

**Legislative Update
for
Week of May 29, 2017**

Legislative Summary

This week the House voted not to concur with the Senate budget and began work on its own version of the biennial spending plan. The Justice and Public Safety section of the House budget contains some notable differences from the Senate plan, including the absence of a provision to establish a separate Department of Adult Corrections and Juvenile Justice. In addition, although both chambers provide some funding to fight the opioid abuse epidemic, the House and Senate address the issue differently and at different funding levels. The House also provides support in its budget for Raise the Age and includes a reserve for pending legislation, which the Senate budget does not include.

There are also some similarities between the two plans. The House budget mirrors that of the Senate in eliminating vacant positions throughout the department. The House, however, proposes a more drastic measure by reducing funding for salary and benefits to reflect actual expenditures. This proposal would significantly impact the department's ability to generate lapsed salaries required to address critical operational needs.

Bills of Interest

SENATE

Two bills were taken up by the Senate this week that pertain to the Department of Public Safety. They are as follows:

Workers' Compensation/Prison Inmates ([H205](#))

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 Rep. Zachary (R-Yadkin)

Amendments Proposed:

No further amendments were proposed this week.

Actions Taken:

H205 was in heard in Senate Finance on Wednesday, May 31, and in Senate Rules on Thursday, June 1. The Press Association openly opposed the bill during both committee meetings based on the language treating newsprint workers as employees. Notwithstanding the opposition, H205

bill passed out of both committees and went to the Senate floor, where it passed second reading by a vote of 32-13. It was placed on the Senate's Monday night calendar for third and final reading. Because the PCS was introduced on the Senate side, H205 will be sent back to the House for concurrence if it passes the third Senate vote.

National Guard Reemployment Rights/Definitions ([H487](#))

Description:

This bill 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:

None

Actions Taken:

H487 was reported favorably out of Senate Rules on Thursday, June 1, and was subsequently passed by the Senate on second and third reading. Having passed both chambers, it will be sent to the Governor for his signature.

HOUSE

Appropriations Act of 2017 ([S257](#))

The work in the House this week was directed toward passing its chamber's budget. The House Appropriations Committee met Wednesday morning to discuss the budget and to consider amendments. Of the 69 amendments offered during the meeting, the Appropriations Committee adopted seven that pertain to the Department of Public Safety. They were offered by Reps. McNeill, Hardister, Boles and Rogers and are listed below.

Rep. McNeill's amendments

- Provide a 1-to-1 match requirement for body camera grants awarded to local government law enforcement agencies. (Currently, the match requirement is \$2 of local money for every \$1 of state money to receive these grants.
- Establish exemptions for Alcohol Law Enforcement and State Capitol Police from the State Motor Fleet policy requiring agencies to transfer ownership, custody or control of passenger motor vehicles within the ownership. This is pursuant to policy change of establishing these agencies as separate new divisions within DPS.

- Removes \$1M from Grants for Law Enforcement Body Cameras and redirects the money as follows: \$225K to Samarcand for training facility, \$100K to State Capitol Police for Equipment, \$425K to Reentry Councils, and \$250K for Panic Alarm in Schools
- Requires DPS in collaboration with DHHS to study Inmate Health Exchange Software.

Rep. Boles' amendment

- Removes \$1,000,000 from Grants for Law Enforcement Body Cameras and redirects the money to go to the SBI for Equipment Purchases. (Note: Boles' and McNeill's amendments remove all of House grants for cameras in this budget)

Rep. Rogers' amendment

- Takes \$1M of Viper Tower Construction funds and directs it to IDS attorneys' fees for private assigned counsel. The stated intent behind the provision was to put the IDS issue into controversy and to restore the \$1M for Viper Tower Construction during the conference process.

Rep. Hardister's amendment

- Authorizes the Nash Correctional Institution Field Ministry Program Facility

House Appropriations gave S257 a favorable report, and the bill went to the House floor for second reading on Thursday, June 2. The bill passed second reading in a bipartisan fashion with a vote of 82-34. Third reading happened shortly after midnight on Friday morning. The vote garnered a similar result, 80-31.