

## The Daily Bulletin: 2017-02-27

### PUBLIC/HOUSE BILLS

H 158 (2017-2018) [SPECIAL ASSESSMENTS/CRITICAL INFRASTRUCTURE](#). Filed Feb 21 2017, *AN ACT AUTHORIZING CITIES AND COUNTIES TO PROVIDE FOR THE PAYMENT OF ALL OR A PORTION OF THE COST OF CRITICAL INFRASTRUCTURE PROJECTS BY USING FUNDS FROM PRIVATE PARTIES AND REPAYING THE FUNDS BY MAKING SPECIAL ASSESSMENTS ON BENEFITED PROPERTY.*

House committee substitute makes the following changes to the 1st edition. Changes the effective date of the act from June 30, 2017, to when the act becomes law.

**Intro. by Saine, Williams, Strickland, Reives.**

[GS 153A, GS 160A](#)

[View summary](#)

[Government, Local Government](#)

H 199 (2017-2018) [ESTABLISH STANDARDS FOR SURGICAL TECHNOLOGY](#). Filed Feb 27 2017, *AN ACT ESTABLISHING STANDARDS FOR SURGICAL TECHNOLOGY CARE IN HOSPITALS AND AMBULATORY SURGICAL FACILITIES.*

Enacts new GS 131E-79.3, pertaining to hospital standards for surgical technology care, and new GS 131E-147.10, pertaining to ambulatory surgical facility (facility) standards for surgical technology care.

Sets forth identical provisions in each statute to prohibit hospitals and ambulatory surgical facilities from employing or otherwise contracting for the services of a surgical technologist in that hospital or facility unless the individual meets one of four qualifications listed in subsection (b) of each statute. Provides definition for *surgical technologist* and *surgical technology*.

Allows a hospital or facility to employ or contract with an individual to practice surgical technology during the 12-month period immediately following successful completion of a surgical technology program as specified in subdivision (1) of subsection (b), but prohibits continued employment beyond the initial 12-month period without documentation that the employee or contractor holds and maintains the certified surgical technologist credential as specified in subsection (b). Authorizes a hospital or facility to employ or contract with an individual who qualifies to practice surgical technology under subdivisions (2) or (3) of subsection (b) as long as that individual annually completes 15 hours of continuing education approved by the National Board of Surgical Technology and Surgical Assisting or its successor. Subdivision (2) of subsection (b) qualifies an individual who has successfully completed an appropriate training program for surgical technology in the US Army, Navy, Air Force, Marine Corps, or Coast Guard, or in the US Public Health Service to practice as a surgical technologist. Subdivision (3) of subsection (b) qualified an individual who was employed to practice surgical technology in a hospital or facility licensed as specified on December 31, 2017, or an individual who was employed to practice surgical technology during the two years immediately preceding December 31, 2017, to practice surgical technology. Provides in subdivision (4) of subsection (b) that an individual who is in the service of the federal government is qualified to practice surgical technology to the extent the individual is performing duties related to that service.

Requires the hospital or facility that employs or contracts with an individual to practice surgical technology to verify that the individual meets the continuing education requirements of subsection (d), or that the individual holds and maintains the Certified Surgical Technologist credential described in subdivision (1) of subsection (b), as applicable.

Allows a hospital or facility to employ or contract with an individual who does not meet the qualifications specified in subsection (b) if (1) the hospital or facility makes a diligent and thorough effort, but is unable, to employ or contract a sufficient number of qualified surgical technologists and (2) the hospital or facility makes and retains, at the hospital or facility, a written record of its efforts to employ or contract with a sufficient number of qualified surgical technologists.

Clarifies that nothing in these statutes prohibits a licensed practitioner from performing surgical technology tasks or functions if the practitioner is acting within the scope of his or her license.

Allows the Department of Health and Human Services to take adverse action against a hospital under GS 131A-78 or against a facility under GS 131E-148 for a violations of their respective statute.

Effective January 1, 2018.

**Intro. by Murphy, Lambeth.**

GS 131E

[View summary](#)

**Government, State Agencies, Department of Health and Human Services, Health and Human Services, Health, Health Care Facilities and Providers**

H 200 (2017-2018) **NONPARTISAN REDISTRICTING COMMISSION**. Filed Feb 27 2017, *AN ACT TO ESTABLISH A NONPARTISAN REDISTRICTING PROCESS*.

Enacts new Article 1B, Nonpartisan Redistricting, in GS Chapter 120. Includes definitions applicable to Article 1B.

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

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 congressional and legislative districting and use the data to assign a population figure to geographic and political units. Directs the Office to deliver, no later than April 1 of each year ending in one, to the clerks and members of both the Senate and the House three sets of companion bills embodying plans for redistricting both houses of the General Assembly and the Congressional Districts, respectively, prepared in accordance with Article 1B. Details provisions applicable when the required population data is not available by the specified date. 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. Directs the Office to make available to the public, at the earliest feasible time, four types of information after delivering each bill embodying a districting plan to the General Assembly.

States that a bill embodying a plan submitted by the Office 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 for 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, the respective Chamber can direct by resolution to the Office information regarding the reasons why the plan was not approved. Details the procedures for second and third plans of legislative and congressional districting upon failure of the first plan.

Requires legislative and congressional districts to be established on the basis of population. Provides that legislative 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 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 NC or US Constitution or the Voting Rights Act of 1965.

Applies to redistricting following the return of the 2020 federal census and thereafter.

**Intro. by McGrady, Stevens, Jordan, Hardister.**

GS 120

[View summary](#)

[Government, Elections, General Assembly](#)

## PUBLIC/SENATE BILLS

S 133 (2017-2018) [SENATE 2017 UNC BOG VACANCY ELECTION](#). Filed Feb 27 2017, *A SENATE RESOLUTION TO ESTABLISH THE PROCEDURE FOR NOMINATING AND ELECTING A PERSON TO FILL ONE VACANCY CREATED BY A RESIGNATION ON THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA.*

Adopts procedures for the Senate Select Committee on UNC Board of Governors (Senate Committee) for nominating and electing persons for each vacancy in the elected membership of the UNC Board of Governors (BOG) created by a vacating member who was originally elected by the Senate.

Makes it the duty of the Senate Committee to conduct a process for nominating and electing persons for each vacancy on the BOG to which the Senate is to elect members. Sets the time period for receiving BOG nominations as March 6 through March 10, 2017 to elect one person to fill one vacancy on the BOG for a partial term ending June 30, 2019. Provides that each senator may nominate up to two individuals, only on a written nomination form provided by the chair of the Senate Committee. Requires that the written nomination on the prescribed form be received in the office of the Senate principal clerk on or after Monday, March 6, 2017, and no later than 5:00 pm on Friday, March 10, 2017.

Requires nominees to file a completed North Carolina State Ethics Commission Statement of Economic Interest with the North Carolina State Ethics Commission by 5:00 pm on Friday, March 10, 2017, as specified.

Requires the Senate Committee to list all nominees after the close of the nominations period on March 10, 2017. Directs the Senate Committee to screen the nominees as to their qualifications and background and provides that the Senate Committee may interview each nominee to ensure that suitable persons are nominated. Also provides that it is the duty of the Senate Committee to determine that each nominee is willing and able to serve and has no statutory disability. Requires the committee to vote to ensure that the slate of qualified candidates lists no more than two legally qualified nominees. Directs the Senate Committee Chair to ascertain if the nominees are willing to serve if elected. Provides that any nominee may withdraw from nomination without the approval of that nominee's sponsor.

Requires that the ballot be prepared under the supervision of the committee chair and that it include only the names of proposed nominees who have consented to run and for whom the Senate is entitled to vote. Names are to be listed on the ballot in alphabetical order by surname. Requires that the Senate hold its election no later than Tuesday, March 28, 2017. Requires that the committee chair explain the six specified voting rules before the voting begins. Senators are to vote for one person to fill the vacant position for a partial term ending June 30, 2019, and each ballot must be signed by the member casting the ballot. Prohibits counting any unsigned ballots. Provides that the Senate Committee chair is responsible for canvassing the vote and declaring the results. Requires the Senate Principal Clerk to keep the ballots as part of the permanent records and keep the ballots open for immediate public inspection. Provides that when the Senate Committee chair determines that the Senate has chosen one person to fill the vacant position and serve as a member of the BOG for the partial term ending June 30, 2019, the president of the Senate must entertain a motion for the simultaneous election of that person; the vote must be called electronically. Requires the election results to be sent to the House of Representatives by special messenger.

Requires the Senate Committee chair to notify the secretary of the BOG of the name of the person elected by the Senate to the vacant position and the partial term for which the person was elected.

Becomes effective upon adoption.

**Intro. by Rabon.**

SENATE RES

[View summary](#)

[Education, Higher Education, Government, State Agencies,](#)

## UNC System

S 134 (2017-2018) [SENATE 2017 UNC BOARD OF GOVERNORS ELECTION](#). Filed Feb 27 2017, *A SENATE RESOLUTION TO ESTABLISH THE PROCEDURE FOR NOMINATING AND ELECTING MEMBERS OF THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA.*

Adopts procedures for the Senate Select Committee on UNC Board of Governors (Senate Committee) for nominating and electing members of the UNC Board of Governors (BOG).

Makes it the duty of the Senate Committee to conduct a process for nominating and electing persons for each opening on the BOG to which the Senate is to elect members. Sets the time period for receiving BOG nominations as March 6 through March 10, 2017. The total number of open positions is six and each position is for a four-year term. Provides that a senator may propose candidates for nominations only for the openings available for election by the Senate and only on a written nomination form provided by the chair of the Senate Committee. Requires that the written nomination on the prescribed form be received in the office of the Senate principal clerk on or after Monday, March 6, 2017, and no later than 5:00 pm on Friday, March 10, 2017.

Requires nominees to file a completed North Carolina State Ethics Commission Statement of Economic Interest with the North Carolina State Ethics Commission by 5:00 pm on Friday, March 10, 2017, as specified.

Requires the Senate Committee to list all nominees after the close of the nominations period on March 10, 2017. Directs the Senate Committee to screen the nominees as to their qualifications and background and provides that the Senate Committee may interview each nominee to ensure that suitable persons are nominated. Also provides that it is the duty of the Senate Committee to determine that each nominee is willing and able to serve and has no statutory disability. Requires the committee to vote to ensure that the slate of qualified candidates lists no more than twice the number of candidates for the total number of seats that are open. Directs the Senate Committee Chair to ascertain if the nominees are willing to serve if elected. Provides that any nominee may withdraw from nomination without the approval of that nominee's sponsor.

Requires that the ballot be prepared under the supervision of the committee chair and that it include only the names of proposed nominees who have consented to run and for whom the Senate is entitled to vote. Names are to be listed on the ballot in alphabetical order by surname. Requires that the Senate hold its election no later than Wednesday, March 29, 2017. Requires that the committee chair explain the six specified voting rules before the voting begins. Senators are to vote for six persons for four-year terms and each ballot must be signed by the member casting the ballot. Prohibits counting any unsigned ballots. Provides that the Senate Committee chair is responsible for canvassing the vote and declaring the results. Requires the Senate Principal Clerk to keep the ballots as part of the permanent records and keep the ballots open for immediate public inspection. Provides that when the Senate Committee chair determines that the Senate has chosen six persons to serve as members of the BOG, the president of the Senate must entertain a motion for the simultaneous election of those persons; the vote must be called electronically. Requires the election results to be sent to the House of Representatives by special messenger.

Requires the Senate Committee chair to notify the secretary of the BOG of the names of the persons elected by the Senate and the term for which each person was elected.

Becomes effective upon adoption.

**Intro. by Rabon.**

[SENATE RES](#)

[View summary](#)

[Education, Higher Education, Government, State Agencies, UNC System](#)

## LOCAL/HOUSE BILLS

H 198 (2017-2018) [REPEAL CENTERVILLE CHARTER](#). Filed Feb 27 2017, *AN ACT TO REPEAL THE CHARTER OF THE TOWN OF CENTERVILLE IN FRANKLIN COUNTY.*

Identical to [S 122](#), filed 2/22/17.

Repeals SL 1965-695, the Centerville Town Charter. Provides that the governing board of Centerville as of the date that the act becomes law is continued in office for 30 days thereafter for the purpose of liquidating the Town's assets and liabilities and filing any required financial reports. Requires the Town's net assets to be paid over to the Centerville Fire Department, which must use those funds for a public purpose.

**Intro. by B. Richardson.**

[Franklin](#)

[View summary](#)

## ACTIONS ON BILLS

### PUBLIC BILLS

#### **H 5: UNEMPLOYMENT INSURANCE TECHNICAL CHANGES.**

*House: Passed 2nd Reading*

#### **H 6: ED. FINANCE REFORM TASK FORCE/PED REPORT.**

*Senate: Regular Message Received From House*

*Senate: Passed 1st Reading*

*Senate: Ref To Com On Rules and Operations of the Senate*

#### **H 21: DRIVER INSTRUCTION/LAW ENFORCEMENT STOPS.**

*House: Serial Referral To Education - K-12 Added*

#### **H 57: ENACT PHYSICAL THERAPY LICENSURE COMPACT.**

*House: Passed 2nd Reading*

*House: Passed 3rd Reading*

#### **H 75: HONOR PAUL LUEBKE, FORMER MEMBER.**

*House: Passed 2nd Reading*

*House: Passed 3rd Reading*

#### **H 124: COURTS COMM'N/STUDY JUDICIAL DISTRICTS.**

*House: Withdrawn From Com*

*House: Re-ref Com On Rules, Calendar, and Operations of the House*

#### **H 158: SPECIAL ASSESSMENTS/CRITICAL INFRASTRUCTURE.**

*House: Reptd Fav Com Substitute*

*House: Cal Pursuant Rule 36(b)*

*House: Placed On Cal For 02/28/2017*

#### **H 185: LEGALIZE MEDICAL MARIJUANA.**

*House: Passed 1st Reading*

*House: Ref To Com On Rules, Calendar, and Operations of the House*

#### **H 186: REPEAL HB2/STATE NONDISCRIMINATION POLICIES.**

*House: Passed 1st Reading*

*House: Ref To Com On Rules, Calendar, and Operations of the House*

**H 187: MODERNIZE PHYSICAL THERAPY PRACTICE.**

*House: Passed 1st Reading*

*House: RefTo Com On Health*

**H 189: SEARCH & RESCUE NAME/FUNDS.**

*House: Passed 1st Reading*

*House: RefTo Com On Appropriations*

**H 190: LOCAL FIREFIGHTER RELIEF FUND ELIGIBILITY.**

*House: Passed 1st Reading*

*House: Ref to the Com on State and Local Government II, if favorable, Appropriations*

**H 191: 2017 HOUSE UNC BOARD OF GOVERNORS ELECTION.**

*House: Passed 1st Reading*

*House: RefTo Com On University Board of Governors Nominating*

*House: Reptd Fav For Adoption*

*House: Cal Pursuant Rule 36(b)*

*House: Placed On Cal For 02/28/2017*

**H 192: ESTABLISH MUSIC THERAPY PRACTICE ACT.**

*House: Passed 1st Reading*

*House: Ref to the Com on Health, if favorable, Finance*

**H 193: LEGISLATIVE FOUR-YEAR TERMS.**

*House: Passed 1st Reading*

*House: Ref to the Com on Elections and Ethics Law, if favorable, Judiciary I*

**H 194: SBCC ELECTIONS.**

*House: Passed 1st Reading*

*House: RefTo Com On Education - Community Colleges*

**H 195: VISUAL RECORD/LEO INTERROGATION OF SUSPECT.**

*House: Passed 1st Reading*

*House: Ref to the Com on State and Local Government I, if favorable, Judiciary III*

**H 196: ZIP LINES/CHALLENGE COURSES/SANDERS' LAW.**

*House: Passed 1st Reading*

*House: Ref to the Com on Judiciary I, if favorable, Finance*

**H 199: ESTABLISH STANDARDS FOR SURGICAL TECHNOLOGY.**

*House: Filed*

**H 200: NONPARTISAN REDISTRICTING COMMISSION.**

*House: Filed*

**S 16: AMEND ADMINISTRATIVE PROCEDURE LAWS.**

*Senate: Regular Message Sent To House*

**S 117: FORFEITURE OF RETIREMENT BENEFITS/JUDGES.**

*Senate: Withdrawn From Com*

*Senate: Re-ref to Judiciary. If fav, re-ref to Appropriations on Pensions, Compensation, and Benefits. If fav, re-ref to Rules and Operations of the Senate*

**S 131: REGULATORY REFORM ACT OF 2016.**

*Senate: Passed 1st Reading*

*Senate: Ref To Com On Rules and Operations of the Senate*

*Senate: Withdrawn From Com*

*Senate: Re-ref to Agriculture/Environment/Natural Resources. If fav, re-ref to Rules and Operations of the Senate*

**S 133: SENATE 2017 UNC BOG VACANCY ELECTION.**

*Senate: Filed*

**S 134: SENATE 2017 UNC BOARD OF GOVERNORS ELECTION.**

*Senate: Filed*

**LOCAL BILLS**

**H 58: CHARLOTTE FIREFIGHTERS' RETIREMENT SYSTEM.**

*House: Serial Referral To Pensions and Retirement Added*

**H 184: CERTAIN TOWNS/SEWER FEE COLLECTIONS.**

*House: Passed 1st Reading*

*House: Ref to the Com on State and Local Government I, if favorable, Finance*

**H 188: SCHOOL CALENDAR FLEX./CERTAIN SYSTEMS.**

*House: Passed 1st Reading*

*House: Ref To Com On Education - K-12*

**H 198: REPEAL CENTERVILLE CHARTER.**

*House: Filed*

**S 132: 12TH SENATORIAL DISTRICT LOCAL ACT-1.**

*Senate: Held As Filed*

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