



INTRODUCTION

The Storm Before the Calm

The two weeks before a session's bill filing deadline (which is April 10 for the House this year) are always hectic, and there are always a few bills out of the dozens if not hundreds that grab the headlines for their outlandish, grandiose or simply controversial impacts (see the bill that would have had North Carolina minting its own currency, for one example from recent years). This week a flurry of bills were filed or saw action that, depending on one's ideological leanings, either belong in that category or are just a part of the righting of our state's listing ship after years of Democratic rule. A bill that would have made North Carolina exempt from the First Amendment and allowed to establish a state religion, which was quickly declared dead on arrival by the House Speaker, seemed to be one of the only controversial bills that a bipartisan majority could agree went too far. Other bills, including ones that would require background checks for welfare applicants, dismantle UNC's co-ed housing program, allow sweepstakes parlors to operate legally, roll back the state's renewable energy portfolio, eliminate tax breaks for parents whose children vote at their college address and the long-awaited Voter ID bill, instead became part of the expanding battlefield of ideas, priorities and agendas at the Capitol. With another week before the deadline, and likely hundreds of additional last-minute bill filings, expect that battlefield to grow in scope and pitch, before the brief and relative calm that will follow.

McCrorry Unveils His Medicaid Reform Plan

On April 3 Governor McCrorry held a press conference to announce his proposal to overhaul how Medicaid services are delivered in North Carolina. McCrorry called the current system "broken," and said, "right now, the system does not treat the whole person. It separates physical health from mental health and even substance abuse. People can't get better. They can't break the cycle of illness or addiction, and that's costing a lot of money and is not serving patients." Citing a recent audit by the state Auditor's office that determined the state spends \$180 million more on Medicaid administration than similar states, McCrorry detailed his plan to turn the plan's administration over to "three or four" comprehensive care entities, which would receive a certain amount per patient each month. The entities would be responsible for any cost overruns but would also be able to benefit from savings they manage to achieve. The plan was immediately criticized by some as the beginning of Medicaid privatization, while current entities involved in providing these services (such as Community Care of North Carolina) publically moved to defend their position. DHHS Secretary Wos spent time selling the plan on Jones St. and working with legislators to write a bill that would put the plan into effect, while neither Speaker Tillis nor President Pro Tem Berger rushed to endorse it.



NORTH CAROLINA GROUND WATER ASSOCIATION



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The Governor predicted a tough fight against entrenched interests before his plan could be enacted, which became perhaps one of the only things he's said in his first 100 days in office that everyone in Raleigh could agree.

PRIVATE WELL WATER EDUCATION ACT

HOUSE BILL 396, Enact Private Well Water Education Act, was amended by the House Environment Committee to require local health departments to educate private citizens who contact local health departments regarding the testing of an existing well in the same way as citizens who are using new private drinking water wells. Citizens would be educated on: (1) the scope of the testing required; (2) available optional testing; (3) the limitations of both the required and optional testing; and (4) minimum drinking water standards. Local health departments would also be required to provide this information along with any test results provided to the owner of a private drinking water well. **The bill as amended was approved by the House Environment Committee and will next be considered by the full House.**

BILLS OF INTEREST

HOUSE JOINT RESOLUTION 494, Rowan County Defense of Religion Act of 2013, would support the establishment of an official religion in North Carolina, and ignore certain federal court rulings. The bill would declare that the North Carolina General Assembly (1) asserts that the US Constitution does not prohibit states or their subsidiaries from making laws respecting an establishment of religion, and (2) does not recognize federal court rulings which prohibit and otherwise regulate the State, its public schools, or its political subdivisions from making laws respecting an establishment of religion. This resolution was requested by Rowan County, and arose out of a dispute between the Rowan County Board of Commissioners and the American Civil Liberties Union regarding Christian prayers at the Board's meetings. **Introduced by Representatives Ford and Warren and referred to the House Rules Committee. On Thursday, April 4th, House Speaker Thom Tillis' office indicated that this resolution will not be brought to a vote, and will not be considered further this session.**

HOUSE BILL 499, Increase Fine for Texting While Driving, would increase the fine for fine for operating a motor vehicle while text messaging or reading e-mail from \$100 to \$200. **Introduced by Representative Pierce and referred to the House Judiciary Committee.**

HOUSE BILL 504, Local Electronic Notice, would allow the Counties of Buncombe, Guilford, Henderson, Mecklenburg, Mitchell, Perquimans, Stanly, Surry, and Wake and any municipality located wholly or partly within those counties to adopt an ordinance providing that any notice it is required by law to publish or advertise may be published on their website. Each city or county would be required to file a true copy of each notice in a notice book separate and apart from its ordinance book or minute book, which would be indexed and maintained for public inspection in the office of the city clerk or the county register of deeds. **Introduced by Representatives McGrady, Stam, Jackson, and Hardister and referred to the House Judiciary Committee.**

HOUSE BILL 518, Second Amendment Protection Act, would provide that a personal firearm, firearm accessory, or ammunition that is manufactured commercially or privately in North Carolina and that remains exclusively within the borders of North Carolina is not subject to

federal law, taxation, or regulation, including registration. A firearm manufactured or sold in North Carolina under this act would be required to have the words "Made in North Carolina" clearly stamped on a central metallic part, such as the receiver or frame. A person who enforces or attempts to enforce a federal order, law, rule, or regulation relating to such personal firearm, firearm accessory, or ammunition would be guilty of a Class 1 misdemeanor. The bill also would authorize the Attorney General to defend, upon request, a North Carolina citizen who is prosecuted by the US government for violation of a federal law relating to the manufacture, sale, transfer, or possession of a firearm, firearm accessory, or ammunition manufactured and retained exclusively within the borders of North Carolina. **Introduced by Representatives Jones, Holloway, R. Brown, and Millis and referred to the House Judiciary Committee.**

HOUSE BILL 521, Governance of Department of Public Instruction, would amend the State constitution, if approved by voters in a statewide election held in November 2014, to change the membership and terms of the State Board of Education, make the Superintendent of Public Instruction a member of and Chair of the State Board of Education, and authorize the Governor to appoint the State Superintendent of Public Instruction (currently the Superintendent is a state-wide elected official). **Introduced by Representatives Holloway, Blackwell, Malone and Elmore and referred to the House Education Committee.**

HOUSE BILL 524, Greensboro Charter Amendments, would amend the City of Greensboro charter to authorize the City to establish a race and gender neutral Small Business Enterprise Program to promote the development of small businesses in the Greensboro market area and enhance opportunities for small businesses to participate in City contracts. The bill also would change certain references from building inspector to compliance officer. **Introduced by Representatives Harrison, Hardister, Adams, and Brandon and referred to the House Government Committee.**

HOUSE BILL 528, Mass Layoffs/Displaced Worker Assistance, is identical to Senate Bill 579, summarized below in this legislative report. **Introduced by Representative Pierce and referred to the House Appropriations Committee.**

HOUSE BILL 552, Remove Area from County Service District, would allow a board of commissioners to adopt a resolution after a public hearing to remove territory from a service district upon finding that: (1) 100% of the owners of real property in the territory to be removed have petitioned for removal; (2) the territory to be removed no longer requires the services, facilities, or functions financed, provided, or maintained for the district; and (3) the service district was created only to provide sewage collection and disposal systems, or water supply and distribution systems, or both. **Introduced by Representative McElraft and referred to the House Government Committee.**

HOUSE BILL 582, Legal Services, would allow a nonprofit corporation, tax exempt under 26 U.S.C. § 501(c)(6), or organized or authorized under GS Chapter 55A and operating as a professional and trade association or business league, to render legal services solely by and through attorneys duly licensed to practice law in North Carolina to its members consistent with its mission, charter, or purpose, subject to the rules and regulations of the North Carolina State Bar. The nonprofit corporation would be required to ensure that only an attorney licensed to practice law in North Carolina is in control of the manner or course of the legal services rendered, and continually satisfy the criteria for 501(c)(6) status. A nonprofit corporation that provides legal services to an association or corporate member: (1) would provide to the member its written policy regarding identification of the client served, the process for avoiding or

resolving potential conflicts of interest, the scope of services available, and any fees that may apply prior to accepting a legal matter; (2) could charge for the legal services of its officers, employees, and agents rendered to its members, collect for those charges, and compensate those who render the legal services; and (3) would be required to register with the North Carolina State Bar Council, including a statement of the corporation's mission, charter, and purpose. **Introduced by Representatives McGrady, Torbett, Harrison, and Blackwell and referred to the House Rules Committee.**

HOUSE BILL 589, VIVA. This bill is the Voter ID legislation that has been discussed at length in public hearings. The Republican caucus has promised to push through voter ID legislation this year and the Governor has signaled his willingness to sign it into law. The bill would establish a Voter Information Verification Advisory (VIVA) board, which would have at least three, but no more than five, members who are registered voters of the State and appointed by the State Board of Elections. The VIVA board would:

- promote voter registration;
- assist in voter registration drives, and in recruiting poll workers for election day;
- provide education to the public about voter registration and casting a ballot, including information about any identification requirements of voting, voting by mail-in absentee ballot, and voting by early one-stop ballot;
- assist, as requested, in other matters related to voter registration, voting, counting of ballots, and candidacy for elected office, including helping individuals registered to vote without photo identification to obtain photo identification appropriate for voting;
- develop a system of identifying and training volunteers;
- attend training for county board of elections members; and
- reach out to State and local governmental agencies, political parties, and nonprofit organizations operating in this State to help identify registered voters without photo identification appropriate for voting and assist those voters in obtaining the appropriate photo identification.

The bill would allow counties to also offer voter registration through senior centers or facilities and parks and recreation services operated by the county, if approved by the State Board of Elections, the county board of elections, and the county board of commissioners.

In addition, the bill would require all individuals voting in person to present photo identification, and would permit a voter without photo identification to vote a provisional official ballot. The bill specifies the forms of acceptable photo identification, and includes provisions regarding the declaration of a religious objection to being photographed. A registered voter could obtain a special identification card without paying a fee, if he or she signs a sworn statement stating he or she is registered to vote, does not have other acceptable photo identification, and that paying the fee would present a financial hardship. The bill also would amend the information required to request an absentee ballot, including requiring the person to include on the form his or her drivers, learner's permit, or provisional license number; special identification card for nonoperators number; or the last four digits of his or her social security number. The bill also would require information on the photo identification requirement for voting in person to be included in the Judicial Voter Guide.

The bill would direct the State Board of Elections to study and report to the Joint Legislative Elections Oversight Committee, on or before April 1, 2014, on a secure and feasible method of creating and utilizing electronic pollbooks with digital photographs of registered voters. The study would address: (1) obtaining digital photographs of registered voters and verifying identity of those voters; (2) maintaining information stored electronically in a secure fashion; (3) using

electronically stored information, including digital photographs and electronic signatures, to create electronic pollbooks; (4) using electronic pollbooks to assist in identifying individuals attempting to vote more than once in an election; and (5) any other related matter identified by the State Board impacting the use of digital and electronic information in the voting place. **Introduced by Representatives Warren, Murry, T. Moore, and Samuelson and referred to the House Elections Committee.**

SENATE BILL 439, Amend and Restate NC Limited Liability Company Act, would amend and restate the North Carolina Limited Liability Company Act and make other conforming changes, including: (1) repealing NCGS 57C and enacting a new NCGS 57D, North Carolina Limited Liability Company Act; (2) providing that GS 57D and any other applicable state laws govern (i) the internal affairs of every LLC, including the interpretation, construction, and enforcement of operating agreements and determining the rights and duties of interest owners, managers, and other company officials, and (ii) any liability that interest owners or managers or other company officials may have for the liabilities of the LLC; and (3) providing that State superior courts have jurisdiction to enforce the Chapter's provisions. **Introduced by Senators Clodfelter, Barringer, and Brunstetter and referred to the Senate Judiciary I Committee.**

SENATE BILL 579, Mass Layoffs/Displaced Worker Assistance, would establish the Workforce Displacement Benefit Program to provide uniform payments to workers who are displaced as a result of a mass layoff that has been identified by the Governor as a major distress event. These payments would be available only after any unemployment benefits that the individual may be eligible to receive have been exhausted. A "mass layoff" would be a reduction-in-force that affects at least 500 employees from a single facility or business entity within a locality within a 20-week period. **Introduced by Senator Clark and referred to the Senate Rules Committee.**

SENATE BILL 580, Expedite Cleanup of Orphan Landfill Sites, would direct the Department of Environment and Natural Resources to implement a public-private partnership for cleanup of pre-1983 landfills using funds in the Inactive Hazardous Sites Cleanup Fund. The Division of Solid Waste would develop a plan for a pilot public-private partnership for cleanup of no less than nine pre-1983 landfill sites and present it to the Environmental Management Commission for approval no later than October 1, 2013. **Introduced by Senator Tarte and referred to the Senate Agriculture/Environment/Natural Resources Committee.**

SENATE BILL 593, Civil Litigation Costs Reform Act of 2013, would allow the presiding judge, in his or her discretion, to award costs and/or reasonable attorneys' fees in a civil action, upon the issuance of a written order that includes findings of fact detailing the factual basis for the award. Counsel of record in actions subject to an award of attorneys' fees would be required to maintain accurate, up-to-date records of hours worked on the matter regardless of the fee arrangement with the client. The court could decline to award fees to a prevailing defendant otherwise eligible for a fee award or could reduce the fee award, if it finds that the defendant's costs are excessive, speculative, or not adequately documented. This section would not apply when a specific statute otherwise addresses an award of attorneys' fees, except for GS 6-21 (Allowance of counsel fees as part of costs in certain cases) which would apply concurrently. **Introduced by Senator J. Davis and referred to the Senate Judiciary I Committee.**

SENATE BILL 609, Regional Transportation Authorities, would reorganize the statutes relating to regional public transportation, and authorize local governments to create regional transportation funding agreements (RTFA). The bill would allow counties that are participants in the RTFA to levy a sales and use tax of one-half percent, and a tax of 5¢ per gallon on the retail

sale of gasoline and diesel fuel. The taxes would be used only to finance the planning, design, right-of-way acquisition for, and construction of projects that are included on the RTFA project list. The bill also would enact the Regional Transportation Funding Agreement Sales Tax to provide for the levy, collection, distribution, administration, and expiration of the sales and use tax. **Introduced by Senator Clodfelter and referred to the Senate Transportation Committee.**

SENATE BILL 611, Public Contracts/Project Labor, is identical to House Bill 110, summarized in the February 15, 2013, legislative report. **Introduced by Senator Brown and referred to the Senate Commerce Committee.**

SENATE BILL 612, Regulatory Reform Act of 2013, would include a variety of provisions regarding regulatory reform, including:

- requiring the Environmental Management Commission to adopt rules to implement a fast-track permitting process for (1) the issuance of stormwater management system permits and (2) approval of erosion and sedimentation control plans by the Department or a local erosion and sedimentation control program without a technical review when the permit applicant complies with the Minimum Design Criteria and submits a permit application sealed by a professional engineer;
- directing the Department of Environment and Natural Resources to identify other permitting programs for which the fast-track permitting process would be appropriate and make a report, including proposed legislation, to the Environmental Review Commission no later than May 1, 2014;
- clarifying that a city or county ordinance is not consistent with State or federal law when the ordinance regulates a field that is also regulated by a State or federal statute or regulation and the ordinance is more stringent than the State or federal statute or regulation;
- clarifying the laws relating to groundwater compliance boundaries by requiring a person required to obtain an individual permit from the Commission for a disposal system to have a compliance boundary as established by the Commission for various categories of disposal systems and beyond which groundwater quality standards may not be exceeded;
- providing that if operation of a permitted disposal system results in an exceedance of the groundwater quality standards, the Commission must require that the exceedances be remedied through clean-up, recovery, containment, or other response when: (1) a violation of any water quality standard in adjoining classified waters of the State occurs or can be reasonably predicted to occur considering hydrogeological conditions, modeling, or any other available evidence; (2) an imminent hazard or threat to the environment, public health, or safety exists; or (3) a violation of any standard in groundwater occurring in the bedrock other than limestones found in the Coastal Plain sediments, unless it can be demonstrated that the violation will not adversely affect, or have the potential to adversely affect, a water supply well;
- extending the terms of certain environmental permits; and
- providing for an exemption to riparian buffer requirements for certain private properties in the Neuse River and Tar-Pamlico River Basins.

Introduced by Senators Brown, Jackson, and Brock and referred to the Senate Agriculture/Environment/Natural Resources Committee.

SENATE BILL 614, WC/Omnibus Changes, would amend the insurance laws relating to the notice required for cancellation of workers' compensation insurance policies, and amend the Workers' Compensation Act concerning the status of truck drivers as employees or independent

contractors and relating to out-of-state accidents and state reciprocity of claims. **Introduced by Senator Brown and referred to the Senate Insurance Committee.**

SENATE BILL 619, Study/Water Quality Cost Share, would establish the Legislative Study Commission on Water Quality Cost Share to study the costs and benefits of improving water quality in reservoirs, rivers, and other water resources shared by local governments. The Commission would consider: (1) the water quality issues for local governments located both upstream and downstream from water resources; (2) the wastewater treatment standards that local governments must meet; (3) the cost of complying with water quality and wastewater treatment standards; (4) the benefits received by local governments by complying with those standards; and (5) possible alternatives to the current rate structure, treatment programs, and technology used by the State and local governments with regard to water quality and wastewater treatment. **Introduced by Senator McKissick and referred to the Senate Rules Committee.**

SENATE BILL 620, Allow More Than One Expunction, would authorize the court, in its discretion, to allow a person who was charged with a nonviolent crime when the person was less than 26 years old and later had the charges expunged and who is charged with a subsequent nonviolent crime that was dismissed or for which there are findings of not guilty to expunge the subsequent criminal charges. The petition to expunge the charges for the subsequent crime could not be filed earlier than five years after the date that the order for the first expunction was entered. **Introduced by Senators McKissick and Daniel and referred to the Senate Rules Committee.**

SENATE BILL 621, Prohibit Employment Discrimination/Poor Credit History, would prohibit a person, firm, corporation, unincorporated association, State agency, local government, or a public or private entity from denying or refusing employment to a person due to his or her credit history or credit rating. The employer could request that a prospective employee submit to a credit history background check as part of the application process, if creditworthiness or credit standing is directly related to the ability to perform essential functions of the employment sought. **Introduced by Senators McKissick and Daniel and referred to the Senate Rules Committee.**

SENATE BILL 623, Automatic License Plate Readers, would make it unlawful for a person to use an automatic license plate reader system, except as follows: (1) to enforce parking laws and ordinances; (2) to control access to secured areas; (3) electronic toll collection; and (4) when used by a law enforcement agency to compare captured plate data with various data to identify outstanding parking or traffic violations, vehicle registration and inspection violations, a stolen vehicle or stolen license plate, a vehicle registered to an individual for whom there is an outstanding warrant for arrest or order of arrest for a felony violation, or a vehicle associated with a missing person. Captured plate data obtained for these purposes could not be used or shared for any other purpose, or preserved for more than 10 days except pursuant to a preservation request, a disclosure order, or a valid search warrant. An investigative or law enforcement officer could apply to the court for an order compelling disclosure of captured plate data, and the court would issue the order if the requesting officer offers specific facts showing that there are reasonable grounds to believe that the data is relevant and material to an ongoing criminal or missing persons investigation. The bill includes reporting requirements for persons that use an automatic license plate reader system. An aggrieved party could bring a civil action against a person who violates these provisions, and the court could award the following to a prevailing plaintiff: (1) the greater of (i) actual damages or (ii) liquidated damages in the amount of \$1,000; (2) reasonable attorneys' fees and other costs of litigation; or (3) injunctive relief. A

person who willfully and knowingly violates the restrictions of the use of the system would be guilty of a Class 1 misdemeanor. **Introduced by Senators McKissick and Bingham and referred to the Senate Transportation Committee.**

SENATE BILL 628, DMV Block Registration/Unpaid Parking Fines, would authorize the Division of Motor Vehicles to refuse registration or issuance of a certificate of title or transfer of registration upon notification by a city that the owner of the motor vehicle has unpaid parking fines or penalties. The refusal would continue until the city notifies the DMV that the person has: (1) demonstrated that he or she is not the person charged with the offense in which the fine was imposed; (2) paid the fine or penalty owed; or (3) demonstrated that the failure to pay the fine or penalty was not willful and that he or she is making a good faith effort to pay the fine or penalty. **Introduced by Senators Wade, Tillman, and Barringer and referred to the Senate Transportation Committee.**

SENATE BILL 629, NC Back-to-Work Program. This legislation would: (1) clarify that a person has satisfied the work search requirements for unemployment benefits eligibility for a given week if he or she is participating in the North Carolina Back-to-Work initiative; and (2) direct the Department of Commerce, Division of Employment Security, in collaboration with the State Board of Community Colleges, to disseminate information on the program. **Introduced by Senator Bingham and referred to the Senate Education/Higher Education Committee.**

SENATE BILL 633, No Voting by Those Adjudicated Incompetent, would amend the State constitution, if approved by voters in a statewide election held in November 2014, to prohibit a person who has been adjudicated incompetent, and who has not been restored to competency, from being permitted to vote. **Introduced by Senator Newton and referred to the Senate Rules Committee.**

SENATE BILL 645, UI/Work Sharing Options for Employers, would enact a new Short-Time Compensation Program, which would allow an employer that wishes to participate in the Program to submit to the Division of Employment Security a signed, written short-time compensation plan for approval. The bill would direct the Division to develop an application form to request approval of a plan and an approval process. The application would include:

- the affected unit or units covered by the plan, including the number of full-time or part-time workers in the unit, the percentage of workers in the affected unit covered by the plan, identification of each individual employee in the affected unit by name, social security number, and the employer's unemployment tax account number, and any other information required by the Division to identify plan participants.
- a description of how workers in the affected unit will be notified of the employer's participation in the plan if the application is approved, and, if the employer will not provide advance notice to workers, the employer would explain in the application why it is not feasible to provide the notice;
- a requirement that the employer identify the usual weekly hours of work for employees in the affected unit and the specific percentage by which their hours will be reduced during all weeks covered by the plan, which could be no less than 10% or more than 60%;
- certification by the employer that, if the employer provides health benefits and retirement benefits to any employee whose usual weekly hours of work are reduced under the Program, the benefits will continue to be provided to employees participating in the Program under the same terms and conditions as though the usual weekly hours of the employee had not been reduced or to the same extent as other employees not participating in the Program;

- certification by the employer that the aggregate reduction in work hours is in lieu of layoffs, whether temporary or permanent layoffs or both, and an estimate of the number of workers who would have been laid off in the absence of the plan;
- agreement by the employer to (i) furnish reports to the Division relating to the proper conduct of the plan, (ii) allow the Division access to all records necessary to approve or disapprove the plan application and, after approval of the plan, monitor and evaluate the plan, and (iii) follow any other directives the Division deems necessary for the agency to implement the plan;
- certification by the employer that participation in the plan and its implementation is consistent with the employer's obligations under applicable federal and state laws;
- the effective date and duration of the plan, which could expire no later than the end of the 12th full calendar month after the effective date; and
- any other provision added to the application by the Division that the U.S. Secretary of Labor determines to be appropriate for purpose of a Program.

The Division would be required to approve or disapprove a plan in writing within 30 days of its receipt, promptly communicate the decision to the employer, and identify the reasons for a disapproval for a decision disapproving the plan. The bill includes additional provisions regarding the revocation and modification of approval of plan, eligibility for short-time compensation, and benefits. **Introduced by Senator Hartsell and referred to the Senate Rules Committee.**

SENATE BILL 648, NC Commerce Protection Act of 2013, would make it unlawful for a person to willfully make false statements or representations or to fail to disclose requested information as part of an employment application that he or she knows to be false or incomplete for the purpose of gaining access to the employer's facilities to: (1) create or produce a record that reproduces an image or sound occurring within the employer's facility, including a photographic, video, or audio record; or (2) capture or remove data, paper, records, or any other documents through duplication, downloading, image capture, electronic mail, electronic transfer, or other means. A violation would be a Class 1 misdemeanor for the first conviction, and a Class I felony for a second or subsequent conviction. Any recording made or information obtained would be required to be turned over to local law enforcement within 24 hours of recording or procurement, and could not be spliced, edited, or manipulated in any way prior to its submission. The failure to turn over a record as required would be a Class 1 misdemeanor for the first conviction, and a Class I felony for a second or subsequent conviction.

The bill also would enact a new Predatory Third Party Financing of Litigation Act, which would make it unlawful for a lawsuit loan company to enter into a lawsuit loan with a consumer with respect to a legal action in which the consumer is a party, provide that all lawsuit loan contracts are void and unenforceable and that a violation is an unfair trade practice. **Introduced by Senators Jackson, Meredith, and J. Davis and referred to the Senate Commerce Committee.**

SENATE BILL 658, UNC/Dormitory Rules, would require the University of North Carolina to prohibit the assignment of members of the opposite sex to the same dormitory room, dormitory suite, or campus apartment unless the students are siblings or legally married with a valid marriage license on file at the campus housing office. **Introduced by Senators Curtis, Clark and Barefoot and referred to the Senate Rules Committee.**

SENATE BILL 661, Public Utility/HOA Exemption, would provide that a water, sewer, electric, thermal, or a central district heating and cooling system owned or leased by a homeowners

association or a commercial association that provides water, sewer, electric, or thermal service, or any combination of these services, only to members or leaseholds of members is not a public utility. **Introduced by Senator Kinnaird and referred to the Senate Rules Committee.**

SENATE BILL 666, Election Law Changes, would make a variety of amendments to the State's election laws. These amendments would include: (1) prohibiting dependency deductions for qualifying children who have registered to vote at a different address; (2) clarifying residential addresses that may be used for voting; (3) prohibiting voter registrations that lack required information; (4) clarifying the rights of election observers; (5) repealing same day voter registration; (6) limiting early voting to ten days; and (7) eliminating satellite early voting sites. **Introduced by Senators Cook, Sanderson, and Rabin and referred to the Senate Rules Committee.**

SENATE BILL 667, Equalize Voter Rights, would provide that if a child registers to vote at an address other than that of a parent, then that parent may not claim a personal exemption on account of such child for State income tax purposes. The county board of elections would be required to notify each newly registered voter that: (1) if the voter is a dependent of the voter's parent or legal guardian, is 18 years of age or older, and the voter has registered at an address other than that of the parent or legal guardian, the parent or legal guardian will not be allowed to claim the voter as a dependent for State income tax purposes; and (2) if the voter owns a motor vehicle, that vehicle must be registered at the same address as the voter's address within 60 days as required by law and that the vehicle is subject to local property tax in that jurisdiction as required by law. **Introduced by Senators Cook, Sanderson, and Rabin and referred to the Senate Rules Committee.**

SENATE BILL 668, Restrict Mentally Incompetent From Voting, would amend the State constitution, if approved by voters in a statewide election held in November 2014, to prohibit a person adjudicated incompetent from being permitted to vote unless an order is entered that the person is restored to competency. The State Board of Elections would report to the county board of elections each month the name and address of each individual for whom an order adjudicating the individual incompetent has been entered in the county in the preceding calendar month. When a county board of elections receives the notice relating to a resident of that county and that person is registered to vote in that county, the board would remove the person's name from its registration records after giving 30 days' written notice to the voter at his or her registration address, and if the voter makes no objection. If the voter notified the county board of elections of his or her objection to the removal within 30 days of the notice, the board of elections would enter a challenge, and the notice the county board received would be prima facie evidence for the preliminary hearing that the registrant was adjudicated incompetent. The State Board of Elections and the Administrative Office of the Courts would develop and implement educational programs and procedures for persons to apply to register to vote at the time an order is entered that they are restored to competency. **Introduced by Senators Cook and Rabin and referred to the Senate Rules Committee.**

SENATE BILL 669, Reduce the Individual Income Tax Rate, would provide for phase-in reductions of the individual income tax rate, and direct the Revenue Laws Study Committee to study the elimination of the individual income tax as a General Fund revenue source and report its findings and recommendations to the General Assembly. **Introduced by Senators Rucho, Rabon, and Berger and referred to the Senate Finance Committee.**

SENATE BILL 679, Capacity Use Area/Water Reduction Rate, would direct that the prescribed water use reduction rate for certain areas of the Central Coastal Plain Capacity Use Area be capped at 25% unless the water levels drop below the water levels of January 1, 2012. The bill also would direct the Environmental Management Commission to do a detailed study and assessment of the current state of the entire Central Coastal Plain Capacity Use Area. **Introduced by Senator D. Davis and referred to the Senate Rules Committee.**

SENATE BILL 684, Eliminate Designation of Political Party, would eliminate the designation of tax on a tax return by an individual to a political party for the North Carolina Political Parties Financing Fund. **Introduced by Senator Goolsby and referred to the Senate Rules Committee.**

SENATE BILL 685, Concealed Handgun Permit/Certain Exceptions, would exempt a North Carolina district or superior court judge, magistrate, clerk of court, or register of deeds who has a valid concealed handgun permit from the general prohibition against carrying a concealed weapon and from the prohibitions against carrying a weapon on certain premises, including in a law enforcement or correctional facility, and in a building housing only State or federal offices. The person would not be allowed to carry a concealed weapon at any time while consuming alcohol or an unlawful controlled substance or while alcohol or an unlawful controlled substance remains in his or her body, and would have to secure the weapon in a locked compartment when the weapon is not on his or her person. **Introduced by Senator Goolsby and referred to the Senate Rules Committee.**

SENATE BILL 688, Online Voter Registration with License/ID, would allow a person who is eligible to vote and who has a valid North Carolina driver's license, learner's permit, or provisional license or a special identification card for non-operators to register to vote online. The bill would direct the State Board of Elections to establish a secure website to allow eligible persons to complete and submit voter registration applications online, and to report a change of name, address, or party affiliation. The county board of elections in conjunction with the State Board of Elections would verify the North Carolina driver's license or social security number provided upon the receipt of an online registration request. E-mail addresses and electronic data associated with online registration generated by the voter, the State Board of Elections or a county board of elections in the voter registration process would be confidential and would not be considered public records. **Introduced by Senators Bryant, Parmon, and McKissick and referred to the Senate Rules Committee.**

SENATE BILL 691, Unlawful to Assist Another to Commit Suicide, would make it unlawful for a person who knows that another individual intends to commit suicide to: (1) provide the means by which the individual commits or attempts to commit suicide; (2) participate in an act by which the individual commits or attempts to commit suicide; or (3) help the individual plan to commit suicide. These provisions would not apply to withholding or withdrawing medical treatment, and it would not be unlawful to administer, prescribe, or dispense medications or procedures, by or at the direction of a licensed health care professional, for the purpose of alleviating another person's pain or discomfort, even if the medication or procedure may increase the risk of death as long as the medication or procedure is not intentionally administered, prescribed, or dispensed for the purpose of causing death or assisting in causing death for any reason.

The bill would allow specified persons to apply to the court for injunctive relief against a person who is reasonably believed to be about to violate or who is in the course of violating these

provisions, and to bring an action for compensatory and punitive damages whether or not the plaintiff had prior knowledge of the violation or attempt. The court would award a reasonable attorneys' fee as part of costs to the prevailing plaintiff, or to the defendant, if the court finds that the action or proceeding was brought frivolously or in bad faith. In addition, the bill would authorize the licensing agency which issued a license or certification to a licensed health care professional who assists in a suicide in violation of these provisions to revoke or suspend the person's license or certification upon receipt of specified documentation. **Introduced by Senators Sanderson, Brock, and Cook and referred to the Senate Health Care Committee.**

SENATE BILL 699, Judicial Appointment/Voter Retention, would amend the State constitution, if approved by voters in a statewide election held in November 2014, to replace the present practice of selecting justices and judges of the appellate division and judges of the superior court generally by gubernatorial appointment, followed by elections. The new method would allow: (1) two candidates for justice and judge to be nominated by a Judicial Nominating Commission, the governor will appoint one of them, and at the next election the voters will choose in a nonpartisan election between the two persons; (2) at the end of the term of a justice or judge who has successfully won an election, the question of the justice's or judge's retention in office is submitted for approval or disapproval by nonpartisan vote of the people; (3) provision is made for the case of withdrawal of a candidate before the election; and (4) provision is made for appointment of the chief justice from among the associate justices. **Introduced by Senator Clodfelter and referred to the Senate Rules Committee.**

SENATE BILL 703, Limit Local Regulation of Outdoor Smoking, would prohibit local governments and local community colleges from regulating outdoor smoking in a manner that is more restrictive than State law. **Introduced by Senators Newton, Jackson, and Brock and referred to the Senate Agriculture/Environment/Natural Resources Committee.**

SENATE BILL 705, Local Condemnors Accountability Act, would amend the State constitution, if approved by voters in a statewide election held in November 2014, to prohibit the condemnation of private property by an appointed local government board or authority unless the elected officials making appointments to that board have approved of the condemnation action. The bill would provide that, if the General Assembly authorizes by law the exercise of the power of eminent domain by any local governmental subdivision, and the governing body of that entity is not composed entirely of elected persons (other than persons appointed to fill vacancies in an elective office), then prior to the commencement of any condemnation action, the condemnation action may be filed only if a majority of the members of that entity are appointed by boards consisting of elected officials and a majority of all the entities making appointments to that entity have approved initiation of the condemnation action. **Introduced by Senator Clark and referred to the Senate Judiciary I Committee.**

SENATE BILL 709, Allow DOT to set Max. Speed of 75 MPH, would authorize the Department of Transportation to increase the speed limit on certain interstate highways to a maximum of 75 miles per hour. **Introduced by Senators Hunt, Rabon, and Harrington and referred to the Senate Transportation Committee.**

BILL UPDATES

SENATE BILL 91, Prohibit Expunction Inquiry, was amended in the House Judiciary Subcommittee A to provide that any employer found in violation, by requiring disclosure of expunged arrest, criminal charge, or conviction, would be issued a written warning for a first violation, and be subject to a civil penalty of up to \$500 for each additional violation. **The bill as amended was approved by the House Judiciary Subcommittee A and will next be considered by the full House.**

LEGISLATION ENACTED

SENATE BILL 44, Workers Comp. Coverage/Public Records. This legislation that permits the disclosure of a variety of information pertaining to workers' compensation coverage by the North Carolina Industrial Commission was signed into law by the Governor on April 3, 2013. **Effective: April 3, 2013.**

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