



The Daily Bulletin: 2019-07-16

PUBLIC/HOUSE BILLS

H 961 (2019-2020) **ENSURING AUTHORIZATION OF FEDERAL FUNDS. (NEW)** Filed Apr 25 2019, *AN ACT TO PROVIDE FOR CERTAIN FEDERAL FUNDING.*

Senate committee substitute deletes the provisions of the 1st edition and instead provides the following.

Part I.

Sets forth a schedule for appropriations in specified amounts for specified Department of Health and Human Services (DHHS) divisions and programs from the federal block grant funds for the fiscal biennium ending June 30, 2021; effective until a new schedule is enacted.

Requires DHHS to submit a separate plan for each block grant received and administered that includes the required information described. Provides for procedures and parameters that must be followed in the event there are changes in federal fund availability, including approval of the Office of State Budget and Management (OSBM) and reporting to the specified NCGA committee and division.

Requires all changes to the budgeted allocations to the block grants or contingency funds and other grants related to block grants administered by DHHS not specifically addressed by the act to be approved by OSBM; prohibits OSBM from approving funding for new programs or activities not appropriated in the act. Sets forth additional restrictions and reporting requirements regarding allocation changes.

Grants DHHS the authority to transfer funding between the Temporary Assistance for Needy Families (TANF) Block Grant and the TANF Emergency Contingency Funds Block Grant so long as the total allocation for the line items within those block grants remains the same.

Makes the following allocations from the appropriations provided in TANF funds for each year of the fiscal biennium.

Directs that \$80,093,566 for each year of the fiscal biennium appropriated by the act in TANF funds to DHHS, Division of Social Services (DSS) be used for Work First County Block Grants. Details DSS certification procedures and budget realignment authorities.

Directs that \$9,412,391 appropriated by the act to DSS in TANF funds for each fiscal year of the biennium for child welfare improvements be allocated to county departments of social services for specified services. Details county responsibilities and expenditure limitations.

Directs that \$2,026,877 appropriated by the act in TANF funds to DHHS, Special Children Adoption Fund for each fiscal year of the fiscal biennium be used for the purposes set forth in GS 108A-50.2, Adoption Promotion Fund. Requires DSS to consult with the NC Association of County Directors of Social Services and representatives of licensed private adoption agencies to develop guidelines for the award of funds to licensed public and private adoption agencies upon the adoption of certain children described in GS 108A-50 and in foster care. Restricts use to enhance adoption services programs; prohibit conditions grants upon local match.

Directs that \$1.4 million appropriated in the act in TANF funds to DSS for each fiscal year of the fiscal biennium be used for specified child welfare initiatives.

Directs that \$3.45 million allocated in the act in TANF funds to DHHS, Division of Public Health for each fiscal year of the fiscal biennium be used for teen pregnancy initiatives, with \$500,000 used in each year to provide services for youth in foster care or the juvenile justice system.

Mandates that the total requirements for NC Pre-K remain unchanged with the additional sums appropriated. Requires funds made available after the specified adjustment to remain unspent until legislatively appropriated.

Mandates that the total requirements for the Child Care Subsidy program remain unchanged with the additional sums appropriated. Similarly, requires funds made available after the specified adjustment to remain unspent until legislatively appropriated.

Makes the following allocations from the appropriations provided in the Social Services (SS) Block Grant for each year of the fiscal biennium.

Directs that \$19,905,849 for each year of the fiscal biennium appropriated by the act in the SS Block Grant to DSS, and \$13,097,783 for each year of the fiscal biennium transferred from funds appropriated in the TANF Block Grant, be used for county block grants. Details DSS certification procedures and budget realignment authorities. Of the funds allocated, requires \$3 million to be used to assist counties in the implementation of Project 4, Child Services, in NC Families Accessing Services Through Technology (NC FAST), available in each fiscal year of the fiscal biennium.

Directs that \$1.3 million appropriated by the act in the SS Block Grant to DSS for each fiscal year of the fiscal biennium be used to support various child welfare training projects, as specified.

Authorizes DSS to transfer SS Block Grant funding allocated for department administration between divisions that have received administrative allocations from the SS Block Grant, subject to OSBM approval.

Establishes that SS Block Grant funds appropriated for the Special Children Adoption Incentive Fund require a 50% local match.

Directs that \$5,040,000 appropriated by the act in the SS Block Grant for each fiscal year of the fiscal biennium be allocated to DSS for allocation to county departments of social services to replace the loss of Child Protective Services (CPS) State funds currently used by county governments to pay for CPS staff at the local level. Provides that the funds are to be used to maintain the number of CPS workers in the state and are exempt from the specified local match requirement.

Directs that \$4,774,525 appropriated by the act for each year of the fiscal biennium in the SS Block Grant to DHHS, Division of Central Management and Support be used for DHHS competitive block grants pursuant to specified state law, and are exempt from the specified local match requirement.

Directs that \$1,582,000 appropriated by the act in the SS Block Grant for each fiscal year of the fiscal biennium to DSS be used to continue support for the Child Advocacy Centers, and are exempt from the specified local match requirement.

Directs that \$3,825,443 for each fiscal year of the fiscal biennium appropriated by the act in the SS Block Grant to DSS and the Division of Aging and Adult Services (DAAS) be used for guardianship services. Authorizes DHHS to expend the funds to support existing corporate guardianship contracts during each fiscal year of the fiscal biennium.

Directs that, of the funds appropriated in the SS Block Grant to the DAAS for Adult Protective Services (APS), \$893,041 be used to increase the number of APS workers where the funds will be most effective. Restricts use to salary and related expenses; prohibits supplanting any other funding. Exempts the funds from the specified local match requirement.

Directs that \$737,067 appropriated by the act in the SS Block Grant for each fiscal year of the fiscal biennium be allocated to DSS be used to assist with training needs for county child welfare training staff. Prohibits supplanting other funding and exempts the county departments from the specified local matching requirement.

Authorizes additional emergency contingency funds received to be allocated for Energy Assistance Payments or Crisis Intervention Payments without prior legislative consultation. Establishes reporting requirements in the event additional funds are received. Prohibits DHHS from allocated funds for any activities other than assistance payments without prior legislative consultation.

Directs that \$40,298,638 for each year of the fiscal biennium appropriated by the act in the Low-Income Energy Assistance Block Grant to DSS be used for Energy Assistance Payments for specified elderly and disabled households. Requires county departments of social services to annually submit an outreach plan for targeting elderly households to DSS by August 1 which meets three specified criteria, including prior approval by the local board of social services or human services board.

Requires subsidized child care services payments provided with federal TANF funds to comply with all regulations and policies of the Division of Child Development and Early Education for the program. Authorizes DHHS to move funds to child care subsidies in order to fully use federal funds in the event funds appropriated through the Child Care and Development Fund Block Grant for any program cannot be obligated or spent in that program within the allowable periods.

Directs that \$1,976,970 appropriated by the act in the Mental Health Services Block Grant to DHHS, Division of Mental Health, Developmental Disabilities, and Substance Abuse Services for each year of the fiscal biennium be allocated for Mental Health Services--First Psychotic Symptom Treatment.

Directs that \$250,000 appropriated by the act in the Substance Abuse Prevention and Treatment Block Grant to DHHS, Division of Mental Health, Developmental Disabilities, and Substance Abuse Services for each year of the fiscal biennium be used to support veterans' initiatives.

Requires federal funds received under the Maternal and Child Health Block Grant for abstinence education for each fiscal year of the fiscal biennium be transferred to the State Board of Education to be administered by the Department of Public Instruction to establish an abstinence until marriage education program. Authorizes delegating implementation responsibilities and requires compliance with related federal implementation and administration guidelines.

Directs that \$1,575,000 appropriated by the act in the Maternal and Child Health Block Grant to DHHS, Division of Public Health for each fiscal year of the fiscal biennium be used for evidence-based programs in counties with the highest infant mortality rates. Establishes annual reporting requirements for the Division, as described.

Prohibits the \$68,245 allocated by the act in the Maternal and Child Health Block Grant to DHHS, Division of Public Health, Women's and Children's Health Section for each fiscal year of the fiscal biennium from supplanting existing State or federal funds. Restricts the allocation to be used for a Public Health Program Consultant Position assigned full-time to manage the NC Perinatal Health Strategic Plan and to provide staff support for the stakeholder work group.

Similarly, prohibits the \$100,000 allocated by the act in the Maternal and Child Health Block Grant to DHHS, Division of Public Health for each fiscal year of the fiscal biennium for community-based sickle cell centers from supplanting existing State or federal funds.

Appropriates \$348,558 in nonrecurring funds from the General Fund to DHHS, Division of Mental Health, Developmental Disabilities, and Substance Abuse Services, for the 2019-20 fiscal year, to be used for the Suicide Prevention Lifeline.

Part II.

Sets forth a schedule for appropriations in specified amounts for specified purposes from the Federal Community Development (CD) Block Grants received by the Department of Commerce (Department) during the fiscal biennium. Provides for adjustments in the event there are changes to the federal funding.

Directs the Department to consult with the specified NCGA commission before reallocating CD Block Grant Funds. Provides for scenarios in which the Director of Budget can authorize reallocation without legislative consultation, such as a public emergency or risk of losing funding. Requires the Department to report by September 1 of 2019 and 2020 to specified NCGA committee chairs on the use of the CD Block Grant Funds appropriated in the prior fiscal year, including the described information.

Gives parameters for eligible activities and funds allocated under the infrastructure category for CD Block Grant Funds.

Provides for deobligated funds and surplus federal administrative funds in the CD Block Grant program, setting forth parameters for the allocations of such funds by the Department and the Department of Environmental Quality.

Part III.

Appropriates the following amounts in recurring funds for the fiscal biennium from the General Fund to DEQ, allocated to the Division of Water Infrastructure to match the maximum available federal funds for the indicated revolving funds: \$829,198 to the Clean Water State Revolving Fund; and \$2,646,960 to the Drinking Water State Revolving Fund.

Part IV.

Deems the act to supersede any conflicting provisions of GS 143C-5-4.

Provides that the appropriations and authorized allocations set forth are effective until the Current Operations Appropriations Act for the applicable fiscal year becomes law, at which time the Director of Budget must adjust allotments to give effect to that act from July 1 of the fiscal year.

Effective July 1, 2019.

Makes conforming changes to the act's titles.

Intro. by K. Hall, Arp, Saine, Hardister.

APPROP

[View summary](#)

Development, Land Use and Housing, Community and Economic Development, Education, Government, Budget/Appropriations, State Agencies, Department of Commerce, Department of Environmental Quality (formerly DENR), Department of Health and Human Services, Department of Public Instruction, Local Government, Health and Human Services, Health, Mental Health, Social Services, Adult Services, Child Welfare, Public Assistance

PUBLIC/SENATE BILLS

S 9 (2019-2020) **FEMALE GENITAL MUTILATION/CLARIFY PROHIBITION**. Filed Jan 31 2019, *AN ACT TO CLARIFY THE PROHIBITION ON THE MUTILATION OF THE GENITALS OF A FEMALE UNDER THE AGE OF 18 YEARS*.

House amendment to the 3rd edition makes the following change. Makes the act effective October 1 (was, August 1), 2019.

Intro. by Krawiec, Sawyer, Ballard.

GS 14

[View summary](#)

Courts/Judiciary, Criminal Justice, Criminal Law and Procedure

S 123 (2019-2020) **GEO ISO SCH/TRANSP EFF BUFF/CURRITUCK CTY SCH. (NEW)** Filed Feb 21 2019, *AN ACT TO REVISE THE GEOGRAPHICALLY ISOLATED SCHOOLS FORMULA REGARDING THE ALLOCATION OF TEACHERS FOR CURRITUCK COUNTY; TO INCREASE THE TRANSPORTATION EFFICIENCY BUDGET RATING FOR CURRITUCK COUNTY SCHOOLS; AND TO REQUIRE THE STATE BOARD OF EDUCATION TO DEVELOP DRAFT POLICIES AND PROCEDURES FOR AUDITING PUBLIC SCHOOL ATTENDANCE AND MEMBERSHIP DATA*.

House committee substitute to the 1st edition deletes the content of the previous edition and replaces it with the following.

Part I.

Amends GS 115C-301 by requiring the State Board of Education to allot additional classroom teachers to schools when consolidation is not feasible due to the school's geographic isolation and the school contains grades K-5, is located in a local school administrative unit for a county containing all or a portion of at least one national wildlife refuge owned by the federal government and managed by the US Fish and Wildlife Service under GS 104-10, and is only accessible to the majority of the local school administrative unit, while remaining in the local school administrative unit, by ferry (maintains the other two criteria applicable to schools that contain grades K-12). Effective July 1, 2019, and applies to Currituck County Schools only.

Part II.

Requires the Department of Transportation, for purposes of calculating the transportation efficiency budget rating for a local school administrative unit, to include an assumption that the transportation efficiency budget rating is at least 15 percentage points higher than the actual rating. Effective July 1, 2019, and applies to Currituck County Schools only.

Part III.

Directs the State Board of Education to consult with the State Superintendent of Public Instruction and the Charter School Advisory Board to develop draft policies and procedures for auditing the following information at all public schools, including those in the virtual charter school pilot program: average daily membership; compliance with minimum instruction

requirements of 185 days or 1,025 hours; and compliance with compulsory attendance enforcement requirements. Requires the State Board of Education to report to the specified NCGA committee by March 15, 2020.

Part IV.

Except as otherwise provided, effective when the act becomes law and applies beginning with the 2019-20 school year.

Makes conforming changes to the act's titles.

Intro. by Sanderson.

[Currituck, GS 115C](#)

[View summary](#)

[Education, Elementary and Secondary Education, Government, State Agencies, Department of Transportation, State Board of Education](#)

S 366 (2019-2020) **9TH/10TH GRADE/COLLEGE TRANSFER PATHWAYS. (NEW)** Filed Mar 26 2019, *AN ACT TO EXPAND ACADEMIC TRANSITION PATHWAY OPTIONS AND TO PERMIT ENROLLMENT IN COLLEGE COURSES AS PART OF A COLLEGE TRANSFER PATHWAY FOR CERTAIN FRESHMAN AND SOPHOMORE HIGH SCHOOL STUDENTS, AND TO REQUIRE THE STATE BOARD OF EDUCATION TO INCLUDE CERTAIN INDIVIDUALS AS QUALIFIED TO CONTRACT AS ADJUNCT INSTRUCTORS WITH LOCAL BOARDS OF EDUCATION FOR CAREER AND TECHNICAL EDUCATION PROGRAMS.*

Conference report makes the following changes to the 3rd edition.

Modifies the proposed changes to GS 115D-20(4)a, to also allow qualified freshmen who meet the specified requirements (same requirements as those for participating sophomores) to participate in the college transfer pathways program.

Amends GS 115C-157.1 to require that the criteria the State Board of Education (State Board) develops for education or employment experience needed to qualify to contract as an adjunct instructor in each career and technical education cluster weigh work experience and industry-recognized licenses or credential over educational attainment level (deletes the more specified requirements for professional experience and credentialing). Applies to employment contracts beginning with the 2020-21 school year.

Adds the requirement that the State Board develop and report on the minimum criteria that it develops for adjunct instructors to the specified NCGA committee by April 15, 2020. Requires the State Board to consider, for the 2019-20 school year, deeming an individual without an associate or baccalaureate degree to meet the minimum criteria for employment as an adjunct instructor if the individual can clearly demonstrate a minimum of six years in the last ten years of professional experience in the relevant skill or trade and possesses a recognized industry credential or an active professional license required for each subject area or course (these are the same specified requirements that were deleted from GS 115C-157.1).

Makes conforming changes.

Amends the act's titles.

Intro. by McInnis, B. Jackson.

[GS 115C, GS 115D](#)

[View summary](#)

[Education, Elementary and Secondary Education, Higher Education, Government, State Agencies, Community Colleges System Office, State Board of Education](#)

ACTIONS ON BILLS

PUBLIC BILLS

H 50: ALLOW HYPERBARIC OXYGEN THERAPY FOR TBI/PTSD.

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

Senate: Ordered Enrolled

H 108: PED/SAFEKEEPER HEALTH CARE COST RECOV. PRACT.

House: Pres. To Gov. 7/16/2019

H 126: AMEND CERTIFICATE OF NEED LAWS. (NEW)

Senate: Reptd Fav

Senate: Placed On Cal For 07/22/2019

H 226: 2019 AOC LEGISLATIVE CHANGES.-AB

Senate: Withdrawn From Cal

Senate: Placed On Cal For 07/22/2019

H 228: MODERNIZE LAWS PERTAINING TO NC MEDICAL BOARD.-AB

Senate: Reptd Fav

Senate: Placed On Cal For 07/22/2019

H 264: GSC TECHNICAL CORRECTIONS 2019.

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

Senate: Special Message Sent To House

House: Special Message Received For Concurrence in S Com Sub

House: Cal Pursuant 36(b)

House: Placed On Cal For 07/17/2019

H 283: CONNER'S LAW.

Senate: Withdrawn From Cal

Senate: Placed On Cal For 07/22/2019

H 391: PASSENGER PROTECTION ACT. (NEW)

Senate: Reptd Fav

Senate: Placed On Cal For 07/22/2019

H 469: VARIOUS FAMILY LAW CHANGES. (NEW)

House: Pres. To Gov. 7/16/2019

H 628: 2019 BANKING & MORTGAGE CORRECTIONS & CHANGES.

House: Pres. To Gov. 7/16/2019

H 633: STRENGTHEN CRIMINAL GANG LAWS.

Senate: Withdrawn From Cal

Senate: Placed On Cal For 07/22/2019

H 645: REVISIONS TO OUTDOOR ADVERTISING LAWS.

Senate: Withdrawn From Cal

Senate: Placed On Cal For 07/22/2019

H 675: 2019 BUILDING CODE REGULATORY REFORM.

House: Pres. To Gov. 7/16/2019

H 724: TRUTH IN CALLER ID ACT.

Senate: Withdrawn From Cal

Senate: Placed On Cal For 07/22/2019

H 760: EXPAND LOSS PREVENTION INVESTIGATIONS.

Senate: Withdrawn From Cal

Senate: Placed On Cal For 07/22/2019

H 872: UNDERGROUND UTILITY SAFETY ACT/CHANGES.

Senate: Withdrawn From Cal

Senate: Placed On Cal For 07/22/2019

H 880: LANDLORD/TENANT CHANGES.

Senate: Withdrawn From Cal

Senate: Placed On Cal For 07/22/2019

H 922: ENHANCE INSURANCE COVERAGE/EDUC. BUILDINGS. (NEW)

House: Reptd Fav To Concur

House: Cal Pursuant Rule 36(b)

House: Placed On Cal For 07/17/2019

H 961: ENSURING AUTHORIZATION OF FEDERAL FUNDS. (NEW)

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

Senate: Re-ref Com On Rules and Operations of the Senate

S 5: SCHOOL SAFETY OMNIBUS. (NEW)

House: Withdrawn From Cal

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

S 9: FEMALE GENITAL MUTILATION/CLARIFY PROHIBITION.

House: Amend Adopted A1

House: Passed 2nd Reading

House: Passed 3rd Reading

House: Ordered Engrossed

S 123: GEO ISO SCH/TRANSP EFF BUFF/CURRITUCK CTY SCH. (NEW)

House: Reptd Fav Com Substitute

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

S 144: ALLOW IN-STATE TUITION/ATHLETIC SCHOLARSHIPS. (NEW)

House: Withdrawn From Cal

House: Placed On Cal For 07/17/2019

S 154: AUTHORIZE SPORTS/HORSE RACE WAGERING TRIBAL LANDS. (NEW)

Senate: Ratified

S 217: CHANGE SUPERIOR CT AND DISTRICT CT NUMBERS. (NEW)

House: Passed 2nd Reading

House: Passed 3rd Reading

S 218: CLARIFY STATE RECOGNITION - LUMBEE INDIANS.

Senate: Ratified

S 290: ABC REGULATORY REFORM BILL. (NEW)

Senate: Concurred In H Com Sub

Senate: Ordered Enrolled

S 301: REGIONAL SCHOOL MODIFICATIONS. (NEW)

House: Regular Message Sent To Senate

Senate: Regular Message Received For Concurrence in H Com Sub

Senate: Placed On Cal For 07/22/2019

S 302: UPDATE ACH SVC & CARE PLAN /BD OF NURSING. (NEW)

Senate: Concurred In H Com Sub

Senate: Ordered Enrolled

S 320: REGIONAL WATER SYSTEMS AND STATE GRANTS.

House: Passed 3rd Reading

S 332: CIVIL PROCEDURE/LIMITATIONS/LAND SURVEYORS.

Senate: Ratified

S 343: VARIOUS EDUCATION LAW CHANGES. (NEW)

Senate: Ratified

S 366: 9TH/10TH GRADE/COLLEGE TRANSFER PATHWAYS. (NEW)

Senate: Conf Com Reported

Senate: Placed On Cal For 07/22/2019

House: Conf Com Reported

House: Cal Pursuant Rule 44

House: Placed On Cal For 07/17/2019

S 385: CLARIFY/AUTO DEALERS REGULATORY REQ.

Senate: Concurred In H Com Sub

Senate: Ordered Enrolled

S 391: EXPAND YOUTH INTERNSHIP OPPORTUNITIES.

Senate: Ratified

S 392: VARIOUS CHARTER SCHOOL CHANGES (NEW)

Senate: Concurred In H Com Sub

Senate: Ordered Enrolled

S 413: RAISE THE AGE MODIFICATIONS.

House: Passed 2nd Reading

House: Passed 3rd Reading

S 420: NC SERVICEMEMBERS CIVIL RELIEF ACT.

Senate: Ratified

S 476: COMPT-BASED ASSESS. & MENTAL HLTH/TEEN VIOL. (NEW)

House: Regular Message Sent To Senate

Senate: Regular Message Received For Concurrence in H Com Sub

Senate: Placed On Cal For 07/22/2019

S 478: MODIFY APPOINTMENT REPORTING. (NEW)

Senate: Ratified

S 493: DVPO ABUSER TREATMENT/TIME OF EXPIRATION. (NEW)

Senate: Ratified

S 523: REV. LAWS CLARIFYING & ADMINISTRATIVE CHANGES.

Senate: Ratified

S 532: AMENDS PROBATE/TRUSTS/WILLS CHOICE OF LAW.

House: Passed 2nd Reading

House: Passed 3rd Reading

House: Ordered Enrolled

S 574: GAMING COMMISSION. (NEW)

Senate: Withdrawn From Cal

Senate: Placed On Cal For 07/22/2019

S 604: AMEND NC VETERINARY PRACTICE ACT.

Senate: Ratified

S 686: APPOINTMENTS BILL 2019.

House: Withdrawn From Com

House: Added to Calendar

House: Passed 2nd Reading

House: Passed 3rd Reading

House: Ordered Enrolled

Senate: Ratified

LOCAL BILLS

H 481: VOTER INITIATIVE FOR BEAUFORT COUNTY.

House: Reptd Fav

House: Cal Pursuant Rule 36(b)

House: Placed On Cal For 07/17/2019

S 186: BEAUFORT-MOREHEAD CTY AIRPORT AUTHORITY/AMEND.

Senate: Ratified

S 190: EXPAND SPECIAL ASSESSMENTS FOR DAM REPAIR.

House: Reptd Fav

S 194: WEST JEFFERSON/SALUDA SATELLITE ANNEXATIONS. (NEW)

House: Conf Com Appointed

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