

**\*\*\*SPAM\*\*\* Latest Updates from the NCGA**

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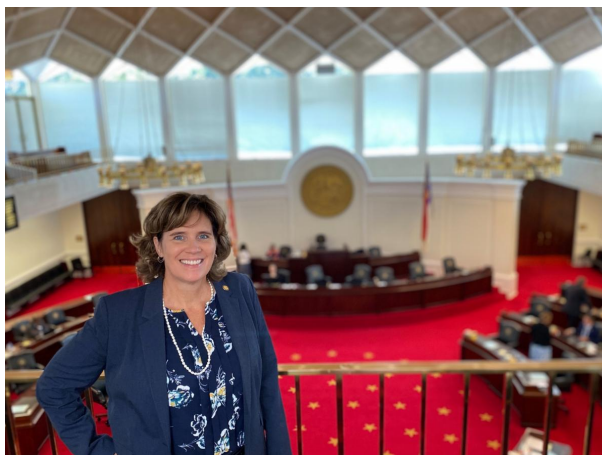
**Natasha**  
**MARCUS**  
NC Senate District 41



## NC Senate District 41 Newsletter

July 9, 2021

### Updates on Noteworthy Votes



I hope everyone had a happy and safe 4th of July. The Senate is adjourned this week, so the list of significant votes is shorter than normal. You can find a full list of bills I have voted on this session [here](#).

**Bills on which I voted YES:**

- **[SB208](#), Labor Law Changes** (for concurrence). This bill came back to the Senate after the House made various amendments to the original bill. The bill makes

various labor law changes, including clarifying the use of obtaining employee medical records during investigations, requiring employers to notify employees at least one pay period prior to changes in wages, and stating that the maximum penalty for employers who violate record keeping requirements cannot exceed \$2,000 per violation.

- **SB474, Septage Management Amendments.** Makes certain changes and clarifications to DEQ's septage management program concerning permit decision timelines, permit amendments, inspection requirements, required operator training, permit length, and continuing education to ensure septage is managed in a responsible, safe and consistent manner across the state.

#### **Bills on which I voted NO:**

- **SB605, North Carolina Farm Act of 2021** (for concurrence). This bill also came back to the Senate after the House made various amendments to the original bill. While the bill got better when a [controversial labor law provision](#) was removed (which would have undercut workers' ability to sue their employers for retaliation), I still voted no on concurrence because the bill relaxes regulation of biogas production at industrial hog operations and will have negative environmental impacts, such as worsening water pollution and creating new air emissions sources. The Farm Act passed and the Governor signed it. More information about the Farm Act [here](#).

## Updates from Senate Judiciary Committee



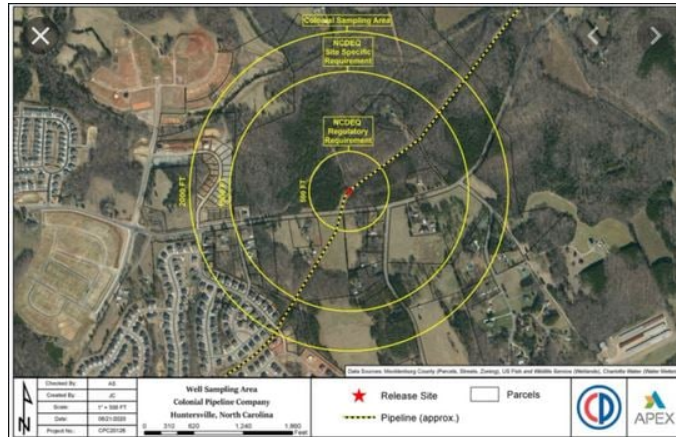
Photo credit: Raleigh News & Observer/Charlotte Observer

Below are some of the bills that we discussed in Judiciary Committee these past 2 weeks:

- **HB404, Immunity for 911 Dispatchers.** Provides that public safety answering points (PSAP) and their employees and agents are only liable for damages in a civil action for wanton or willful misconduct.
- **SB711, NC Compassionate Care Act.** This bill would allow for the provision of **medical cannabis within North Carolina**. Patients with debilitating conditions including PTSD, epilepsy, MS, and cancer will be able to receive prescribed medical cannabis to alleviate pain and nausea associated with those conditions. (The full list of covered conditions is in the bill link.) This would be major progress for our state. **I believe that we need to stop making caregivers, patients and veterans into criminals by denying them legal access to treatment that can help.** The committee heard from many veterans, cancer survivors, parents of ill children, and other citizens who advocated for medical cannabis. Some conservative lobbyists and legislators expressed opposition and concerns that the bill may need to include

more restrictions. I was proud to vote YES. **The bill earned a favorable report and will move on to additional Senate committees next week.** This is the first time a bill seeking to allow any form of legal marijuana use has ever passed a committee of the NCGA, so it's significant. You can read more about the hearing at [this link](#).

## Colonial Pipeline Update



As you may have heard, Colonial Pipeline signed a consent agreement with the federal Pipeline and Hazardous Materials Safety Administration (PHMSA) this week, agreeing that Colonial will not have to pay federal civil penalties for the spill. Colonial will have to follow certain repair methods in the future and submit a plan for better monitoring.

I want to emphasize that I have confirmed with NCDEQ **that this will not impact DEQ's decision about the appropriate amount of state-assessed penalties.** That decision will be made when all of the relevant facts are known, such as how long the pipe was leaking, why it was leaking, why Colonial did not detect the leak, and how much gasoline leaked into the soil and water in Huntersville. We know it's more than 1.2 million gallons, but do not yet have an estimate of how many gallons are in the newly-discovered deeper pocket.

**When all the facts are known, I'm confident NCDEQ will assess significant penalties as are appropriate given the stunning size of the leak and the disruption it has caused residents.** So again, I want to make clear that this agreement with PHMSA does not have any bearing on whether Colonial will have to pay penalties to the state.

You can read the full consent agreement [here](#). More information on the settlement is [here](#) (an article from NC Policy Watch) and [here](#) (WSOC-TV interview).

Other updates from the cleanup site: As of July 6, 2021, the amount of free product removed from the site is **1,104,601 gallons**. Boom maintenance was conducted after last week's storms and debris was removed from behind the boom strands. Boom sites will be monitored this week as inclement weather is possible. The July comprehensive groundwater sampling event was initiated on 7/6/21 and is estimated to be completed today.

## Proposed Law on Hotels/Motels, Crime Prevention, and Evictions



Last week the Senate Agriculture, Energy, and Environment Committee debated and voted on [House Bill 366](#), the Regulatory Reform Act of 2021. While I am not a member of this committee, I want to discuss this bill due to its implications on the district. This bill contains a controversial provision **that would give hotels and motels authority to bypass the courts to evict residents**. Thousands of North Carolina families, especially in Charlotte and other urban areas, have their primary residence in a motel. That is the **result of the long-term affordable housing crisis and the almost permanent effect an eviction case can have on a tenant finding housing**. The bill sponsor argues that the bill would assist in crime prevention in the area, saying that hoteliers currently do not have the authority to evict residents who commit crimes and/or that police refuse to intervene. Opponents of the bill argue that criminal behavior is actionable under current law.

For 30 years our courts have held that persons who live in motels as their primary residence are tenants who are entitled to protection, and can only be removed through the required summary ejection process. The provisions in the bill would end that protection if an individual/family stays in a motel for less than 90 days. I have been working with legislators and housing advocates and we are **hopeful that the bill sponsor will agree to amend it to provide better protections for law-abiding residents**. You can read more about this bill [here](#).

## Constituent State Budget Survey Results

2021 Constituent Budget Priorities

Questions Responses 76

**Senator Marcus: 2021 Constituent Budget Priorities**

We have not yet seen the Republicans' proposed state budget. The new fiscal year begins in a few weeks. As we prepare to negotiate in the NCGA, please fill out this survey to let me know your priorities.

Thank you to everyone who took the time to fill out my 2021 constituent budget survey. I will keep all of your thoughts and concerns in mind as we continue to work on the state budget in the coming weeks. Below are the **top 5 issues from the 75+ folks who completed the survey**:

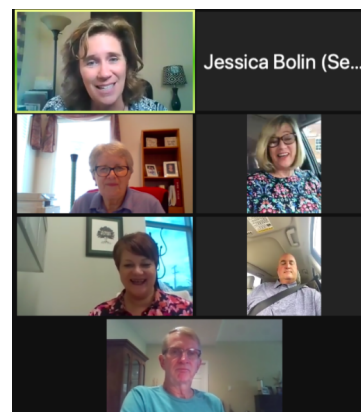
- Affordable healthcare and Medicaid expansion
- K-12 public education funding
- Teacher/state employee raises and COLA for retirees
- Infrastructure/roads/broadband access
- Affordable housing

I explained in my last newsletter why I voted NO on the [Senate's budget proposal](#). The bill is currently in the House, where it will be amended, before coming back to the Senate, then to the Governor. Please be sure to keep an eye on my social media and future newsletter for updates on the budget as this process continues.

## Huntersville Regional Chamber Legislative Update

This week I joined the lunch-hour meeting of the [Huntersville Regional Chamber](#) to give a legislative update.

We discussed bills I have filed in the Senate, the pipeline leak, updates on the state budget, proposed and passed legislation, and redistricting plans. I also answered members' questions about President Biden's infrastructure plan, the need for a magistrate in North Mecklenburg area, and the NCGA's refusal to make PPP loans non-taxable.



## Mecklenburg County to Lose an Assistant District Attorney in Current Budget Proposal



Even with an estimated \$6.5 billion dollar surplus, the [proposed Senate GOP budget](#)

aims to cut an Assistant District Attorney in Mecklenburg County. Wake County and Durham County would also lose judicial staff due to budget cuts. These cuts would further delay justice, particularly in Mecklenburg County where there is already a backlog of over 100 violent crime cases waiting for trial. According to [Mecklenburg County DA Spencer Merriweather](#), these cuts would mean far longer wait times for families to see people who hurt their loved ones held accountable. CMPD Chief Johnny Jennings has also spoken out against the cuts. If anything, [Mecklenburg needs more DAs](#) to keep up with our growing population. With unprecedented funds available to invest in North Carolina and a pandemic-induced backlog of cases, **now is not the time to skimp on our justice system.**

## Lake Norman Business Network for Women

I have a week off from my Raleigh duties, so I was able to attend the first in-person meeting of the **Lake Norman Business Network for Women** in over a year. It was great to see all the entrepreneurial women in our area and learn about all the incredible work they are doing in our community. Learn more about this organization [here](#).



## State Budget Highlight: Lack of Early Childhood Investments

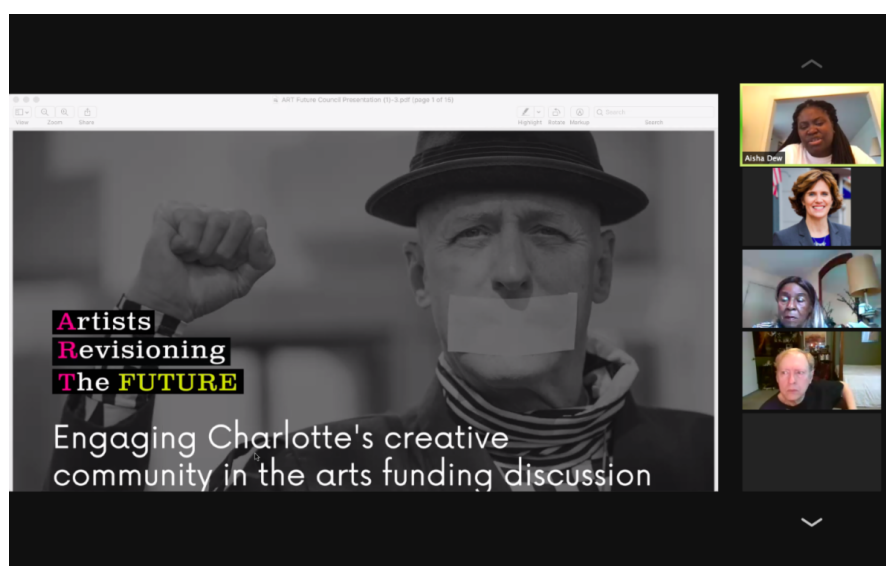


The [current draft of the 2021 budget](#) was pushed through quickly last week by Senate Republicans, who accepted no Democratic-drafted amendments. With access to unprecedented funding from the American Rescue Plan and an historic budget surplus, **Democratic Senators were hoping to see some of North Carolina's greatest needs addressed, including the lack of quality, affordable child care.** Unfortunately, this budget almost completely overlooks this problem, which is keeping many working parents out of the labor market.

**Child care is currently unaffordable for many and the state's subsidy waiting list of 19,039 families is growing.** DHHS and Governor Cooper recommend increasing funding by \$20m for these subsidies to cover child care costs for an additional 1,700 children. Not only does the GOP budget not include these subsidies to help families afford child care, it actually cuts funding for child care services by almost \$140,000. Further, of the total \$711.7m recommended by DHHS, CCDF, and Gov. Cooper for increasing affordability, ensuring quality child care options, and recruiting a qualified child care workforce, the GOP budget provides only a \$20M grant as a response to the COVID-19 pandemic. Quality, affordable child care helps every North Carolinian by ensuring that parents can get to work. **With billions of dollars available this year to make transformative investments, there is no reason we cannot improve our child care system.**

For more information about the benefits of investing in child care for North Carolina, please see [this article](#) by the NC Early Education Coalition as well as [this article](#) by the NC Justice Center.

## ART Future Meeting with the Mecklenburg Delegation



Last week, members of the Mecklenburg Delegation met with **Artists Revising the Future (aka ART Future)**, a group of Charlotte-area artists, to discuss why they formed this group and their quest for equitable arts funding that includes small, independent local artists. It was great to meet local artists to hear first hand about the need for grants funding, capacity building efforts, and physical space for artists. You can read more about this organization and the city council's budget [here](#).

## A Tragedy on Lake Norman





Two weeks ago a person died after falling off an tube on Lake Norman and never resurfacing. This news made me especially sad, as I co-sponsored legislation earlier this biennium that could have helped prevent this tragedy. [Senate Bill 267, Lake Norman Watercraft Safety](#), is a bipartisan bill that would make life vests mandatory when being towed behind a boat. Unfortunately this bill did not make the crossover deadline, but I hope the law will change soon. I am grateful to the rescue workers who were diligent in their efforts to support the family.

## Update on Controversial House Energy Bill



A few weeks ago, House Republicans announced a [controversial energy bill](#). The bill was **drafted in private** over the past few months by a small number of legislators, stakeholders and lobbyists. While some parts of the bill do provide for greater access to renewable energy, there are a number of provisions that actively hinder an affordable and efficient retirement of fossil fuels and move to renewable energies.

The bill mandates that NC replace coal with risky and untested natural gas - yet another fossil fuel. Further, the bill sets aside \$50 million of taxpayer money to study a location for a new nuclear plant. Nuclear comes with a host of issues such as waste disposal, and **this money would be better spent on improving renewable infrastructure**. The bill would also change the rate structure for utilities operating in the state to a new “performance-based regulation,” or PBR. While PBR does have some benefits, the NC Sustainable Energy Association has [expressed worries](#) that there are not adequate customer protections against utility over-earning.

The **bill has stalled** due to a large coalition of opposition and it is unclear how it will progress. What is clear, however, is that **North Carolina needs open and honest dialogue** about how we will move forward to support renewable energy. Closed door negotiations will always leave the voices of some important stakeholders and citizens unheard. Allowing lobbyists and special interests to craft legislation is a recipe for disaster, and when it comes to the environment, we cannot afford another disaster. Stay tuned as the bill undergoes revisions.



## Mecklenburg County Disengagement Plan from Cardinal Innovations: Public Comments Needed



On June 1, 2021, the Mecklenburg Board of County Commissioners (BOCC) unanimously voted to **disengage from Cardinal Innovations and realign with Alliance Health**. The BOCC authorized the County Manager to issue a letter of intent, develop a Disengagement Realignment Plan, and notify the affected counties.

Mecklenburg County is soliciting comments on the Disengagement/Realignment Plan, which is published on the following websites here: [www.MeckNC.gov/Realignment](http://www.MeckNC.gov/Realignment)

The public comment period is still open for the Disengagement Plan. If you have input on Cardinal Innovations' service, please take time to give your input.

**The public comment period will close on August 6, 2021.** Individuals may email comments to [Realignment@MeckNC.gov](mailto:Realignment@MeckNC.gov) or mail comments to the following address:

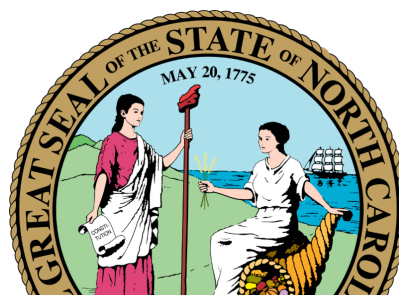
ATTN: Mecklenburg County - LME/MCO Realignment  
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Charlotte, NC 28202

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