

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



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NC Senate District 41



## NC Senate District 41 Newsletter

August 20, 2021

### Noteworthy Votes



Below are a few noteworthy bills I voted on over the past two weeks. You can find a full list of bills I voted on [here](#).

#### Yes votes:

- **SB35, Max 4-Year Age Difference to Marry Under 18 Years.** I am disappointed that the original bill's 18 year old age minimum for marriage was amended to 16 due to lobbyist interests and conservative support for child marriages. Nevertheless, the bill is a huge step forward for our state, which had allowed marriage for people as young as 14. North Carolina has long been a destination for child marriage, and this bill will help to change that. Concurrence vote.
- **SB301, Expand Expunction Eligibility.** This bipartisan bill, of which I am a **co-sponsor**, expands the criminal offenses eligible for expunction, allows an attorney to file a petition for expunction on behalf of a person who committed certain crimes under the age of 18, and allows a district attorney access to expunction records for determining conditional discharge eligibility. Concurrence vote.
- **SB688, Sports Wagering.** Authorizes and regulates sports wagering in NC. Makes Lottery Commission responsible for licenses to involved parties and regulating sports wagering. Provides funds to the General Fund and to the North Carolina Major Events, Games, and Attractions Fund, which would be administered by the Department of Commerce and provide grants for local governments or nonprofit entities to attract major events to the State that will stimulate economic activity and create jobs. The bill includes protections against addiction and underage gambling and has the strong support of the Carolina Panthers and other sports organizations throughout the State.
- **HB78, Various Education Changes.** Allows choices among standardized tests to satisfy 9th grade private school testing requirements and makes changes for in-State tuition for veterans to comply with federal law.
- **HB84, Sex Offender Premises Restrictions.** Extends and clarifies premises restrictions for certain sex offenders. I am a co-sponsor of the [Senate version](#) of this bill (SB52). Concurrence vote.
- **HB544, Designate 2023 as Year of the Trail.** Bipartisan bill that designates 2023 as the "North Carolina Year of the Trail" to allow various government agencies and non-profits to begin marketing materials for the occasion.

#### No votes:

- **HB352, Hotel Safety Issues.** This bill **eliminates protections against homelessness** that have been in place for over 30 years, since the court ruled in *Baker v Rushing* that people who stay in hotels and motels as their primary residence are entitled to basic due process protections under NC law. It has always been true, especially in densely populated areas like Mecklenburg County and especially during this pandemic, that the only housing available to some families is extended stay motels. Mecklenburg County estimates that **at least 200 CMS students are currently living in hotels and motels**. During the course of a year, approximately 830 children must live in hotels and motels in Mecklenburg County. NC law already provides sufficient legal procedures by which criminals and disruptive residents can

be removed from hotels and motels. So this bill is not necessary to solve that problem and would, instead, create new problems.

- **HB398, Pistol Purchase Permit Repeal.** Repeals the requirement to obtain a pistol purchase permit from the sheriff prior to the purchase or transfer of a pistol/handgun. The pistol purchase permit system is **not duplicative**. It is the **only** background check currently required to buy a handgun from an unlicensed seller, like the thousands of individuals who advertise on the internet and sell at gun shows. **If this bill becomes law, it will create a huge and dangerous loophole.** It would suddenly be completely legal for anyone to purchase a handgun without any background check required, so long as they buy it from an individual, at a gun show, or via the internet (with an in-person hand off). The sponsors say that we are better off relying on the federal National Instant Criminal Background Check System (aka NICS), **but only federally licensed dealers use NICS.** Many handguns are sold by non-federally licensed dealers and, for those sales, the public deserves some protection. We need the pistol permit to cover all the sales by unlicensed sellers, who do not have access to NICS. Also, the NICS system isn't as thorough as the check done by local sheriffs. The sheriff's check includes mental health records and records kept at the Office of Administrative Hearings, which includes all recent charges and arrests (not just convictions), so they know if the applicant has a criminal charge pending. In Mecklenburg County last fiscal year, **over 2,300 permit applications passed the NICS check but failed the permit application.** So, the permit law works and should not be repealed. You can read more about the bill and see portions of the floor debate, including my remarks, [here](#).

## Senate Redistricting and Elections Committee Updates



The Joint House and Senate Redistricting Committee continues to meet regularly as we prepare to draw new maps. Last week we heard in-person **comments from the public on the proposed criteria for new maps.** You can watch a recording of the meeting [here](#) (this link will be updated with new committee recordings). Online comments are still coming in as well. I want to thank everyone who took the time to share your thoughts about the redistricting process. You can submit your thoughts via the NCGA's online portal [here](#).

The committee met again last Thursday to **vote on the criteria for drawing new Congressional and Legislative district maps for the next decade.** Republicans published

their proposed criteria a few days before the Committee meeting, which included no input from Democrats. As expected, Republicans who chair the committee **rejected almost all of the amendments Democrats proposed. We ran 13 amendments that would have made the process more fair, less partisan, more open, and more clear.** Our amendments took into account the overwhelming public comments calling for non-gerrymandered maps, that do not give an advantage to incumbents and that respect communities of interest and the requirements of the Voting Rights Act. Republicans agreed to only one of our amendments, which disallows “point contiguity” (which is when a district is drawn to connect at a single, narrow point like an hourglass). While this outcome was what we anticipated, it is still disappointing to know that public comments were ignored and reasonable efforts to improve the mapmaking process were rejected.

This week the committee convened again to discuss the **proposed public hearings** schedule. These conversations are still ongoing, and a final schedule has yet to be finalized. Please note that public hearings will **most likely be held across the state for the whole month of September.** I am also advocating to have public hearings again after proposed maps are made public, which is when I expect the public will have the most interest. Please keep an eye on my social media and this bi-weekly newsletter for information about the public hearing schedule. You can read more about what happened in the Redistricting Committee this week [here](#).

**Make Your Voice Heard: Submit Your Comments About Redistricting Here**

## Senate Judiciary Committee Updates



Below are some of the bills we discussed in [Judiciary Committee](#) over the past 2 weeks:

### **Bills I support:**

- **[SB711](#), NC Compassionate Care Act.** Provides for the sale of cannabis and cannabis-infused products to qualified patients with certain medical conditions through a regulated medical cannabis supply system. This bill came back to Judiciary a second time to make various amendments based on feedback, all of

which generally make access more restrictive.

- **[HB351](#), Clifford's Law.** Ensures visitation rights for patients in most healthcare facilities during a declared disaster or emergency and requires DHHS to assess a civil penalty for violations of those visitation rights. It also require hospitals to allow clergy members to visit admitted patients. Exceptions to visitation rights: (1) infection control issues are present, (2) visitation interferes with patient care, or (3) visitors have engaged in disruptive, threatening, or violent conduct.
- **[HB436](#), Support Law Enforcement Mental Health.** Requires psychological screening examinations for police officers prior to initial certification or employment; requires mental health and wellness strategies training as a component of qualification and in-service training; and expands access to mental health resources available for officers.
- **[HB536](#), Law Enforcement Duty to Intervene.** Creates a duty to intervene in cases of excessive force for law enforcement officers. Requires that the National Decertification Index (NDI) be searched as part of officer certification and that officers report certain notifications related to testimony.
- **[HB608](#), Dignity for Women Who are Incarcerated.** Establishes health and safety requirements for pregnant and postpartum incarcerated women to allow safer pregnancies and dignity for pregnant and birthing mothers. The bill specifically disallows shackling of women during labor except under specific circumstances.

#### **Bills I did not support:**

- **[HB352](#), Hotel Safety Issues.** This bill **eliminates protections against homelessness** that have been in place for over 30 years, since the court ruled in *Baker v Rushing* that people who stay in hotels and motels as their primary residence are entitled to basic due process protections under NC law. More details in "noteworthy votes" section above.
- **[HB398](#), Pistol Purchase Permit Repeal.** Repeals the requirement to obtain a pistol purchase permit from the sheriff prior to the purchase or transfer of a pistol. More details in "noteworthy votes" section above.
- **[HB805](#), Prevent Rioting and Civil Disorder.** Increases penalties for current offenses and creates new offenses related to civil disorder. Authorizes treble damages, court costs, and attorneys' fees for injury to person or property associated with rioting or looting. Creates requirements for bail and pretrial release for those charged with rioting or looting. **This bill is unnecessary since rioting and property damage is already a crime. I oppose it because it casts a wide net that will catch non-violent protestors and have a chilling effect on North Carolinians first amendment rights to peacefully protest.** You can read more about the bill [here](#).

## State Budget Updates





The Republican House version of the state budget, [Senate Bill 105](#), passed last week 72-41. It came to the Senate floor again earlier this week, and the entire body voted to "not concur" due to continued debate about what should be in the budget. The bill now goes to a [conference committee](#) made up of 20 Republicans and 4 Democrats, to work out the differences in the versions, hopefully with input from Governor Cooper and additional Democrats. **We hope to avoid a repeat of last session** when Republicans refused to negotiate, Governor Cooper vetoed, and we ended up with no state budget.

I will be sure to keep you as up to date about changes to the budget and upcoming votes on social media and via this bi-weekly newsletter. There are some differences between the House version and what was passed in the Senate, and I want to highlight some changes:

#### **Good provisions included in the House Budget:**

- Restores advanced degree supplements (aka master's pay) for all teachers
- Increases non-certified school staff salaries to \$13/hour for this fiscal year, and \$15/hour for next fiscal year
- Depending on your salary, bonuses for front-line state employees ranging from \$500 to \$2,000
- **Ocular Melanoma research and abatement funding for Huntersville** (\$150,000)
- Additional \$12 million American Rescue Plan funding for Huntersville, as proposed by Governor Cooper
- Provisions to resolve the tax issues created for continued care retirement communities (like the Pines at Davidson)

#### **Provisions that need work:**

- While the House's 5.5% pay raise for educators is better compared to the Senate's mere 3% proposed raise, it could still be higher. I support [Governor Cooper's proposal](#) of a 10% raise.
- The House budget needs to improve the Internet access portions to give better affordability and funding for digital literacy.
- The House budget gives inadequate support for students in higher education through programs like NC Guarantee.
- The House budget includes several provisions that are bad for local government, such as the prohibition of **local regulations to control storm water** (which local governments use to reduce flooding), the prohibition of **local ordinances to**

**protect the tree canopy**, and a proposal that would disallow local governments from regulating short-term rentals like AirBnB (as Cornelius currently does).

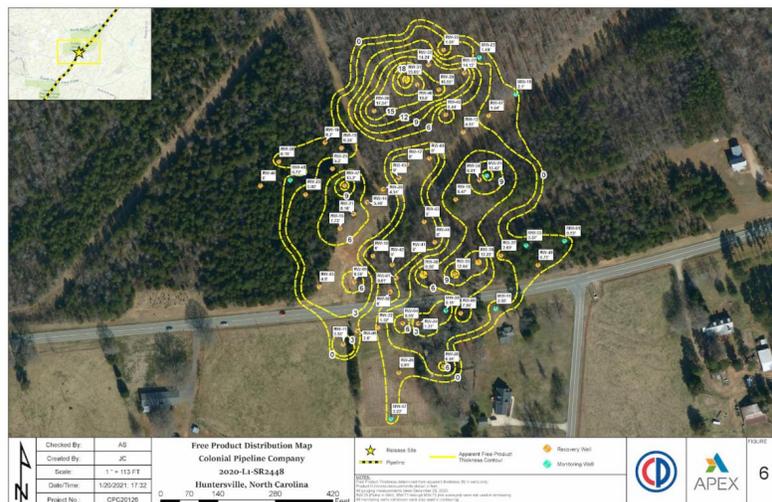
- There is **no support for Medicaid expansion**. For more on why this is important for all North Carolinians, see [this article](#).

## Interview About My Animal Abuse Registry Bill



Thank you to WECT for taking the time to interview me last week about [Senate Bill 613](#), the **NC Animal Abuse Registry Act**. The bill would remove animals owned by an abuser and create a registry of people with a history of animal abuse to ensure they cannot adopt a pet again for 5 years. You can watch the full interview [here](#).

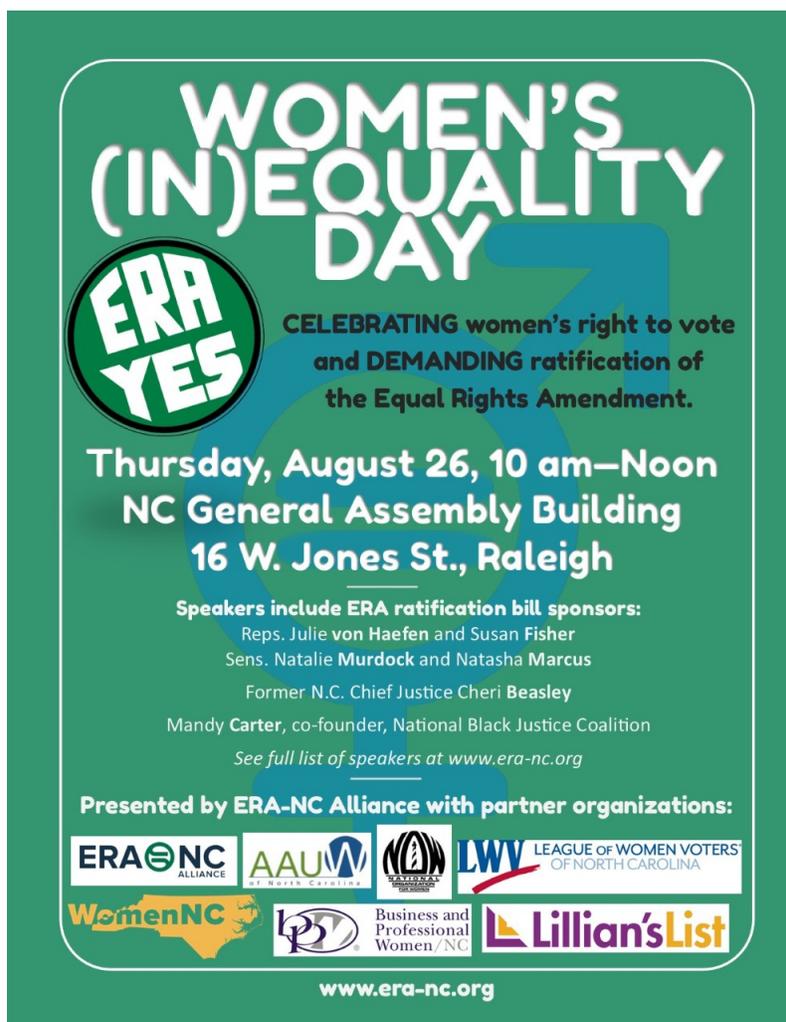
## One Year Since Colonial Pipeline Spill



Last week marked one year since the Colonial Pipeline spill was discovered in Huntersville. We had no idea then what a massive spill it was. Colonial's monitoring system never detected the problem, and it took a chance discovery by two teenagers for the leak to be noticed. Now we know that over a million gallons of gasoline had seeped into the soil, ravaging the environment and disrupting the lives of many who live nearby. A year later, we still don't know how much gasoline is still underground, why it leaked, and how much longer the clean up will take. **This is an unacceptable disaster**. That is why I introduced [Senate Bill 549](#), Improve Pipeline Safety, to have the state take an active role to monitor and improve pipeline safety. To keep the public updated on this bill and the state of the spill, I did [an interview with WFAE](#). I hope that by empowering the

Department of Environmental Quality we can ensure something like this never happens again.

## Women's (In)equality Day: Celebrating the Right to Vote and Advocating for the Passage of the ERA



**WOMEN'S (IN)EQUALITY DAY**

**ERA YES**

**CELEBRATING** women's right to vote  
**and DEMANDING** ratification of  
the Equal Rights Amendment.

**Thursday, August 26, 10 am–Noon**  
**NC General Assembly Building**  
**16 W. Jones St., Raleigh**

**Speakers include ERA ratification bill sponsors:**  
Reps. Julie von Haefen and Susan Fisher  
Sens. Natalie Murdock and Natasha Marcus  
Former N.C. Chief Justice Cheri Beasley  
Mandy Carter, co-founder, National Black Justice Coalition  
*See full list of speakers at [www.era-nc.org](http://www.era-nc.org)*

**Presented by ERA-NC Alliance with partner organizations:**

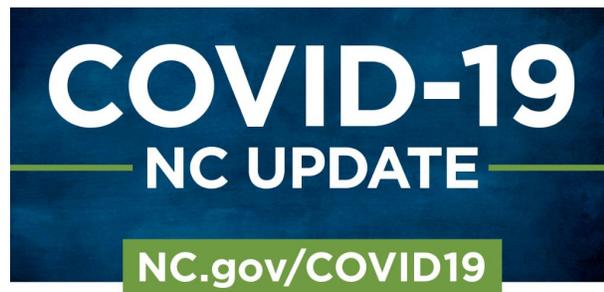
**ERA-NC ALLIANCE** **AAUW** **WOMEN'S POLITICAL CAUCUS** **LWV** **LEAGUE OF WOMEN VOTERS OF NORTH CAROLINA**  
**WomenNC** **Business and Professional Women/NC** **Lillian's List**

[www.era-nc.org](http://www.era-nc.org)

I am proud to be a primary sponsor of the ERA ratification bill because I believe that the US Constitution should enshrine equality of rights under the law for all. The ERA was introduced into Congress in 1923, and nearly a hundred years later we are still waiting for the protections it will give to women across the country. Please [join the ERA-NC Alliance and me on August 26th](#) as we speak about the importance of finally ratifying the Equal Rights Amendment in NC. For more information on the ERA and its importance for stopping discrimination in the United States, please [see this FAQ](#).

## An Important Message from a Local ICU Physician

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I hope everyone will take a few minutes to listen to this [message](#) on the **importance of COVID-19 vaccination** from a local ICU physician at Atrium Health. He describes how nearly every patient he has seen could have avoided being in the ICU had they gotten the vaccine earlier. Learn more about how to schedule a COVID-19 vaccine appointment

[here.](#)

## Infrastructure Investment and Jobs Act Event with President Biden



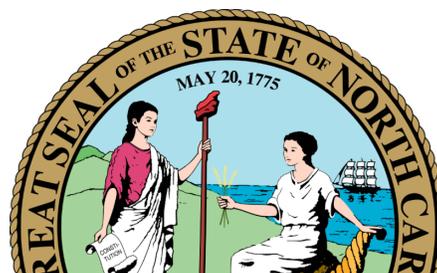
Last week I joined elected officials from across the country to hear from President Biden about the [Infrastructure Investment and Jobs Act](#). This bill that will have a positive impact on North Carolinians. I am especially interested in these investments due to how fast Mecklenburg County is growing, and our need for infrastructure improvements. Funds specifically for North Carolina include \$7.2 billion over the next 5 years for roads and highways, and \$911 million over the next 5 years for public transportation.

If this newsletter was forwarded to you and you would like to receive future editions, please subscribe at [this link](#) or email me at [Natasha.Marcus@ncleg.gov](mailto:Natasha.Marcus@ncleg.gov) and let me know you want to subscribe to the biweekly newsletter.

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How can we help you? Let us know and [reach out](#) to our office! We want to hear from you.

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