

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

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Date 2021-09-03 14:15

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NC Senate District 41 Newsletter

September 3, 2021

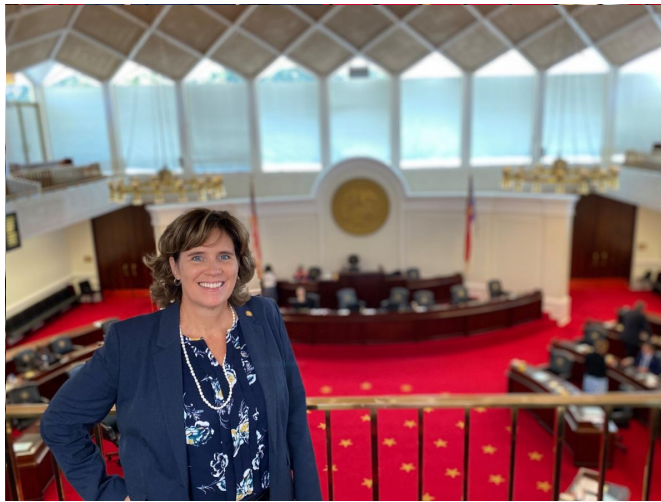
Happy Labor Day Weekend!



As we close out this summer, I want to **thank all the workers across the state. Your commitments have made North Carolina's economy one of the strongest in the country.** Throughout this pandemic, frontline essential workers have sacrificed their own safety to ensure our schools, hospitals, stores, transit, cities and more keep running. As

COVID numbers surge, I am especially **grateful for the medical professionals** who, despite their exhaustion, continue to show up and save lives. As school restarts in person, I am especially **grateful to the bus drivers, school staff and teachers** who are putting the students' needs first and finding creative ways to keep everyone safe. I am proud to be part of the Senate Democratic Caucus that introduced bills this session to advocate for labor rights, including a \$15 minimum wage, raising teacher salaries, implementing more required breaks for long shifts, pregnant workers' protections and more.

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:

- **SR732, Confirming Elizabeth Biser, DEQ Secretary.** A Senate Resolution relating to the appointment, nomination, and confirmation of Elizabeth S. Biser as Secretary of the Department of Environmental Quality. Secretary Biser will do a fantastic job leading DEQ and I was happy to vote "yes" on her confirmation.
- **SB207, Various Raise the Age Changes/JJAC Recommendations (for concurrence).** Modifies certain provisions of the Juvenile Justice Reinvestment Act, as recommended by the Juvenile Justice Advisory Committee. Raises the minimum age of a delinquent juvenile and an undisciplined juvenile from age 6 to age 10 and addresses juvenile court mental health assessments.
- **SB654, K-12 COVID-19 Provisions (for conference report).** Makes changes to address the impact of COVID-19 in public schools and would direct the use of Elementary and Secondary School Emergency Relief Fund reserve funds. **This bill allows classrooms and schools to switch to virtual learning if needed**, and requires mask policies in public schools that must be reviewed every 30 days. Class of 2021 graduates whose diplomas have been withheld due to CPR requirements will have that requirement waived, as long as they met all other graduation requirements. And because so many students struggled with virtual learning, the

bill temporarily waives the requirement that students be making progress toward graduation to qualify for driving privileges. It should have been passed long ago, since school started in most districts last week. It will permit schools to have the flexibility they need to keep students and staff safe during the pandemic. You can read more about the bill [here](#).

- **[SB693](#), Expedite Child Safety and Permanency (for concurrence)**. Makes various amendments to the Juvenile Code regarding abuse, neglect, and dependency laws; implements a State-wide child protective services hotline; and requires public schools to provide students with information and resources on child abuse and neglect, including sexual abuse.
- **[SB300](#), Criminal Justice Reform**. Makes various changes to the Criminal Code, and increases law enforcement standardization and oversight. You can read more about the bill [here](#).
- **[HB351](#), Clifford's Law**. Requires the DHHS Secretary to establish visitation protocols that would be in effect during declared disasters and emergencies and when a facility suspends or restricts normal visitation. The protocols would provide visitation rights for patients in nursing homes, combination homes, and adult care homes, including family care homes, and would allow each resident to receive a visit at least twice per month from one pre-approved visitor or pre-approved alternate visitor.
- **[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.
- **[HB447](#), The Jeff Rieg Law/Patient Religious Rights**. Requires a hospital to allow clergy members to visit admitted patients who wish to be visited by a clergy member, despite any disaster declarations or the use of the hospital as a temporary emergency shelter. A hospital may require a visiting clergy member to submit to health screenings necessary to prevent the spread of infectious diseases, and a hospital may restrict a visiting clergy member who does not pass a health screening requirement or who has tested positive for an infectious disease.
- **[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. It will lead to healthier mothers and babies.
- **[HB769](#), Foster Parents' Bill of Rights**. Creates a Bill of Rights recognizing the rights of foster parents, including notice of hearing, reimbursement of relevant expenses, and notice of meetings.

No votes:

- **[SB636](#), Donor Privacy (for concurrence)**. Allows politically active 501(c)(4) organizations to hide their major donors while using their money to support or oppose candidates and political issues. It would take NC backwards by encouraging more dark money in politics, at a time when people want more transparency about who is funding their elected officials and influencing policy. **Vetoed 9/3/21.**
- **[HB91](#), Accountability and Fair Play in Athletics**. Creates new requirements for overseeing regulation of high school interscholastic athletics, including a memorandum of understanding that requires specific obligations for a nonprofit authorized to administer high school interscholastic athletics. I voted no on second reading because while some state oversight is warranted, the bill sponsors failed to work out a reasonable compromise with the North Carolina High School Athletic Association that would, for example, enable the NCHSAA to continue to offer scholarships. **We are hopeful the bill will be amended before the final vote next week. If so, I will support it.**
- **[HB324](#), Ensuring Dignity & Nondiscrimination/Schools**. This bill undermines the ability of North Carolina teachers to teach openly and honestly about how race and gender discrimination has impacted our history and our present. 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.
- **[HB805](#), Prevent Rioting and Civil Disorder**. Increases penalties for current offenses and creates new offenses related to civil disorder that occurs in conjunction with protests. Authorizes treble damages, court costs, and attorneys' fees for injury to person or property associated with rioting or looting. Creates unfair requirements for bail and pretrial release for those charged with rioting or looting, such that all protestors who were arrested would likely have to spend at least one night in custody. 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](#).

Senate Judiciary Committee Updates





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

- **[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. The bill is very controversial with several Senate Republicans, who are insisting on additional rounds of amendments to add more restrictions. That's why the bill was back in the Judiciary Committee after we had already given it a favorable report. You can read more about the bill [here](#).
- **[HB27](#), In-Service Training/Magistrates.** Modifies and make uniform statewide the training requirements for magistrates by requiring completion of an annual in-service training course, with a minimum of twelve hours of instruction.
- **[HB264](#), Emergency Powers Accountability Act.** Seeks to expand the circumstances under which the Governor must get "concurrence of the Council of State" under the North Carolina Emergency Management Act, in order to issue executive orders during an emergency, such the current pandemic. I do not support this bill because it would prevent the Governor from acting effectively to protect North Carolinians during an emergency, would politicize every step of the emergency response, and would expand the powers of the Council of State members beyond what the Constitution provides.
- **[HB320](#), Modernize Remote Business Access.** Authorizes remote meetings of corporation shareholders, nonprofit corporation members, and mutual insurance company policy holders and authorizes nonprofit corporations to conduct all business electronically.

Senate Redistricting and Elections Committee Updates



I am very disappointed that the [Redistricting and Elections Committee](#) has not met even once over the past 2 weeks. The clock is ticking and we should not be delaying this process. Nevertheless, over the objections of Democrats on the committee and despite never meeting to vote on the proposed schedule for public hearings, the Chairs

announced the following schedule yesterday. They will provide details about which campus/building within the college/university about a week before the event. **House and Senate Democrats have requested remote options to provide public testimony, but those requests have been denied so far.**

- Wednesday, September 8 at 5pm: Caldwell Community College and Technical Institute
- Tuesday, September 14 at 4pm: Forsyth Technical Community College
- Tuesday, September 14 at 5pm: Elizabeth City State University
- Wednesday, September 15 at 5pm: Nash Community College
- Wednesday, September 15 at 6pm: Durham Technical Community College
- Thursday, September 16 at 3pm: Pitt Community College
- Thursday, September 16 at 5pm: Alamance Community College
- Tuesday, September 21 at 5pm: Western Carolina University
- **Wednesday, September 22 at 3pm: Central Piedmont Community College**
- Thursday, September 23 at 3pm: Mitchell Community College (Iredell County Campus)
- Tuesday, September 28 at 4pm: UNC Pembroke
- Wednesday, September 29 at 5pm: UNC Wilmington

Here is the [link to sign up](#) to speak at the public hearing. Currently the only option is the Caldwell Community College event on Sept. 8, but the link will update as the other dates get closer.

Make Your Voice Heard: Submit Your Comments About Redistricting Here

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

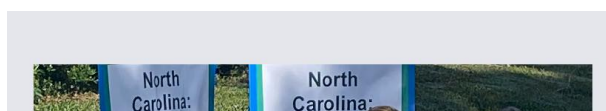


Below is a condensed list of some of the bills I voted "yes" on this session that have been signed into law by Governor Cooper. A full list of bills the Governor has signed can be

found [here](#).

- **[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.
- **[SB207](#), Various Raise the Age Changes/JJAC Recommendations.** Modifies certain provisions of the Juvenile Justice Reinvestment Act, as recommended by the Juvenile Justice Advisory Committee, modifies the minimum age of a delinquent juvenile and an undisciplined juvenile, and modifies the law dealing with juvenile court mental health assessments.
- **[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.
- **[SB570](#), Hold Harmless Star Ratings/ERS Assessment Resume.** Holds certain licensed child care facilities harmless when DHHS resumes environmental rating scale (ERS) assessments and allows for certain flexibilities in awarding quality rating improvement system (QRIS) 'education points' for star rating purposes.
- **[SB654](#), K-12 COVID-19 Provisions (for conference report).** Makes changes to address the impact of COVID-19 in public schools and would direct the use of Elementary and Secondary School Emergency Relief Fund reserve funds. More details in "Noteworthy Votes" section above and the "Back to School + Vaccines + Masks" section below.
- **[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).
- **[HB96](#), Allow Pharmacists to Administer Injectable Drugs.** Expands the number of vaccines and medications that immunizing pharmacists are allowed to administer including COVID-19 vaccines, FDA approved vaccines, nicotine replacement therapy, oral contraceptives, prenatal vitamins, and HIV post-exposure prophylaxis, and requires parental consent for administration of vaccines under an emergency use authorization to a minor (i.e. vaccines that are not fully FDA approved).
- **[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.

Women's (In)equality Day





Top: Sen. Marcus delivers remarks in support of the ERA and Women's Rights
Bottom: Sen. Marcus with former Sen. Terry Van Duyn and with Sen. Natalie Murdock

I was proud to be a featured speaker at the Women's (In)Equality Day last week, hosted by the ERA NC Alliance and advocacy groups from across the state. We came together to **celebrate the anniversary of the passage of the 19th amendment and to acknowledge the work still needed to be done for women to have full equality in this country.** 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. 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. For more information on the ERA and its importance for stopping discrimination in the United States, please [see this FAQ](#).

Watch a Recording of the Event Here (my remarks from 20:52 to 28:02)

Back to School + Vaccines + Masks



As K-12 schools resume in person this year, there are a lot of questions about whether schools can switch to remote instruction this year and who decides whether masks are mandatory at schools. I hope the following information about [Senate Bill 654](#), K-12 COVID-19 Provisions, will provide some clarity to families.

The bill **authorizes public school units to make day-to-day decisions about shifting individual schools or classrooms to temporary remote instruction due to COVID-19** exposures that result in insufficient school personnel or required student quarantines. Public school units are required to notify the Department of Public Instruction of these temporary shifts within 72 hours and to shift back to in-person learning as soon as possible. These days will count as instructional days and will NOT have to be made up later.

The bill does not mandate masks in schools. The NCGA's compromise was to leave that decision up to districts. However, **the bill does require that districts reassess their mask policy every 30 days, so there is at least a nudge to districts to make sure they are reacting to current conditions and making good choices.** At this time, CMS and most districts require masks in order to reduce quarantine requirements and keep everyone safe. I expect even more schools to make that decision soon. You can read more about how the bill impacts mask mandates [here](#).

SB654 also allows districts to offer Virtual Academies for families who want a full remote option for this school year. CMS has three such options. More information [here](#).

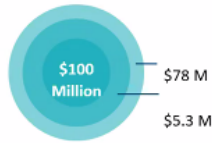
This is all new information because the bill just passed the NCGA late last week, after being held up in committee for over a month. I agree with those who are frustrated that it wasn't finalized sooner, but here we are. The bill officially became law on August 30th, when Governor Cooper signed the bill. I hope that we will be able to have a relatively normal school year. It will depend on whether folks get vaccinated, wear their masks, and stay home if they're sick. Let's all work together this school year to make it the best we can.

Anyone who has symptoms of or has been exposed to COVID-19 should get tested as soon as possible. To find a testing site in your community, go to www.ncdhhs.gov/GetTested. People who are not experiencing serious symptoms should not go to the emergency department for routine COVID-19 testing. People should seek medical attention immediately for serious symptoms such as trouble breathing, persistent pain or pressure in the chest, new confusion or inability to arouse, or bluish lips or face.

Transformational Mobility Network: Economic Impact Study Results

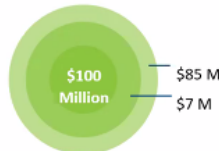
Total Impact for Mecklenburg & Rest of Region

\$100 Million of Investment In Each Mode within Mecklenburg County Supports...



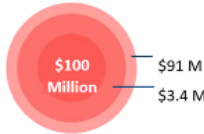
Sidewalks

Direct Project Investment: **\$100 M**
 Capital Investment Multiplier Effects: **\$38-\$130 M**
 Additional Retail Sales Effect: **\$3.1-\$7.5 M**
 Total Economic Output Generated: **\$140-\$240 M**



Greenway

Direct Project Investment: **\$100 M**
 Capital Investment Multiplier Effects: **\$39-\$130 M**
 Additional Retail Sales Effect: **\$1.4-\$5.4 M**
 Total Economic Output Generated: **\$140-\$240 M**



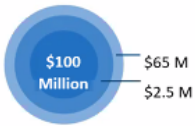
Bus & Bus Rapid Transit

Direct Project Investment: **\$100 M**
 Capital Investment Multiplier Effects: **\$43-\$140 M**
 Additional Retail Sales Effect: **\$1.5-\$8.7 M**
 Total Economic Output Generated: **\$140-\$250 M**



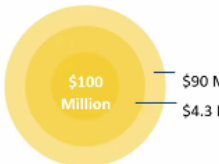
Light Rail

Direct Project Investment: **\$100 M**
 Capital Investment Multiplier Effects: **\$29-\$110 M**
 Additional Retail Sales Effect: **\$1.4-\$5.4 M**
 Total Economic Output Generated: **\$140-\$240 M**



Commuter Rail

Direct Project Investment: **\$100 M**
 Capital Investment Multiplier Effects: **\$24-\$100 M**
 Additional Retail Sales Effect: **\$2.0-\$2.9 M**
 Total Economic Output Generated: **\$130-\$200 M**



Highways/Roadways

Direct Project Investment: **\$100 M**
 Capital Investment Multiplier Effects: **\$34-\$120 M**
 Additional Retail Sales Effect: **\$40-\$46 M**
 Total Economic Output Generated: **\$170-\$270 M**

Last week I was briefed on the [Charlotte Regional Business Alliance's](#) Transformational Mobility Network's economic impact study results to examine and determine best practices for modes of transportation and infrastructure development across the Charlotte region. The main takeaway of the presentation is our region will face a significant cost of doing nothing to address our growing transportation and infrastructure needs. As population continues to grow, we need to ensure reliable, safe, and environmentally-friendly forms of multi-modal transportation. I was glad that the presenters also discussed **how North Mecklenburg has historically felt left out of these regional transportation discussions**. They emphasized that it is a priority to ensure that suburbs around Charlotte and surrounding counties feel included in the process. You can read more about the results of the study [here](#).

Slow Internet? No Internet? We Need to Know.



There is new interest and federal funding to fuel the **efforts to get reliable internet to all parts of the state**. If you have internet inaccessibility issues, please fill out this survey. The NC Department of Information Technology needs to know where the unserved and underserved areas are. I know there are some in Mecklenburg County. This is not just a rural issue. Take the 5-minute survey online or call **919-790-0553** to [take the survey](#).

Federal Unemployment Benefits End Tomorrow



Federal pandemic unemployment benefits are scheduled to end tomorrow, Saturday, September 4th. The federal programs that are ending include **Pandemic Emergency Unemployment Compensation (PEUC)**, **Pandemic Unemployment Assistance (PUA)**, **Federal Pandemic Unemployment Compensation (FPUC)** and **Mixed Earners Unemployment Compensation (MEUC)**. Benefits that are owed to claimants for any weeks ending before Sept. 4 will be paid retroactively.

The **state unemployment insurance benefit program will remain in place**. Under state law, these benefits currently provide eligible claimants with up to 13 weeks of benefits in a one-year period, with a maximum benefit of \$350 a week. To be eligible for state unemployment insurance benefits:

- You must be unemployed due to no fault of your own. The Division of Employment Security will make this determination based on information provided by you and your last employer.
- You must have earned sufficient wages in employment that was subject to unemployment insurance tax.
- You must be physically able and available to work.
- You must be actively seeking work, and you must register for work with [NCWorks.gov](https://www.ncworks.gov) or your resident state's job service office.

Also effective tomorrow, [Executive Order No. 231](#) reinstates the waiting period for unemployment benefits under state law and directs the Division of Employment Security to resume charging of employer accounts for all individuals paid unemployment benefits, including those unemployed for reasons related to COVID-19. Under the Order:

- All unemployment claimants will be subject to a one-week waiting period before

they may receive their first unemployment benefit payment, as is required under state law.

- Employers' unemployment accounts will be charged each quarter for all employees who were paid unemployment benefits that quarter. It is important that employers review their charges and report any inaccuracies or suspected fraud to the Division of Employment Security.

You can learn more about these updates [here](#).

Lead and Asbestos Removal in NC Public Schools and Child Care Centers



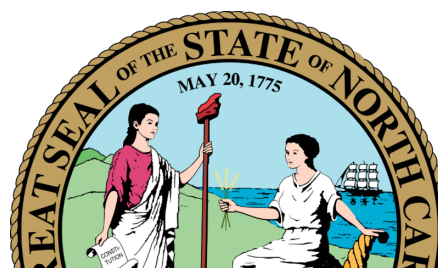
While debate and negotiations are still ongoing for the state budget, there is clear common ground on an important public health initiative. Governor Cooper, Senate GOP, and House GOP budgets all included **\$150-160 million toward removing asbestos, lead paint and lead in drinking water from public schools and child care centers**. In years past, legislation has stalled due to the high cost. However, thanks to federal dollars from the American Rescue Plan it looks like this important project will be moving forward. You can read more about the plan [here](#).

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 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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