

## The Daily Bulletin: 2016-12-13

### PUBLIC/HOUSE BILLS

H1 (2016 Extra 3) [HOUSE RULES - 3RD EXTRA SESSION 2016](#). Filed Dec 13 2016, *A HOUSE RESOLUTION ADOPTING THE PERMANENT RULES OF THE 2016 THIRD EXTRA SESSION OF THE NORTH CAROLINA HOUSE OF REPRESENTATIVES.*

Adopts the permanent rules of the 2015 Regular Session of the House of Representatives as the permanent rules of the 2016 Third Extra Session, with the following changes: (1) sets 10:00 am as the presumptive next day reconvening time after adjournment if a convening date is not fixed; (2) sets out that committees will be comprised of members and chairs and vice-chairs appointed during the Regular Session and allows the Speaker to appoint other members and fill vacancies; (3) requires any bill or resolution be introduced by submission to the Principal Clerk's Office; (4) allows memorializing resolutions and resolutions adjourning the 2016 Third Extra Session sine die to be introduced and considered; (5) requires all bills to be introduced no later than 5:00 pm December 13, 2016; (6) exempts bills from Rule 31.1(i)'s single subject requirement; (7) provides for streamlined consideration of bills and resolutions by allowing a resolution or bill to be placed on the calendar without being referred by the Speaker to a committee on the same legislative date of its introduction or receipt from the Senate; allows a bill reported favorably to be placed on the favorable calendar on the same day it is reported; allows proposed committee substitutes to be considered in committee without previously being distributed electronically to members; (8) allows bills to be referred to the Standing Committee on Appropriations or the Standing Committee on Finance with unengrossed amendments; (9) requires the first reading and reference of a House or Senate bill to a standing committee on the legislative day of its introduction or its receipt on messages from the Senate, respectively, but requires the Speaker to give notice of each subsequent reading; (10) requires a bill or resolution to be placed on the calendar and considered immediately upon passing its second reading, except for revenue bills, which require three readings under Article II, Section 23, of the NC Constitution; (11) allows same-day receipt and calendaring of conference reports, and co-sponsoring of bills or resolutions only during the day which they are first read and referred, while in the possession of the House; (12) requires all bills to be sent by special message to the Senate, and all ratified bills subject to gubernatorial veto sent by special message to the Governor; and (13) allows voting to override a gubernatorial veto on a bill the same legislative day of notice of its calendaring.

**Intro. by Lewis.**

[HOUSE RES](#)

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[Government, General Assembly](#)

H 2 (2016 Extra 3) [DISASTER RECOVERY ACT OF 2016](#). Filed Dec 13 2016, *AN ACT TO ENACT THE DISASTER RECOVERY ACT OF 2016.*

Part I names the act "The Disaster Recovery Act of 2016."

Part II states legislative findings of unmet needs for impacts and damages caused by Tropical Storms Julia and Hermine, Hurricane Matthew, and western North Carolina wildfires; further finds that the benefits of programs authorized in the act serve the public purpose of collective recovery from these natural disasters.

Part III defines the scope of the act as being all counties covered under presidential disaster declarations and gubernatorial executive orders for the natural disasters named in Part II (hereinafter "natural disasters").

Part IV appropriates \$100,928,370 in nonrecurring funds from the Savings Reserve Account ("Rainy Day Fund") and \$100 million in nonrecurring funds from the unappropriated General Fund balance for disaster relief. Section 4.1 allocates this total of \$200,928,370 as follows:

- \$20 million to the Housing Trust Fund (established under GS Chapter 122E) to fund housing projects for individuals and families impacted by the natural disasters. The income of eligible recipients cannot exceed 100% of the median income of

the area with family size adjustments based on U.S. Housing and Urban Development figures.

- \$9 million to the Division of Emergency Management to provide additional short-term housing assistance to impacted individuals and families.
- \$11.5 million to the Division of Emergency Management for resilient redevelopment planning and technical assistance in the 49 counties covered under the presidential disaster declaration issued in Hurricane Matthew.
- \$66,228,370 to the State Emergency Response and Disaster Relief Fund to match federal disaster assistance.
- \$10 million to the State Emergency Response and Disaster Relief Fund for future emergencies.
- \$5 million to Golden L.E.A.F., Inc., for small business loans to businesses impacted by the natural disasters.
- \$20 million to Golden L.E.A.F., Inc., and \$10 million to the Department of Commerce Rural Economic Development Division for grants to local governments to construct new infrastructure required for residential development outside the 100-year floodplain and for repair or replacement of existing infrastructure (including water, sewer, sidewalks, storm drainage, and similar projects).
- \$10 million to the Department of Environmental Quality for disaster-related infrastructure and clean-up needs (such as repairs to wastewater and drinking water systems and dams, and solid waste clean-up), and burial site mitigation.
- \$37,950,000 to the Department of Agriculture and Consumer Services for forest service repairs and operational expenses (\$25.5 million), soil and water conservation stream debris removal, farm road repairs, and farm pond and dam repairs (\$12.2 million), and research station dike repairs (\$250,000).
- \$1 million to the State Fire Marshal's Office for grants to volunteer fire departments.
- \$250,000 to the Department of Commerce to assess business needs; the Department shall report findings and recommendations on recovery assistance funds administration to the House and Senate Appropriations committee chairs and Fiscal Research Division by March 1, 2017.

Section 4.2 limits the Governor's expenditure flexibility for funds appropriated in the act by prohibiting the Governor from making budget adjustments otherwise authorized under GS 143C-6-4 or making emergency reallocations of other state funds under GS 166A-19.40. These restrictions are limited to the funds appropriated in the act and not to any other state funds.

Section 4.3 provides that the appropriations made in the act are for maximum amounts necessary to implement the act within the assistance categories and programs authorized under the act.

Section 4.4 provides that the funds appropriated in the act are non-reverting.

Part V (Sections 5.1 – 5.6) provides authorization for various measures to implement the act, including:

- Authorizing the Governor to establish part-time and full-time positions.
- Authorizing the Governor to establish advisory councils.
- Requiring subrogation of insurance proceeds for individuals receiving housing relocation or buy-out assistance from the Hazard Mitigation Grant Program or the State Acquisition and Relocation Fund.
- Encouraging state agencies to purchase goods and services from historically underutilized businesses.
- Stating the General Assembly's intent to review and address continuing unmet needs during 2017 and 2018.
- Prohibiting the expenditure of state funds for constructing new residences within a 100-year floodplain unless the structure conforms to the local jurisdiction's flood plain management ordinance and the property owner maintains federal flood insurance on the property.
- Limiting business assistance to that authorized under the Small Business Administration disaster loan assistance program.

Section 5.7 provides calendar flexibility for local boards of education, cooperative innovative high schools, regional schools, and charter schools that closed any school for at least two consecutive school days during the month of October 2016 due to

Hurricane Matthew; such schools are deemed to have completed any instructional hours and days beyond those closed two days. Charter schools that closed for at least two consecutive days in November 2016 due to the western North Carolina wildfires are granted the same calendar flexibility.

Section 5.8 requires the Office of State Budget and Management to report on a monthly basis to the Senate and House Appropriations committee chairs and the Fiscal Research Division on the implementation of the act, including expenditures of funds.

Section 5.9 waives fees assessed by the Division of Motor Vehicles against residents of counties impacted by Hurricane Matthew for duplicate driver's licenses, commercial driver's licenses, special identification cards, duplicate or corrected certificates of title, replacement registration plates, duplicate registration cards, and late payment of motor vehicle registration renewal fees. These fee waivers are effective October 1, 2016, and expire December 1, 2016.

Section 5.10 directs the Governor to ensure that state disaster relief funds are not expended in a manner that adversely impacts federal assistance eligibility for individuals and businesses, and to avoid expending state funds to cover costs that will be covered by federal funds.

Section 5.11 transfers to the Division of Emergency Management all Community Development Block Grant Disaster Recovery Funds received by the Department of Commerce.

Section 5.12 directs the Governor to recommend in his recommended FY2017-18 budget transferring to the Savings Reserve Account ("Rainy Day Fund") the amount of funds appropriated from that account in this act (\$100,928,370).

Part VI provides that the act is effective when it becomes law unless otherwise provided for in the act.

**Intro. by Dollar, McGrady, J. Bell, Dixon.**

[APPROP](#)

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[Agriculture, Business and Commerce, Courts/Judiciary, Motor Vehicle, Development, Land Use and Housing, Building and Construction, Property and Housing, Education, Elementary and Secondary Education, Environment, Environment/Natural Resources, Government, Budget/Appropriations, Public Safety, State Agencies, Department of Agriculture and Consumer Services, Department of Commerce, Department of Environmental Quality \(formerly DENR\), Department of Public Safety, Department of Transportation, Office of State Budget and Management, State Government, Executive, Local Government](#)

H 2 (2016 Extra 3) [DISASTER RECOVERY ACT OF 2016](#). Filed Dec 13 2016, *AN ACT TO ENACT THE DISASTER RECOVERY ACT OF 2016*.

House committee amendments makes the following changes to the 1st edition.

Amends Part III of the bill concerning the applicability of the act, providing that included provisions also apply to the emergency areas set forth in gubernatorial Executive Order No. 116. Also changes the date of Executive Order No. 115.

Adds new Section 5.7(d) to the bill, requiring the Superintendent of Public Instruction to report on the implementation of the provisions concerning added flexibility in school calendars to accommodate for extraordinary circumstances. Specifically requires a report by March 10, 2017, to the chairs of the House of Representatives and Senate Appropriations committees, and to the Fiscal Research Division on the implementation progress made by local school administrative units, charter schools, and regional schools. Local school administrative units, charter schools, and regional schools must provide implementation information of these provisions to the Superintendent of Public Instruction in the form requested, no later than February 10, 2017.

**Intro. by Dollar, McGrady, J. Bell, Dixon.**

[APPROP](#)

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**Agriculture, Business and Commerce, Courts/Judiciary, Motor Vehicle, Development, Land Use and Housing, Building and Construction, Education, Elementary and Secondary Education, Environment, Environment/Natural Resources, Government, Budget/Appropriations, Public Safety, State Agencies, Department of Agriculture and Consumer Services, Department of Commerce, Department of Environmental Quality (formerly DENR), Department of Public Safety, Department of Transportation, Office of State Budget and Management, State Government, Executive, Local Government**

H 2 (2016 Extra 3) [DISASTER RECOVERY ACT OF 2016](#). Filed Dec 13 2016, *AN ACT TO ENACT THE DISASTER RECOVERY ACT OF 2016*.

House committee substitute to the 1st edition engrosses the committee amendments from the Appropriations Committee, which are summarized in the previous digest.

**Intro. by Dollar, McGrady, J. Bell, Dixon.**

APPROP

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**Agriculture, Business and Commerce, Courts/Judiciary, Motor Vehicle, Development, Land Use and Housing, Building and Construction, Property and Housing, Education, Elementary and Secondary Education, Government, Budget/Appropriations, Public Safety, State Agencies, Department of Agriculture and Consumer Services, Department of Commerce, Department of Environmental Quality (formerly DENR), Department of Public Safety, Department of Transportation, Office of State Budget and Management, State Government, Executive, Local Government**

H 2 (2016 Extra 3) [DISASTER RECOVERY ACT OF 2016](#). Filed Dec 13 2016, *AN ACT TO ENACT THE DISASTER RECOVERY ACT OF 2016*.

House Amendment #2 amends the 2nd edition to conform the language of subsection 4.1(2) to federal disaster relief requirements by specifically referencing emergency sheltering needs and authorizing the Division of Emergency Management to develop, implement, and fund disaster housing assistance programs.

**Intro. by Dollar, McGrady, J. Bell, Dixon.**

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H 3 (2016 Extra 3) [ADJOURN 2016 3RD EXTRA SESSION SINE DIE](#). Filed Dec 13 2016, *A JOINT RESOLUTION PROVIDING FOR ADJOURNMENT SINE DIE OF THE 2016 THIRD EXTRA SESSION*.

States that when the House of Representatives and the Senate adjourn the 2016 Third Extra Session on the date that the adjournment resolution is ratified, they stand adjourned sine die.

**Intro. by Lewis.**

JOINT RES

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**Government, General Assembly**

H4 (2016 Extra 3) **IMPLEMENT STATEWIDE CLASS. & COMP. SYSTEM.** Filed Dec 13 2016, *AN ACT TO IMPLEMENT THE STATEWIDE CLASSIFICATION AND COMPENSATION SYSTEM.*

Amends Section 36.19A(a) of SL 2016-94 (2016 Appropriations Act) to require the Office of State Human Resources (Office) to commence the implementation phase of the Statewide Compensation System Project, which calls for the Office to reassign state employee salary grades, no later than December 31, 2016 (previously, barred the Office from commencing implementation prior to February 1, 2017).

**Intro. by Cleveland.**

UNCODIFIED

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**Employment and Retirement, Government, State Agencies, Office of State Human Resources (formerly Office of State Personnel), State Government, State Personnel**

H5 (2016 Extra 3) **RESTORE EARLY VOTING DAYS.** Filed Dec 13 2016, *AN ACT THAT RESTORES THE NUMBER OF EARLY VOTING DAYS TO THE NUMBER OF DAYS PRIOR TO THE ENACTMENT OF THE VOTER INFORMATION VERIFICATION ACT.*

Amends GS 163-227.2, which provides for alternate procedures for requesting an absentee ballot and procedures for one-stop voting, to extend early voting days.

Allows a voter to appear in person at the office of the county board of elections to vote in an election in which absentee ballots are authorized not earlier than the third Thursday (previously, the second Thursday) before an election and not later than 1:00 pm on the last Saturday before that election. Allows a county board of elections to conduct one-stop voting on the last Saturday before the election until 5:00 pm (previously, until 1:00 pm).

Eliminates requirement for any Plan for Implementation adopted by either the county board of elections or the State Board of Elections under subsection (g) of the statute to have the same days and hours for site operation countywide. Eliminates subsection (g2), which requires any county board of elections to offer at least the same number of hours offered in the 2010 or 2012 primary and general elections if that county provided for one or more sites for absentee ballots to be applied for and voted. Eliminates provision allowing the State Board to approve or deny one-stop voting sites in a building that the county board of elections is not entitled to under GS 163-129. Makes conforming change and eliminates subsection (g3), which authorizes a county board of elections to submit a request to the State Board to reduce the number of hours established under subsection (g2) for a primary or a general election.

Applies to elections held on or after September 1, 2017.

**Intro. by L. Hall.**

GS 163

[View summary](#)

**Government, Elections**

H 6 (2016 Extra 3) **NONPARTISAN REDISTRICTING COMMISSION.** Filed Dec 13 2016, *AN ACT TO ESTABLISH A NONPARTISAN REDISTRICTING PROCESS.*

Enacts new Article 1B, Nonpartisan Redistricting Process, in GS Chapter 120. Directs the Legislative Services Office (Office) to acquire and review information, evaluate facilities, and develop programs in preparation for drawing congressional and legislative redistricting plans after each federal census. Specifies that the Office must obtain, by December 31 of each year ending in zero, Census Bureau information for geographic and political units in North Carolina. Directs the Office to use the data as described.

Specifies that the Office must obtain, as soon as possible after January 1 of each year ending in one, Census Bureau population data needed for legislative districting and use the data to assign a population figure to geographic and political units. Directs the Office to make available to the public four types of information after delivering each bill embodying a districting plan to the General Assembly. Includes definitions applicable to Article 1B.

Directs the Office to deliver to the clerks' offices in the General Assembly, before April 1 of each year ending in one, identical bills embodying a plan of legislative and congressional districting prepared according to Article 1B. States that the bill will not be brought to a vote in either chamber less than three legislative days after the report from the Temporary Redistricting Advisory Commission is received and made available to members. Specifies that the bill will be voted under a procedure or rule allowing no amendments, except purely corrective changes. Specifies that if the bill is approved on third reading by the first house, it will quickly be brought to a vote in the second house, and if the bill fails, then the clerk of the applicable chamber must, no later than seven days after the bill failed, notify the Office of reasons the bill was not approved. Details provisions applicable when the required population data is not available by the specified date and the procedures for second and third plans of legislative and congressional districting. Directs the Office to provide information about the plan to persons outside Office staff only as may be required, before the Office delivers the bill.

Requires legislative and congressional districts to be established on the basis of population. Provides that senatorial and representative districts will each have a population within 5% of the ideal population for that district. Provides that congressional districts will have a population as nearly as equal to the ideal population and within .1% of the ideal population. Requires legislative and congressional districts to be drawn in a manner that complies with requirements of federal and state law. States that the "whole county" rule will be complied with in a manner consistent with federal law. Provides that division of voting tabulation districts will also be minimized. Details additional provisions related to district division, including requiring contiguous territory and reasonably compact districts. Specifies that no district will be drawn to favor any individual, group, or political party, and the districts will not be divided using political affiliation, previous election results, or demographic information unless required by the N.C. or U.S. Constitution or the Voting Rights Act of 1965.

Establishes a five-member Temporary Redistricting Advisory Commission (Commission) no later than February 15 of each year. Provides additional details regarding Commission members and timelines. Lists three detailed functions of the Commission, including answering written requests for direction from the Office and conducting public hearings after districting bills are delivered to the General Assembly.

This act applies to redistricting following the return of the 2020 federal census.

**Intro. by L. Hall.**

[GS 120](#)

[View summary](#)

[Government, Elections](#)

## **PUBLIC/SENATE BILLS**

S 1 (2016 Extra 3) [SENATE RULES - 3RD EXTRA SESSION 2016](#). Filed Dec 13 2016, *A SENATE RESOLUTION ADOPTING THE PERMANENT RULES OF THE SENATE FOR THE 2016 THIRD EXTRA SESSION OF THE 2015 GENERAL ASSEMBLY*.

Adopts the permanent rules of the 2015 Regular Session as the rules governing the 2016 Third Extra Session with the following changes: (1) permits the vice-chair of any committee to act as committee chair until the vacant chairmanship is filled by appointment by the President Pro Tempore of the Senate; (2) provides that committees remain comprised of the members that were appointed to those committees during the 2015 Regular Session; (3) sets out requirements for introduced bills, including requiring the title of the document and the name of the Senator(s) presenting the bill to be placed on the e-jacket of the document; (4) requires all bills for consideration to be filed for introduction by 12:00 pm, Wednesday, December 14, 2016; (5) sets out the procedure and timing of first reading and referral of bills to committee, including requiring that first reading take place on the day that bills are received from the House; (6) requires all bills reported by committee to be given second reading and immediate consideration upon passage; (7) provides that committee amendments or committee substitutes recommended by committee are considered adopted when the committee report is read and any amended bill or resolution or adopted committee substitute may be placed on the calendar for the same legislative day and the original bill or resolution will lie on the table; (8) requires a bill that passes second reading to be placed on the calendar for immediate consideration on its third reading unless it is prohibited by the

North Carolina Constitution; (9) allows same day concurrence with House amendments to and committee substitute for Senate bills; and (10) requires all bills to be sent by special message.

**Intro. by Tucker.**

SENATE RES

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**Government, General Assembly**

## ACTIONS ON BILLS

### PUBLIC BILLS

#### **H 1: HOUSE RULES - 3RD EXTRA SESSION 2016.**

*House: Filed*

*House: Passed 1st Reading*

*House: Added to Calendar*

*House: Adopted*

#### **H 2: DISASTER RECOVERY ACT OF 2016.**

*House: Filed*

*House: Passed 1st Reading*

*House: Ref To Com On Appropriations*

*House: Serial Referral To Finance Added*

*House: Reptd Fav As Amended*

*House: Re-ref Com On Finance*

*House: Reptd Fav Com Substitute*

*House: Cal Pursuant Rule 36(b)*

*House: Added to Calendar*

*House: Amend Failed A1*

*House: Amend Adopted A2*

*House: Passed 2nd Reading*

*House: Passed 3rd Reading*

*House: Ordered Engrossed*

#### **H 3: ADJOURN 2016 3RD EXTRA SESSION SINE DIE.**

*House: Filed*

*House: Passed 1st Reading*

*House: Cal Pursuant 36(b)*

#### **H 4: IMPLEMENT STATEWIDE CLASS. & COMP. SYSTEM.**

*House: Filed*

*House: Passed 1st Reading*

*House: Ref to the Com on State Personnel, if favorable, Appropriations*

#### **H 5: RESTORE EARLY VOTING DAYS.**

*House: Filed*

*House: Passed 1st Reading*

*House: Ref To Com On Elections*

#### **H 6: NONPARTISAN REDISTRICTING COMMISSION.**

*House: Filed*

*House: Passed 1st Reading*

*House: RefTo Com On Elections*

**S 1: SENATE RULES - 3RD EXTRA SESSION 2016.**

*Senate: Filed*

*Senate: Passed 1st Reading*

*Senate: Placed on Today's Calendar*

*Senate: Adopted*

**No local actions on bills**

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