision before candidates file for the 2018 election in February.

On December 13, the Senate Select Committee on Judicial Reform and Redistricting held a meeting to discuss judicial reform efforts. Don Stephens, a retired Wake County Superior Court judge, was sent by the Governor's office to address the meeting. According to the committee's chairman, Stephens was not allowed to speak because he was not employed by Governor Cooper's office. Viewing this as unfair, the Democrats serving on the committee opted to walk out. During the meeting, a new set of proposed election maps for judges and district attorneys were presented and distributed. Statistical data on the maps were not provided. The introduction of these new maps was not on the public agenda for the meeting.

The racial gerrymandering involving legislative districts will hold a hearing on January 5 in federal court in Greensboro on a special master's proposed plan for legislative redistricting. The three-judge panel is expected to rule on the constitutionality of the legislative maps submitted by legislators and review the maps drawn by Nathaniel Persily, the special master that they appointed. Republican lawmakers requested the hearing to be expedited and held on December 22 to help the state "seek meaningful Supreme Court review and take additional legislative action if necessary." The three-judge panel denied the request, saying lawmakers were attempting to "to impose their own expedited schedule on the Court, the Special Master, and other parties at virtually the last moment."

I cannot achieve anything without the support of my constituents. Thank you very much for your continued support!

Please continue to refer to the North Carolina General Assembly website www.ncleg.net. You will be able to track legislation, sign up for committee notices, and review the citizen's guide.

I encourage you to contact us with your thoughts, comments, or suggestions. Please feel free to have others join in on conversation by sending contact information to Joyce.Waddell@ncleg.net.

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I look forward to hearing from you!

New Laws Effective December 1

- [**Strengthen Human Trafficking Laws/Studies \(Senate Bill 548/S.L. 2017-151\)**](#) – This bill strengthens human trafficking laws by increasing the existing Class F felony of human trafficking with an adult victim to a Class C felony and increases the current Class C felony of trafficking with a minor victim to a Class B1 felony. A Class C felony and a Class B1 felony are considered high-level felonies and could result in a sentence of up to life in prison. Senate Bill 548 also requires massage and bodywork therapy establishments to obtain a license, as well as directs the State Department of Health and Human Services to study if it is possible to provide human trafficking training to healthcare providers, emergency medical providers, and other first responders. I am a co-sponsor of this legislation. Governor Roy Cooper signed Senate Bill 548 into law on July 20.
- [**Expungement Process Modification \(Senate Bill 445/S.L. 2017-195\)**](#) – This legislation makes modifications to the existing expunction law. The modifications are as follows: standardizes the filing procedures for expunction; authorizes prosecutors to access certain records of expunction; allows certain expunged criminal acts to be considered in calculating prior record levels during sentencing for subsequent offenses; reduces the waiting period for certain types of expunctions; and makes other modifications to the expunction process. I voted in support of this legislation. This legislation was signed into law by Governor Cooper on July 28.
- [**Criminal Offense/Vandalize Fire & EMS Equipment \(House Bill 98/S.L. 2017-89\)**](#) – This bill creates the specific criminal offense of intentionally damaging equipment used for fire-fighting or emergency medical services. A person convicted of this offense is guilty of a Class 1 misdemeanor. I voted in support of this legislation. Governor Cooper signed this bill into law on June 30.
- [**Prohibit Drone Use Over Prison/Jail \(House Bill 128/S.L. 2017-179\)**](#) – This legislation bans drones from the airspace 250 feet over or 500 feet outside prisons, jails, or other correctional facilities. The penalties for violating this law range from a Class 1 misdemeanor and a fine of \$500 to a Class H felony and a fine of \$1,500. This law also directs the Division of Aviation of the Department of Transportation to petition the Federal Aviation Administration to designate these facilities as fixed-site facilities, and to develop the guidelines for facility boundary notices. I voted in support of this legislation. This legislation was signed into law by Governor Cooper on July 25.
- [**Revise Gang Laws \(House Bill 138/S.L. 2017-194\)**](#) – This bill makes changes to the laws governing criminal gang activity to create criteria for the classification of criminal gang membership; create a sentencing enhancement for certain crimes committed by gang members; and increase the penalties for certain gang-related offenses. I voted in support of this legislation. Governor Cooper signed this bill into law on July 27.
- [**Regulation of Fully Autonomous Vehicles \(House Bill 469/S.L. 2017-166\)**](#) – This legislation regulates fully autonomous vehicles and makes changes to various existing motor vehicle laws to account for the operation of fully autonomous vehicles on the roadways of this State without a human driver. I voted in support of this legislation. Governor Cooper signed this bill into law on July 21.

In Las Vegas, Nevada



Senator Joyce Waddell meets Governor Kate Brown of Oregon at the Council of State Governments' Conference.

December 15, 2107



Governor Brian Sandoval of Nevada and Senator Joyce Waddell discuss the possibility of future legislation at the Council of State Governments' Conference.

December 15, 2017

In Charlotte



Senator Joyce Waddell participates in a fair court town hall meeting to discuss changes to the judicial elections.

December 12, 2017



Senator Joyce Waddell takes a tour of the Blue Line Extension Corridor in Charlotte.

November 14, 2017



Senator Joyce Waddell congratulates Central Piedmont Community College's newly inaugurated president, Dr. Kandi Deitemeyer.

November 3, 2017

The County News

From the desk of Senator Joyce Waddell


Court Fees

CHARLOTTE, NC – The General Assembly's Republican majority included a provision in the latest state budget that would make it cumbersome for judges to waive court fees and fines. Section 18B.6.(a) of Senate Bill 257, which passed on June 28, states, "No court may waive or remit all or part of any court fines or costs without providing notice and opportunity to be heard by all government entities directly affected. The court shall provide notice to the government entities directly affected of (i) the date and time of the hearing and (ii) the right to be heard and make an objection to the remission or waiver of all or part of the order of court costs at least 15 days prior to hearing. Notice shall be made to the government entities affected by first-class mail to the address provided for receipt of court costs paid pursuant to the order." This provision takes effect on December 1.

Fines are used as a source of punishment by the court system when a crime or infraction is committed. A judge may waive part or all of the court costs when a defendant appears to be indigent. According to the Charlotte Observer, more than 300 people were locked up in the Mecklenburg County jail because of unpaid fines; that equates to 18 percent of the jail's average daily population. About 933,000

North Carolina citizens have their driver's license suspended due to money that they owe the courts. The state Administrative Office of the Courts (AOC) rolled out a plan as a solution to lighten the load. There are 615 state and local entities across the state that would require notice of waived court fees. The AOC would mail a standard letter once per month instead of notifying every affected entity individually. The letter would include the internet address of the state's online courts calendar and inform officials of the opportunity to waive fees at any criminal hearing on the calendar. The plan would have to satisfy the GOP legislators. Data released by the AOC showed that only eight percent of criminal court costs were waived by judges in 2016 across the state.

"Many citizens face traffic violations or other minor offenses in which they cannot afford the high court costs. We should make it easier, not harder, for low-income citizens to pay their debts," said Senator Joyce Waddell.




Waddell

Senator Waddell's office is open Monday through Friday during Session. You may reach her office by calling her Legislative

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