

SPAM Latest Updates from the NCGA (Special Monday Edition)



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Natasha **MARCUS**

NC Senate District 41



NC Senate District 41 Newsletter

July 26, 2021 (Special Monday Edition)

Updates on Noteworthy Votes



The schedule has been very slow at the NCGA over the past two weeks and I was on vacation last week. Mostly, we are waiting for the House to send us their version of the state budget. Below are a few noteworthy bills voted on over the past two weeks. You can find a full list of bills I voted on [here](#).

- **HB132, Juvenile Code Rev's/CIP Recommendations-AB.** Amends the abuse, neglect, and dependency statutes of Chapter 7B of the General Statutes as

recommended by the Court Improvement Program. Passed unanimously

- **HB297, DMV Deployed Armed Forces Exemptions.** Provides remote conversion of a provisional license to a regular drivers license, creates an additional defense to driving with an expired license, and waives the late fee for renewing an expired license, for deployed active duty service members. Passed unanimously.
- **HB312, Qualifications for Sheriff/Expunction.** Clarifies that an individual who has been convicted of a felony, regardless of expunction or restoration of rights of citizenship, is ineligible for the office of sheriff and requires a candidate or appointee for the office of sheriff to file a disclosure statement prepared by the North Carolina Sheriff's Education and Training Standards Commission verifying that the candidate or appointee has no prior felony convictions or expungements of felony convictions. Bill passed 31-10.
- **HB366, Regulatory Reform Act of 2021.** Amends various laws related to state and local government, agriculture, energy, environment, natural resources, and other regulations. Note that the controversial evictions section was removed (more details later in newsletter). Passed unanimously.

Bills I Support That Have Been Signed into Law by the Governor



Below is a condensed list of some of the bills I voted "yes" on this session that have been signed into law by Governor Cooper. A full list of bills the Governor has signed can be found [here](#).

- **HB272, Revise Health Standard for Lead.** Amends the definition of "lead poisoning hazard" under the statutes governing lead poisoning in children and pregnant women to decrease the amount of lead in drinking water that constitutes a "lead poisoning hazard" from 15 parts per billion (ppb) to 10 ppb.
- **HB629, Physician Assistant/Nurse Practitioner/STOP Act Clarification.** Amends the conditions under which a physician assistant or a nurse practitioner is required to consult with the supervising physician when prescribing a targeted controlled substance.
- **HB642, Down Syndrome Organ Transplant Nondiscrimination Act.** Prohibits health care providers and health insurers from organ transplant discrimination on the basis of disability.
- **SB323, Joint Municipal Power Agencies/Investments.** This bipartisan bill, of which I am also a co-sponsor, authorizes money in certain decommissioning funds

established by the NC Municipal Power Agency to be invested through the State Treasurer's ancillary governmental participant investment program. It will help reduce electric rates in towns like Cornelius and Huntersville.

COVID-19 Updates: Mecklenburg County Woman Wins \$1M Vaccine Lottery & New Vaccine Hotline



Congratulations to Natalie E. of Pineville, who won the second drawing for the \$1 million COVID-19 vaccine lottery! [The lottery](#) will continue through the summer with two more winners, and anyone who has had at least their first dose of the COVID-19 vaccine is automatically eligible. If you have not already, you can schedule your vaccine appointment [here](#).

Two more students under age 18 will also win \$125,000 for their post-secondary education. Those prizes are awarded by funding a savings account in the NC 529 Plan. Learn more about the Summer Cash for College program [here](#).

North Carolina has also set up an **at-home vaccination hotline** for people with limited mobility. DHHS has partnered with Piedmont Triad Regional Council Area Agency On Aging to provide **free COVID-19 vaccinations to people who can't leave their homes**. The hotline at **866-303-0026** allows caregivers, providers, and individuals across North Carolina to schedule an in-home vaccination. More information on this new program can be found [here](#).

Additionally, with the rise in cases statewide, anyone who is experiencing [symptoms](#) of COVID-19, has been around people outside of their household or thinks they have been exposed to the virus should [get tested](#).

Scientists Discover Coal Ash Particles Near Lake Norman





Duke University researchers made a recent discovery about coal ash particles near Duke Energy's Marshall Steam Station (a coal-fired power plant) on Lake Norman. The study proved that the particles (which were found in the soil where thyroid cancer rates are high) originated from the plant. Since some of the components of coal ash are also naturally occurring in soil, this study proves an important link in the research to determine whether fly ash is harmful to human health. Researchers said "We need to understand **how the presence of fly ash in soils near coal plants could affect the health of people who live there**. Even if coal plants in the United States are shutting down or replaced by natural gas, the environmental legacy of coal ash in these areas will remain for decades to come."

This new discovery could potentially **help provide answers about the high number of cancer cases in the region**. I filed legislation to secure funding to study ocular melanoma in District 41, but unfortunately the bill did not make the crossover deadline. I am still hopeful we can get it included in the budget this year, so that the same scientists who are studying thyroid cancer and fly ash in Mooresville, will study OM in the Huntersville area. You can read more about this recent discovery [here](#).

Joint Letter with Congresswoman Adams in Support of Additional ARP Funds to Huntersville

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COMMITTEE ON AGRICULTURE
Vice Chairwoman

Subcommittee on Nutrition, Oversight, and Department Operations

COMMITTEE ON FINANCIAL SERVICES

Subcommittee on Diversity and Inclusion

July 19, 2021

The Honorable Phil Berger
Senate President Pro Tempore
North Carolina General Assembly
16 West Jones Street, Room 2007
Raleigh, NC 27601

The Honorable Tim Moore
Speaker of the House
North Carolina General Assembly
16 West Jones Street, Room 2304
Raleigh, NC 27601

Dear President Pro Tempore Berger and Speaker Moore,

We write today in support of the Town of Huntersville's request to receive equitable funding from the American Rescue Plan in North Carolina's budget.

In our decades of public service, North Carolina has never faced a challenge as great as the public health emergency and economic devastation caused by the COVID-19 pandemic. While the undersigned have views across the political spectrum, this is not a partisan crisis.

On July 19th, **Congresswoman Alma Adams** and I sent a letter to Republican House and Senate leadership in support of Huntersville receiving equitable funds from the American Rescue Plan. The **current Senate budget proposal shorts Huntersville by \$12 million**. I

am working with local officials and NCGA colleagues to work towards a solution, and appreciate the Congresswoman's support in my efforts to persuade the NCGA to follow Governor Cooper's lead and make sure Huntersville gets its fair share of funds. More information on this budget shortage, including the full letter, can be found [here](#).

Critical Race Theory Bill and Potential Constitutional Amendment Banning Affirmative Action



Week before last, Republican legislators in the NCGA **took aim at affirmative action and the ability of North Carolina teachers to teach openly and honestly about how race and gender discrimination has impacted our history and our present.**

HB324 would ban lessons that "promote" what Sen. Berger called "discriminatory concepts" including:

- "That the belief that the United States is a meritocracy is an inherently racist or sexist belief, or that the United States was created by members of a particular race or sex for the purpose of oppressing members of another race or sex."
- "Any individual, solely by virtue of his or her race or sex, should feel discomfort, guilt, anguish, or any other form of psychological distress."

Opponents of HB324 have pointed out that the bill would **have a chilling effect on teachers and discourage students from engaging critically with our past**, and thereby take us further from a goal of nondiscrimination. I oppose any efforts to silence the voices of those who are oppressed or to erase the inconvenient or negative aspects of our nation's history. Educators should be encouraged to teach history from the perspective of men and women of all races, including the good and bad parts, so that kids know the truth.

SB729 is a proposed constitutional amendment that would bring this disregard for systemic injustice and inequity to admissions and employment practices for public universities and employers. I oppose this amendment because the proactive hiring of those from underrepresented backgrounds and disadvantaged groups increases the diversity of our public institutions and improves our society as a whole. The amendment's wording mirrors language used in other states to ban affirmative action programs. In order to get the amendment on the ballot, three-fifths of the House and Senate would have to agree. The Governor cannot veto Constitutional Amendments.

You can read more about both bills [here](#) and [here](#). **Neither HB324 nor SB729 have come up for votes yet. Stay tuned.**

Mecklenburg Delegation Meeting with Sheriff



The Mecklenburg Delegation meet with Mecklenburg County Sheriff Garry McFadden to discuss various issues that constituents have raised to us, including the gun permit backlog, criminal justice legislation, jail reform, deaths at the jail, and efforts to reduce crime in the Sugar Creek Road area in Charlotte. I am grateful for his willingness to meet with us and to work together to improve safety and justice in our county.

Update on Medical Marijuana Bill



Photo credit: Raleigh News & Observer/Charlotte Observer

[**Senate Bill 711**](#), the NC Compassionate Care Act, which would legalize medical marijuana in some forms in our state, moved through the Senate Finance Committee last week. Senators and members of the public discussed the fiscal impacts of this bill, including debate about the proposed \$50,000 initial licensing fee, cardholder eligibility, and the sales tax exemption. I am happy to report that SB711 was **voted favorably out of the Finance Committee and will now move to the Healthcare Committee**.

As I have stated before, I am a strong supporter of this bill. **We must stop turning caretakers, patients and war veterans into criminals for seeking treatment that can help relieve suffering.** While I wish the bill was more comprehensive to include access to medical marijuana for [**folks who struggle with chronic pain**](#), this bill is a great first step.

Update on Hotel/Motel Eviction Bill



As I stated in the last newsletter, I had



serious concerns about [House Bill 366](#), the [Regulatory Reform Act of 2021](#), due to its potential to increase evictions and remove protections historically provided to folks who stay in motel/hotels on a long-term basis. We were scheduled to vote on this bill on July 14, but it was pulled from the calendar at the last minute. The controversial provisions of the bill were removed and put in a separate bill, [House Bill 352](#). You can read more about the problems with the eviction provisions from the Charlotte Center for Legal Advocacy [here](#).

Meeting with Carolina Farm Stewardship Association



On July 14, I met with the [Carolina Farm Stewardship Association](#) to discuss [Senate Bill 363](#), [Uniform Partition of Heirs Property Act](#) (UPHPA). This bipartisan bill would enact the uniform approach used in other states to protect the inherited property rights of heirs, rather than subject the land to forced sale per the wishes of a single heir (as is currently the law, known as "tenancy in common"). The bill will be especially impactful to small farmers and farmers of color, by providing due process rights to the heirs of intestate landowners so that **North Carolina families can maintain the ability to steward their family land**. While Mecklenburg County does not have as many farms compared to other parts of the state, I wanted to meet with this group due to the rising interests in urban farming in the district and the justice issues involved. SB363 is also supported by land conservation organizations, like the [NC Conservation Trust](#).

The bill has been introduced this session, but has not been given a hearing yet. Stay tuned.

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