

**Legislative Update
for
Week of June 26, 2017**

Legislative Summary

On June 26, the General Assembly met for its final week of session to override Governor Cooper's budget veto as well as finalize all outstanding business from the long session. The Governor's veto came on Tuesday and was quickly overridden by the Senate and House, and by Friday, the final budget was placed into law. In addition to the veto override, the House and Senate passed several important pieces of legislation. They included a bill prohibiting drone use over jails and prison facilities and two National Guard bills. Furthermore, both chambers paused to honor the life and memory of Correctional Sergeant Meggan Lee Callahan, who died on April 26 from injuries she sustained during an assault by an inmate at Bertie Correctional Institution. With a Chamber full of her fellow correctional officers, her family and other DPS employees, members of the General Assembly detailed her life, love for her job, and outstanding service to the State of North Carolina.

The Senate and House passed an adjournment resolution at around 2:00 am Friday morning. The General Assembly will reconvene on August 3, 2017 to handle a variety of matters specified in the adjournment resolution. In September and November, they will reconvene to work on judicial and legislative districts.

Bills of Interest

Expungement Process Modifications ([SB445](#)) (Previously DOC and JJ Combined Records (HB 216))

Description:

Senate Bill 445 requires clerks of superior court to send certified copies of orders granting expunctions to the Combined Records Section of the Department of Public Safety and State Bureau of Investigation.

Introduced by:

Senators Tucker (R-Union), Bryant (D-Nash) and McKissick (R-Durham)

Amendments Proposed:

No new amendments proposed.

Actions Taken:

Senate Bill 445, with the added language from HB 216 as originally filed, was heard on the Senate floor Monday night. The Senate voted 47-0 to concur with the House Committee Substitute. It was sent to the Governor for signature.

Prohibit Drone Use Over Prison/Jail ([HB128](#))

Description:

House Bill 128 makes using a drone (unmanned aircraft system) near a local, state or federal confinement/correctional facility an unlawful act. The bill essentially builds a 500 feet horizontal and 250 feet vertical invisible box around this type of facility in which the use of drones is prohibited. There were exceptions outlined in the bill for persons with consent, law enforcement personnel, public utilities meeting expressed conditions and certain commercial purposes.

Introduced by:

Representatives McNeill (R-Randolph), Torbett (R-Gaston) and Faircloth (R-Guilford)

Amendments Proposed:

None proposed after June 20 Senate Judiciary Committee.

Actions Taken:

HB 128 was reported favorably out of Senate Rules on Monday evening. It passed second and third reading in the Senate on Tuesday and was sent to the House, which voted 116-0 to concur with the Senate Committee Substitute. HB 128 has been sent to the Governor.

Prohibit Use of Light Bars on Motor Vehicles ([SB182](#))

Description:

Senate Bill 182 prohibits the use of light bars that project a light at an intensity greater than 25 candlepower on motor vehicles being operated on the highway.

Introduced by:

Senator McInnis (R-Richmond)

Amendments Proposed:

In addition to the friendly amendment Sen. McInnis offered last week at DPS's request to ensure an exemption for law enforcement vehicles, two more amendments were offered on the House floor. The first, offered by Rep. Shepard to exempt light bars with strobing lights, passed unanimously. Rep. Pierce attempted to offer a second amendment related to internet publishing of crime videos, but Speaker Moore ruled the amendment out of order, having determined that it was not germane to the bill.

Actions Taken:

SB 182 passed the House on Tuesday unanimously. The bill was ordered engrossed and sent to the Senate, which concurred with the House Committee Substitute with only one 'no' vote from Sen. Hise. SB 182 was sent to the Governor on Thursday.

SAR Rename/Disputed County Boundaries/Mapping ([HB740](#))

Description:

House Bill 740 would modernize and update statutes related to the urban search and rescue teams and the NC Geodetic Survey.

Introduced by:

Representatives McNeill (R-Randolph) and Turner (R-Iredell)

Amendments Proposed:

In Senate State and Local Government Committee on Tuesday, June 13, a proposed committee substitute (PCS) was offered to change the name of the Urban Search and Rescue Program to the North Carolina Search and Rescue Program and expand DPS use of memorandums when engaging with contract response teams.

Actions Taken:

HB 740 was heard in the Senate Rules Committee on Tuesday where it received a favorable report. It was then heard on the Senate floor on Wednesday and passed unanimously. The House took up HB 740 later that afternoon and voted unanimously to concur with the Lee amendment and with the Senate Committee Substitute. HB 740 was sent to the Governor for signature on Thursday.

Workers' Compensation/Prison Inmates ([HB205](#))

Description:

This bill would provide that inmates employed under the Prison Industry Enhancement Program (PIE) must receive workers' compensation.

Introduced by:

Representatives McNeill (R-Randolph) and Zachary (R-Yadkin)

Amendments Proposed:

No further amendments were proposed.

Actions Taken:

HB 205 was heard in the House on Wednesday when the House voted unanimously to not concur with the Senate Committee Substitute. On the same day conferees were appointed by both chambers to work out differences. The conference committee came to an agreement that left our department's language in place, but changed some long standing policies related to legal notices in newspaper. The conference report was adopted by the Senate 32-14 and was adopted by the House 60-53. It was sent to the Governor on Thursday.

Unmanned Aircraft Systems Law Revision ([HB337](#))

Description:

House Bill 337 amends current North Carolina drone (unmanned aircraft systems) law. This bill allows for emergency management agencies to use drones for emergency management purposes notwithstanding state law restrictions still in place for commercial and recreational drone users.

Introduced by:

Representative Torbett (R-Gaston)

Amendments Proposed:

A Proposed Committee Substitute (PCS) was offered making only minor technical changes.

Actions Taken:

On Tuesday HB 377 was heard in the House and received a favorable report. It passed the Senate unanimously on Wednesday, and the House voted to concur on Thursday. It was subsequently sent to the Governor.

Honor Meggan Lee Callahan ([HJR924](#)) ([SR683](#))

Description:

This Resolution was offered to honor the life and memory of Meggan Lee Callahan. She was a Correctional Sergeant in Bertie County, and was killed in the line of duty on April 26, 2017 while attempting to extinguish a fire. Several legislators, including Rep. Steinburg and Sen. Smith-Ingram, gave very touching tributes to her dedication, kindness and persistence.

Actions Taken:

Adopted by both the House and Senate on Tuesday, June 27.

Private Protective Services Changes ([HB566](#))

Description:

House Bill 566 would make changes to the laws regulating the private protective services profession including authorizing a \$100 late fee and creating a firearms training exemption.

Introduced by:

Representatives Hardister (R-Guilford), Burr (R-Stanly), Faircloth (R-Guilford) and McNeill (R-Randolph)

Amendments Proposed:

Two amendments were added on the House floor. One changed the effective start date from July 1, 2017 to August 1, 2017. The second added language requiring a copy of a DD Form 214 or a DD Form 215 and a DD Form 214, noting a Military Police or Criminal Justice background or training.

Actions Taken:

HB 566 passed favorably out of House Finance on Monday and was taken up on the House floor the following day. The two amendments referenced above were offered and each passed unanimously. The House approved the bill as amended and sent it to the Senate on Wednesday. The bill passed first reading in the Senate and is currently in the Senate Rules Committee.

National Guard Education Assistance Changes ([HB486](#))**Description:**

House Bill 486 achieves three goals for our National Guard Members. First, it extends tuition assistance to approved professional certification programs. Second, it directs the North Carolina University System and the Community College System to adapt non-penal policies when their Members are called away on active duty. Last, it waives the 12-month residency requirement for in-state tuition for certain veterans and other recipients receiving federal education benefits related to military service.

Introduced by:

Representatives G. Martin (D-Wake) and Szoka (R-Cumberland)

Amendments Proposed:

HB 486 was amended in the Senate by Sen. Davis to prohibit the closure of the Eastern North Carolina State Veterans Cemetery in Goldsboro.

Actions Taken:

HB 486 passed the Senate's second reading on Monday and was subsequently withdrawn before third reading. It was placed on Tuesday's calendar and it received a unanimous third reading vote after the addition of the Sen. Don Davis amendment. The bill was engrossed and sent to the House on Wednesday. The House added HB 486 to the calendar and unanimously concurred with the Senate Committee Substitute. The bill was sent to the Governor on the same day.

National Guard Reemployment Rights/Definitions ([HB487](#))**Description:**

House Bill 487 would add several definitions to the National Guard Reemployment Rights Act, Article 16 of Chapter 127A of the General Statutes and require employers to return employees who served on state duty to their previous positions within five days of the employees' release from state duty. It would increase the time period employees who served more than thirty days have to apply for reemployment from five days to fourteen days and permit employees injured in the line of duty to have up to two years to apply for reemployment during their recovery period.

Introduced by:

Representatives G. Martin (D-Wake) and Szoka (R-Cumberland)

Amendments Proposed:

HB 487 was amended in the Senate by Sen. Brown to include a provision to add protections for National Guard Members when terminating a lease early and mandating the Secretary of State to annually compile a list of veteran owned businesses and provide information to the Department of Military and Veterans Affairs.

Actions Taken:

The House voted unanimously to not concur with the Senate amendment and as a result, the bill went to a conference committee. The conference committee reached an agreement to keep the language pertaining to National Guard early termination of lease protections. This was language in HB 488. The Conference Report passed both chambers on Thursday and was sent to the Governor for signature.

Combine Adult Corrections and Juvenile Justice ([SB344](#))**Description:**

Senate Bill 344 would amend the statutes that govern the powers and duties of the Division of Adult Correction and the Division of Juvenile Justice to reflect the fact that those divisions have been operating as a single Division of Adult Correction and Juvenile Justice since 2013.

Introduced by:

Senator Randleman (R-Wilkes)

Amendments Proposed:

Three amendments were proposed and adopted on the House floor. The first one, offered by Rep. R. Turner, changed the effective date to December 1, 2017. The second offered by Rep. McNeill, exempted the fabrication of eyeglasses from capitated prepaid health plan contracts under Medicaid transformation. This was the goal of HB 156. The third was technical and deals with the effective dates of three parts of the bill.

Actions Taken:

SB 344 was removed from House Rules and placed on the Wednesday calendar. It was amended twice on second reading and passed with only one no vote. It was amended once on third reading and pass unanimously and was sent to the Senate. The Senate voted to concur with the House amendments. The bill was then sent to the Governor.

Improve Security/Upper Level/Parking Lot 65

Description:

House Bill 719 would make all of the parking spaces in the upper level of Parking Deck 65 under the Halifax Street Mall part of the "State legislative buildings and grounds" for purposes of allocation by the Legislative Services Commission and to support strengthened security measures in the Legislative Complex.

Introduced by:

Representatives Arp (R-Union), Saine (R-Lincoln), Dollar (R-Wake) and Lewis (R-Harnett)

Amendments Proposed:

Sen. McKissick proposed an amendment to the bill to allow anyone who currently has a handicapped space in the deck to be able to apply to keep his or her space. This amendment was withdrawn on Tuesday before the Senate vote. Sen. McKissick then offered another amendment that included his original amendment language, but also added language related to enhanced legislative parking authority over Lot 7.

Actions Taken:

The Senate adopted the McKissick amendment and voted unanimously for passage on second and third reading. The bill was then sent to the House. The House voted 115-2 on Wednesday to concur with the Senate amendment. The bill has been sent to the Governor.