

SPAM Latest Updates from the NCGA (one day late this week)



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Date 2023-07-01 10:06



NC Senate District 41 Newsletter

July 1, 2023



Computer problems caused some delays, so you're getting our newsletter on Saturday instead of Friday.
I hope you're having a wonderful holiday weekend.

Updates on Noteworthy Votes



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

Key bills on which I voted YES:

- **[SB234](#), Taxpayer Transparency Act.** A "sunshine bill" that requires local tax assessors to provide more transparent information to property owners about the valuation of their home and the applicable tax rate.*
- **[SB626](#), Modify Human Trafficking and Rioting Laws.** Allows for the issuance of a permanent civil no-contact order for victims of human trafficking offenses and allows victims of human trafficking offenses to collect under the Crime Victims Compensation Act. Provides that it is a violation of the laws prohibiting human trafficking and sexual servitude if a person patronizes or solicits another person who would be a victim under those laws. Removes provisions from a statute in place so that urging another person to engage in a riot would not be a crime under the statute.*
- **[HB125](#), NC Health & Human Services Workforce Act.** Allows North Carolina Health and Human Services to expand its workforce. Creates military relocation for doctors. Allows internationally trained physicians to work here and adds protections against violence for hospital workers.*
- **[HB190](#), Department of Health and Human Services Revisions.** What was originally a noncontroversial regulatory bill was amended last week to include revisions to abortion law changes made in [SB20](#) due to the former bill's lack of clarity and contradictory language. When we learned that this bill would revise provisions in North Carolina's 12-week abortion ban, my colleagues and I proposed [12 amendments](#) to it that would codify *Roe v. Wade*, preserve pregnant people's access to abortion outside of North Carolina, criminalize and create civil suit actions against those who would prevent/harass those seeking abortions, protect access to contraception, hold crisis pregnancy centers to the same standards as actual clinics, and more. All 12 amendments were rejected.
- **[HB201](#), Retirement Administrative Changes Act of 2023.** While I had some initial concerns regarding sections of this bill that would allow more aggressive collections by the State Treasurer of overpayments made to retirees through no fault of their own, the bill sponsor agreed to amend the bill to correct that provision. This bill is largely beneficial to state retirees, cutting red tape for retirees' estate beneficiaries and allowing the electronic deposit of all pension checks.*

Key bills on which I voted NO:

- **[SB49](#), Parents' Bill of Rights.** A divisive bill that burdens school staff with requests and objections without penalty for abusive and frivolous behavior, undermines our ability to gather anonymous data about student health and well-being, disallows any books or other curriculum that discusses LGBTQ families in K-4, and forbids school staff from providing confidential advice or assistance to students. It also enumerates some parental rights, most of which are already established in law and practice. This bill passed the Senate along party lines in February and returned for concurrence this week. I voted NO because of the way it attempts to erase LGBTQ people from our public schools, burdens educators unnecessarily, and puts children at risk. The motion to concur passed 26-13.
- **[SB171](#), Department of Public Safety Agency Bill.** Though this bill appeared to be a standard bill requested by the Department of Public Safety, it contains a harmful provision allowing the logging industry to define wood pellets as wood residual. This change in definition ignores the reality that the industry uses whole trees and forests to make these products. It will also allow these companies to increase their use of heavy truck traffic, which will create dangerous conditions on rural roads. The wood pellet industry is already causing harm to North Carolina's communities and forests, and this bill will only worsen those issues. Read more [here](#).
- **[SB411](#), Various Education Changes.** This bill returned to the Senate for concurrence this week. While it has a few valuable provisions, such as those that require public and charter schools to adopt medical condition action plans, I voted not to concur due to concerns about new provisions that lower the standards for school nurse certification. The Conference Committee needs to work out those details.
- **[SB747](#), Elections Law Changes.** Repeals the 3-day grace period for absentee ballots postmarked by election day, prohibits the state or county boards of elections as well as county commissioners from accepting private donations for election administration, purges individuals from voter roles based on jury disqualification, permits public inspection of absentee ballots at weekly county boards of elections meetings authorized through Election Day, requires two-factor authentication and computerized signature verification for mail-in ballots, and requires certain voters who utilize same-day registration at early in-person voting sites to cast only a provisional ballot. **In an attempt to make this bad bill less oppressive, my colleagues and I proposed [10 amendments](#)** that would notify absentee voters that their ballot had been thrown out and why, change the effective date of the bill to provide more time to prepare for these changes, prevent citizens from being removed from voter rolls, and more. All but 2 of these amendments were rejected. Read more [here](#).
- **[SB749](#), No Partisan Advantage in Elections.** Restructures the State Board of Elections. Increases the number of members from 5 to 8, strips the governor of the

ability to appoint members, and gives the power to appoint members to the Senate leader, House speaker, and House and Senate minority leaders. In the event that the board is unable to determine who should be hired as the state director of elections, that tie is decided by the General Assembly. **When a similar referendum was proposed to North Carolina voters in 2018, it was rejected by a margin of 61%-38%.** I voted against this bill because it is based on the false premise that our current system is unfair, will lead to frequent deadlock with 4:4 votes, is designed to increase the legislature's influence on election administration, and violates the NC Constitution's separation of powers clause.

- **SB754, General Assembly Appointments.** I voted NO on this bill because of some poorly advised appointments, many of whom are political friends, former lobbyists, and even one appointee who has a past and pending disciplinary action against him before the board to which he is being appointed. My caucus ran an [amendment](#) that would have barred such people from being appointed, but our amendment was rejected.
- **HB219, Charter School Omnibus.** Allows unfair pre-lottery priority admissions to charters for certain preschools, prevents the Charter Review Board from considering impacts of charter approvals and renewals on local public schools, removes restrictions on growth for low-performing charters, and allows counties to appropriate property taxes to fund charter school capital needs. I voted NO after Republicans rejected all 3 of our amendments which would [make the lotteries fair and open to all students without preference](#), increase accountabilities, [prohibit discrimination on the basis of disability and other protected statuses](#), avoid rapid expansion of low-performing charter schools, ensure sex offenders cannot coach, volunteer or teach at charters schools, [retain vocational programs for people with disabilities](#), and more. While I support quality charter schools as options for free public education, this bill is irresponsible. Read more [here](#).
- **HB488, Code Council Reorganization and Various Code Amendments.** Reorganizes the Building Code Council, creates a new Residential Code Council, and amends various provisions of the North Carolina State Building Code and land development regulations. This bill splits the Building Code Council into 2 committees, commercial and residential, and limits the governor's appointment power to the council. **Additionally, it would block any updates to energy efficient building standards until 2026.** Our state building standards are already outdated, so further delay is a mistake and will result in higher energy costs for new home buyers. This legislation could also cause North Carolina to lose federal dollars under programs that require a modern energy code.
- **HB574, Fairness in Women's Sports Act.** This bill prevents transgender girls from participating in school sports from K-through the collegiate level (private and public). I oppose this blanket ban because its unfair and hurtful; there are already procedures in place to determine which team is appropriate for transgender athletes. It's decided on a case-by-case basis, taking all facts into consideration. It's a manufactured problem that distracts us from important work in the NCGA (see the section below on the lack of a state budget).
- **HB600, Regulatory Reform Act of 2023.** I voted NO on this bill for several environmental reasons, including that sections are out of step with the federal Clean Water Act and federal civil rights laws. Last minute amendments improved the bill, but it is still problematic. We need to have careful regulation of toxic emerging compounds like PFAS, protect water quality, and regulate stormwater to protect against flooding and contamination. The towns of Davidson, Cornelius, and Huntersville are united in their opposition to this bill as well. Read more [here](#).
- **HB618, Charter School Review Board.** This bill removes the power to approve charter school applications and renewal requests from the State Board of Education (SBE) and creates a charter-friendly board that will instead be responsible for this process. I voted NO on this bill because it is the responsibility of the SBE to supervise free public education. The board established by this bill will certainly contain members who have a conflict of interest; they run charters and are vocal advocates for charter schools. We need serious and unbiased oversight as provided by the NC Constitution. This bill is bad policy and unconstitutional.
- **HB790, Innocence Inquiry Commission Provisions.** This bill changes the process by which applicants to the [North Carolina Innocence Inquiry Commission](#) (NCIIC) are able to pursue their post-conviction claims of factual innocence. While a compromise has been reached between NCIIC and the Conference of District Attorneys regarding much of the bill, there remains a provision that could render exonerating evidence inadmissible in future trials. Since 2007, **15 people have had their convictions vacated upon a finding of actual innocence.** It's important criminal justice work and the process works. I worry that this change will make it harder for innocent people to overturn their wrongful convictions. Read more [here](#).
- **HB808, Gender Transition/Minors.** Prohibits medical professionals from participating in/prescribing gender affirming healthcare to transgender minors. Medical professionals who violate these provisions would have their licenses revoked. State funds could not be used for surgical gender transition procedures on minors and prescribing puberty-blocking drugs or hormone replacement therapy to minors. Republican governors from other states have rejected similar bills, and last week, a federal judge in Arkansas ruled that a similar bill violated the constitutional rights of doctors and discriminated against transgender people. I

voted NO on this bill because its discriminatory, hurtful to the LGBTQ community, disrespectful of the choices of transgender kids and their parents, and conflicts with the standards of care recommended by at least 30 leading medical associations, including the [American Medical Association](#) and the [American Academy of Pediatrics](#). It passed the Senate 29-16.

*Passed Senate unanimously

Governor's Vetoes and Overrides



- **[SB299](#), Reimburse Late Audit Costs with Sales Tax Revenue.*** I voted to sustain Governor Cooper's veto of SB299 after hearing from the League of Municipalities and the Governor, who expressed concerns that penalizing small municipalities at a rate of 150% of the cost of the required audit will not help get them into compliance with the law. While annual audits are important and all municipalities should be in compliance, this bill is not the best way to achieve that goal.
- **[SB329](#), Retail Installment Sales Act Amendments.*** I voted to sustain Governor Cooper's veto of SB329 because it would increase consumer prices. At a time when the cost of living is rising, consumers can't afford higher rates of interest on loans and purchases.
- **[SB331](#), Consumer Finance Act Amendments.*** For the same reasons on SB329, I voted to sustain Governor Cooper's veto of SB331.
- **[SB364](#), Nondiscrimination & Dignity in State Work.*** I voted to sustain the veto of SB364 because there is great value in expanded implicit bias training and diversity of our state employees so that everyone feel safe and respected on the job. In his veto statement, Governor Cooper wrote, "It is troubling that a legislature that witnessed open racism on the floor of the House of Representatives wants to stop training aimed at creating a more effective and understanding workforce. Instead of pretending that bias and racism don't exist, the legislature should instead encourage training that can help eliminate discrimination so we can work toward common goals."
- **[SB582](#), North Carolina Farm Act of 2023.*** In April, I voted against SB582 because North Carolina's wetlands are vital, not only as the first line of defense against flooding, but as natural water filtration systems for our rivers and lakes and as essential ecosystems to many native species. This bill will leave approximately 2.5 million acres of our state's wetlands unprotected. That means more severe flooding for homes, roads, and businesses, as well as dirtier water for North Carolinians. For these reasons, I voted to sustain the Governor's veto.
- **[HB750](#), Address ESG Factors.*** I voted against HB750 and voted to sustain the Governor's veto because it unnecessarily limits the Treasurer's ability to make decisions based on the best interest of state retirees and the fiscal health of the retirement fund. We need to ensure that our investment funds are sound and stable; prohibiting ESG criteria runs counter to a global, forward-thinking investment plan. It's essential for the future of the companies that they consider the environment when investing, it's critical for the future of our planet, and it is important for human rights that social and governmental concerns are considered as well. Not only does legislation like this (and the Senate's similar bill, [SB737](#)) pose concern for concepts such as environmentalism and equality, it can also be damaging to the economy and Charlotte businesses. The sponsor of this bill noted that it would likely require the state to not invest in companies like Bank of America and Wells Fargo because of their ESG policies.

*Veto overridden by the NCGA.

Education Committee Updates



The following noteworthy bills were discussed in the [Senate Education/Higher Education Committee](#) over the past two weeks:

- **[HB219](#), Charter School Omnibus.** See the section "Updates on Noteworthy Votes." I used my time during the committee meeting to raise my concerns about the priority admissions for private preschool students. My colleagues raised other questions. The bill sponsor was unable to provide answers to justify the provisions of this bill.
- **[HB574](#), Fairness in Women's Sports Act.** See the section "Updates on Noteworthy Votes."

Judiciary Committee Updates



The following noteworthy bills were discussed in the [Senate Judiciary Committee](#) over the past two weeks:

- **[SB145](#), Continuing Care Retirement Communities Act.** Completely revises the statutes concerning Continuing Care Retirement Communities and creates new provisions for continuing care at home, per requests made by the [North Carolina Continuing Care Residents Association](#). Unfortunately, the bill does not address the ongoing issue about taxation of services provided in CCRC, so that remains unresolved.
- **[HB125](#), NC Health & Human Services Workforce Act.** See the section "Updates on Noteworthy Votes."
- **[HB790](#), Innocence Inquiry Commission Provisions.** See the section "Updates on Noteworthy Votes."
- **[HB808](#), Gender Transition/Minors.** See the section "Updates on Noteworthy Votes."

Access to Contraception Discharge Petition



Earlier this week, I joined our caucus in signing a discharge petition in an attempt to bring Senator Grafstein's bill, [SB540](#), to the floor. This bill would **protect access to contraception by stating that the right to use contraception implicates a fundamental liberty**. Since it was introduced in April, it has gone unheard in committee. Read more [here](#).

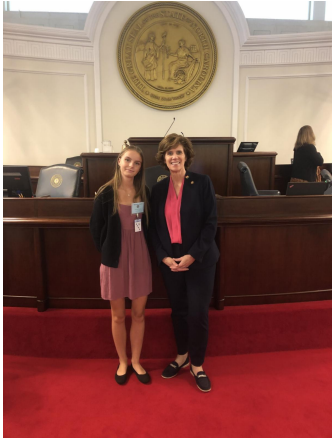
Senator Marcus in the Community & Meetings in Raleigh



I attended the rally in Charlotte for abortion rights hosted by Vice President Kamala Harris on the anniversary of the overturning of *Roe v. Wade*. Read more about her address [here](#). She and the other speakers spoke about the importance of state legislatures in protecting women's equal rights.



I was honored to be the keynote speaker at the **League of Women Voters' Annual Meeting** in Charlotte. My speech was titled "Pay Attention: There Will Be A Test" and included key facts to know, discussion of pending and recently passed legislation, the first woman elected to the NCGA and her cool nickname, and the importance of voter education and engagement.



On Wednesday, I was invited to speak about my experience as a state legislator, discuss the future of voting rights and elections in North Carolina, and answer questions from passionate pro-democracy student interns during [Democracy North Carolina's](#) Summer Lunch and Learn Panel.

This week I sponsored **Anslee Falls from Huntersville** as a Senate Page. Anslee attended two years at Hopewell High School and is now a rising junior at Lake Norman Charter. During her week in Raleigh, she attended committees and delivered an amendment I sent forward to the Principal Clerk during our voting session. She's a promising young person and I was happy to have her as a page.



A SENATORIAL STATEMENT
COMMENDING EMERGENCY RESPONDERS' EFFORTS AND
MOURNING THOSE LOST IN THE SOUTHPARK FIRE

WHEREAS, on May 18th, 2023, a fire occurred at an under-construction apartment complex on Liberty Row Drive in the SouthPark neighborhood of Charlotte, North Carolina; the fire reached five alarms, resulting in significant damage; and

WHEREAS, the Charlotte Fire Department, emergency responders, and law enforcement personnel, from across the county, responded to protect residents and nearby structures; multiple crews, over ninety firefighters, worked tirelessly to extinguish the fire and rescue those inside the site; fifteen workers were rescued by the actions of these public servants, including one crane operator; and

WHEREAS, there were two lives lost in the blaze, Demonte Sherrill and Ruben Holmes, both construction workers at the site; the firefighters on-scene attempted to reach them but were stalled due to the dangerous condition of the building—forcing a declaration of mayday; and

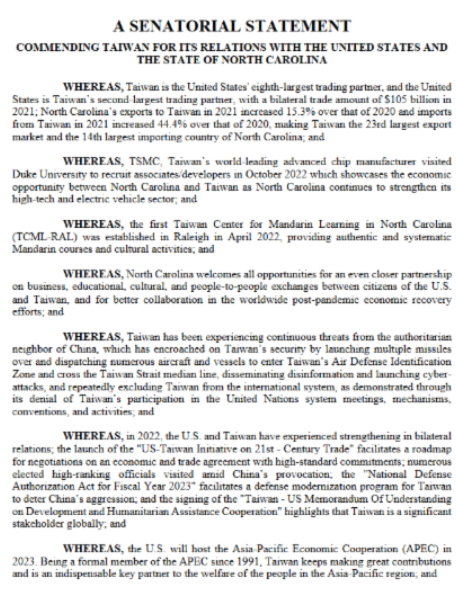
WHEREAS, the community of SouthPark has rallied together to support and comfort their neighbors and those impacted;

NOW, THEREFORE, it is important to commend the efforts of and thank the first responders and emergency personnel in extinguishing the SouthPark fire, both the main structural fire and other surrounding fires that began as a result of the flaming embers and for also rescuing those at the site. Further, the undersigned join the families of Demonte Sherrill and Ruben Holmes in mourning. It is also imperative to acknowledge the strength and compassion shown by community members who have united to support those impacted by this fire.

I signed the Senatorial Statement commending emergency responders' heroic efforts and mourning those lost in the tragic Southpark Fire.



I attended the third annual Juneteenth celebration at the Ada Jenkins Center in Davidson on June 17. The highlight of the event was hearing my former co-worker Kateaka Brown sing the Black National Anthem, Lift Every Voice and Sing.



I signed the Senatorial Statement commending Taiwan and encouraging increased economic relations between Taiwan and the State of North Carolina.

No State Budget As New Fiscal Year Begins



Governor Cooper proposed his budget on March 15th and the Senate voted on the GOP-proposed budget on May 17. **Yet, we still do not have a final state budget; there are significant disagreements between House and Senate leaders on several issues.** There have been no public meetings or proposals, only private conversations. NCGA leaders estimate that negotiations on the budget will drag on until the final week of July or longer. **This is unfortunate because the new fiscal year begins July 1st and Medicaid Expansion cannot go into effect until a budget is passed.**

In the meantime, state agencies will maintain operations at current levels, with no raises for teachers, state employees or otherwise. For details about the state's current unreserved cash balance of \$5.807 billion, see the section at the end of this newsletter. Read more about the stalled budget negotiations [here](#).

NC Museum of Natural Science Special Exhibition
Spiders: Fear to Fascination



The North Carolina Museum of Natural Science's new special exhibition, "Spiders: Fear to Fascination," is open from June 17 to October 8. Through augmented reality and video projection technology, guests of all ages will encounter more than 250 real and preserved specimens. Ticket prices and more information are available [here](#).

This summer, I encourage you to take the time to visit the public museums in Raleigh. The [NC Museum of Art](#), [Museum of History](#), and [Museum of Natural Science](#) are **all free to attend**, though they may occasionally host special exhibits that cost extra, such as the spider exhibit. The museums are across the street from the NCGA. So if you come, please stop in at my office to say hello.

Beaty Park Grand Opening



On Saturday, July 8, Beaty Park will have its official opening! There will be a picnic in the park; attendees are encouraged to bring food. The Davidson Parks and Recreation Department will provide activities, games, and ice cream. The ribbon cutting will be at 10:30 AM. I am proud to have helped secure a state grant for the park's development. See you there!

Historic Hoskins Mural Returns



Beverly Knox Davis reports that the Historic Hoskins Community Mural is back in its rightful location. Even though the City of Charlotte funded and approved the artwork, [Historic Hoskins Coalition Group](#) had to fight to keep it on display. Ms. Davis thanked Zack Wyatt for giving HHCG permission to place the mural temporarily at [Carolina Farm Trust](#) Market and Frankie Knox Sr. for ensuring it was returned to HHCG.

Davidson Police Department Offers Dog Walker Watch Program



On July 6, 2023, at 6:00 PM in the Lower Level of the Davidson Town Hall and Community Center (251 South Street.), the DPD will host a Dog Walker Watch training session for Davidson residents. **Dog Walker Watch encourages neighbors to assist local law enforcement by acting as extra eyes and ears while out walking their dogs.** The program enhances the partnership between the DPD and residents while providing resources for neighbors to be more aware of their surroundings and how to effectively observe and report suspicious activity.

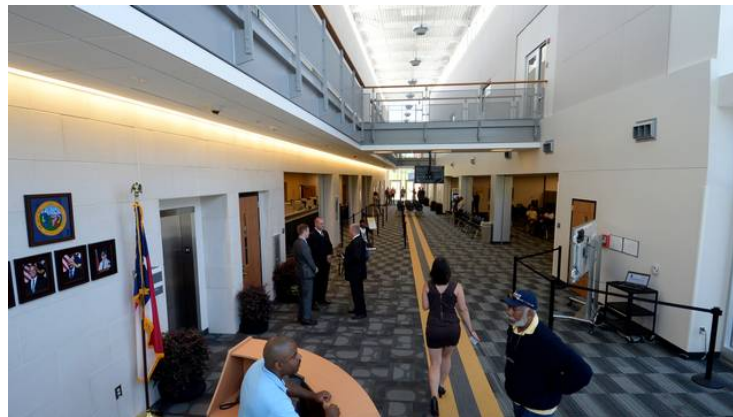
This training session is open to the first thirty (30) Davidson residents who register. To register, complete the online form [here](#).

Commending the Davidson Housing Coalition



This week, the non-profit Davidson Housing Coalition became the sole owner of The Bungalows, a 32-unit affordable rental community on Jetton Street. Residents can expect improvements soon. This is a **remarkable example of local commitment to providing affordable housing**. Read more [here](#).

New Online DMV Services



The N.C. Division of Motor Vehicles website now has **wait times** listed for each of its 115 driver's license offices across the state. To check the wait time for your location, just hover over the icon marking each driver's license office, and a box will pop up with the current walk-in time. Read more [here](#).

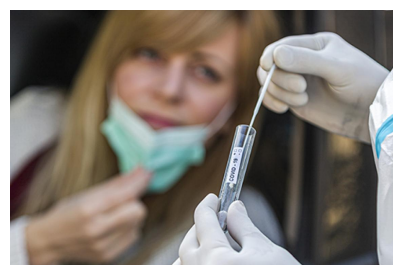
Additionally, many DMV services, such as **driver's license renewal, vehicle registration renewal, and personalized plate orders can be performed online**. View a full list of online services [here](#). Other tips for planning your DMV visit can be found [here](#).

Free Property Tax Assistance Services



Do you need help with your property taxes? The [Charlotte Center for Legal Advocacy](#) is providing free assistance to help homeowners prepare their NC property tax relief applications. **Call 980-256-7952** or visit their website to learn more [here](#).

COVID-19 Test & Vaccine Updates



NC DHHS is partnering with Project Act to provide **free COVID-19 tests to all North Carolinians**. This program used to just be available for select zip codes, but it is now available statewide. Order your free tests [here](#).

Additionally, DHHS has **approved additional booster shots for folks 65+ and/or who are at high risk for severe illness**. Anyone who meets the age requirement is eligible for a bivalent booster if it has been at least 4 months since their previous vaccine. Folks with compromised immune systems can get a booster if it has been at least 2 months since their last vaccine. More information [here](#).

Financial Update on the State's General Fund

Beginning Cash, Friday, June 16	13,836,124,434.76
Add Receipts:	
Tax and Non-Tax Receipts	1,860,370,160.51
Coronavirus Relief Receipts	0.00
Other Receipts	597,599,911.27
Less Disbursements:	
Payroll	323,237,099.08
State Aid	37,365,102.46
Medicaid/Other Provider Payments	180,394,695.86
Tax Refunds/Distributions	40,601,335.26
Debt Service	0.00
Coronavirus Relief Transfers Out	0.00
General Operating	605,793,905.96
Ending Cash, Friday, June 23	15,106,702,367.92
Less Reserved Cash:	
Due to Local Governments – Sales and Use Tax Payable	830,555,395.92
Other Reserves	0.00
American Recovery Plan Act Reserve	103,076,693.32
Carry Forward Reserve	208,799,740.34
Clean Water Drinking Water Reserve	0.00
Coronavirus Capital Projects Reserve	0.00
Coronavirus Relief Reserve	0.00
Earthquake Disaster Recovery Reserve	0.00
Economic Development Project Reserve	601,900,000.00
Federal Infrastructure Match Reserve	95,328,642.00
Housing Reserve	0.00
Hurricane Florence Disaster Recovery Reserve	60,172,356.59
Information Technology Reserve	108,943,174.00
Local Fiscal Recovery Reserve-ARPA	0.00
Local Govt Coronavirus Relief Reserve	0.00
Local Project Reserve	0.00
Medicaid Contingency Reserve	326,512,736.00
Medicaid Transformation Reserve	155,642,170.00
NC GREAT Reserve	0.00
Opioid Abatement Reserve	765,130.94
Public School Contingency Reserve	0.00
Public School Need Based Capital Reserve	0.00
Repairs and Renovations Reserve	0.00
Retiree Supplement Reserve	0.00
SCIF General Fund Reserve	0.00
Savings Reserve	4,750,000,000.98
Stabilization and Inflation Reserve	1,000,000,000.00
State Emergency Response/Disaster Reserve	748,513,483.01
Unfunded Liability Solvency Reserve	0.00
Wilmington Harbor Enhancements Reserve	283,800,000.00
World University Games Reserve	25,000,000.00
Unreserved Cash Balance, Friday, June 23	5,807,692,844.82

The Office of the State Controller (OSC) released the General Fund Cash Watch numbers for the week ending Friday, June 23. OSC provides a weekly update on the State's General Fund cash position which can be found at osc.nc.gov. **The current unreserved cash balance in state coffers is \$5.807 billion.**

The State Controller is North Carolina's chief fiscal officer and serves as an independent resource to ensure the financial integrity of the State.

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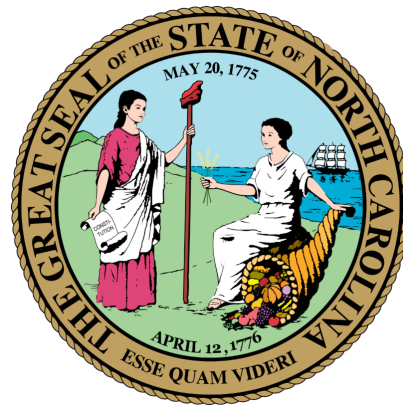
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How can we help you? Let us know and [reach out](#) to our office! We want to hear from you.

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