



The Daily Bulletin: 2021-06-01

PUBLIC/HOUSE BILLS

H 500 (2021) **DISASTER RELIEF AND MITIGATION ACT OF 2021**. Filed Apr 8 2021, *AN ACT TO ENACT THE DISASTER RELIEF AND MITIGATION ACT OF 2021 AND TO APPROPRIATE FUNDS*.

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

Organizes the bill into Parts. Adds new content and modifies previous content as follows.

Part I.

Section 1.1

Organizes GS 143B-1040, which creates the Office of Recovery and Resiliency, into new Part 5A of Article 13, GS Chapter 143B. Makes changes to refer to the NC Office of Recovery and Resiliency (NCORR) rather than the Office of Recovery and Resiliency (Office). Expands the responsibilities of NCORR to include: (1) bringing resilience expertise to disaster recovery and hazard mitigation programs administered by the Department of Public Safety (DPS); (2) serving as the State's lead agency for the coordination of resilience efforts across State agencies, the UNC System, and other stakeholders to maximize efficient planning, design, and implementation of activities that improve recovery and resilience; (3) providing support and technical assistance to build the capacity of State agencies, local governments, nonprofits, and business in the State to initiate resiliency planning, identify and prioritize resilient projects and practices, implement resiliency strategies, and evaluate program effectiveness; (4) administering funds provided by the Community Development Block Grant Disaster Recovery program (no longer limited to funds provided by the program specifically for Hurricanes Florence and Matthew only); (5) developing and administering a grant program for financially distressed local governments to assist with recovery and resiliency capacity; and (6) providing technical assistance to local governments. Removes the three-year time limit of the positions covered by the grant program for financially distressed local governments. Explicitly requires that all Community Development Block Grant Disaster Recovery awards received by the State in response to any federally declared disaster must be administered by NCORR [was. limited to awards received in response to specified declarations and executive orders described in Section 3.1 of SL 2016-124 (with respect to Hurricane Matthew, wildfires in the western part of the State, Tropical Storm Julia, or Tropical Storm Hermine) as well as subsequent federally declared disasters]. Adds new authority for funds appropriated to NCORR to be used to locate employees in key regions or to foster partnerships with councils of government in order to address capacity gaps and aid local governments to access federal funds and recovery projects and activities. Makes organizational and conforming changes.

Amends Section 5.7 of SL 2018-136, as amended, to remove the three-year time limit of the new positions NCORR can create, and instead conditions the creation of new positions upon the availability of State and federal funds. Makes changes to refer to NCORR rather than the Office.

Moves previous Section 3(b) of the act to Section 1.1, directing NCORR to establish an intergovernmental working group. Specifically adds representatives of relevant State agencies to the working group's composition. Expands the charge of the working group to now include identifying legislative, economic, jurisdictional, and other challenges related to stream management and flooding reduction (was, limited to identifying jurisdictional challenges only). Updates the NCGA committee name to which the working group must report, a conforming change to reflect the Committee's name change, as amended by the act. Specifies that the working group terminates at the earlier of either submitting its recommendations or by February 1, 2022.

Makes conforming changes to eliminate proposed GS GS 143B-1001, establishing the Office of Recovery and Resiliency, as provided in previous Section 3(a).

Section 1.2

Replaces the appropriations to NCORR provided in previous Section 3(c) as follows. Appropriates \$1,179,107 from the General Fund to NCORR for each year of 2021-23 to support up to 10 full-time equivalent positions to carry out resiliency programming; leading and coordinating resilience efforts across State agencies, as well as federal, regional and local governments, universities and other stakeholders; and providing expertise and technical support to communities with resiliency planning and projects to protect communities from flooding and other natural disasters (previously appropriated \$524,363 in recurring funds for 2021-22 and \$594,363 in recurring funds for 2022-23 to support up to five full-time equivalent positions to provide technical support to communities with resiliency planning and projects).

Section 1.3

Appropriates from the General Fund to NCORR \$380,763 in recurring funds for each year of 2021-23, and \$10.1 million in nonrecurring funds for 2021-22, to support the NC Resilient Communities Program, as described, to be used for five enumerated purposes, including (1) creating up to three permanent full-time staff positions for the Program, and (2) providing support for local communities and regional organizations to plan for natural hazards. Allows for the appropriated funds to be used to locate NCORR staff to key regions, foster partnerships with councils of government, and to aid local governments to access federal funds for resiliency and recovery projects and activities. Requires the nonrecurring funds not expended or encumbered by June 30, 2022, to remain available to implement the Section.

Section 1.4

Revises the content of previous Section 4, regarding the allocation of Mitigation Program funds to NCORR to develop Flood Resilience Blueprints for major watersheds impacted by flooding. Now provides as follows. Appropriates \$20 million from the General Fund to NCORR for 2021-22 to be used to develop a statewide Flood Resilience Blueprint for major watersheds impacted by flooding, with unexpended funds remaining available to implement the Section. Maintains the previously described purposes for the blueprints, directives for NCORR with regard to the blueprints, and the required content and form of the blueprints. Maintains the reporting deadline of July 1, 2022.

Section 1.5

Moves the content of previous Section 9 to Section 1.5, regarding appropriations to NCORR for identified Neuse River mitigation activities. Adds the following. Allows the appropriated funds to be used to create up to three permanent full-time positions to staff the identified activities, and provides for unexpended funds to remain available to implement the Section. Directs NCORR to oversee and administer the projects listed and to consult and coordinate with the appropriate local governments, federal entities, and others, as necessary, to complete the projects.

Section 1.6

Moves the content of previous Section 10 to Section 1.6, regarding appropriations to NCORR to identified Lumber River flood mitigation activities and other storm damage recovery efforts. Revises the identified activities and efforts to include allocations of \$14 million for the Town of Boiling Spring Lakes dam repair project, and \$5 million for the Town of Southport waterfront stabilization from storm damage. Adds the following. Allows the appropriated funds to be used to create up to three permanent full-time positions to staff the identified activities, and provides for unexpended funds to remain available to implement the Section. Directs NCORR to oversee and administer the projects listed and to consult and coordinate with the appropriate local governments, federal entities, and others, as necessary, to complete the projects.

Part II.

Section 2.1

Amends GS 166A-2.1, adding the following to the responsibilities of the Division of Emergency Management (Division). Authorizes the Division to contract for services from (1) vendors specializing in housing, rehabilitation, and construction on private residential structures funded by state or federal funds provided to the State as a result of a Presidential or gubernatorial disaster declaration, and (2) vendors specializing in housing elevation, acquisition, demolition, and mitigation reconstruction on private residential structures to implement the federal Hazard Mitigation Grant Program on behalf of the State or political subdivisions. Subjects the new authorizations to the public contracting restrictions and requirements set forth in Article 8 of GS Chapter 143.

Section 2.2

Moves the content of previous Section 1 to Section 2.2, establishing the Disaster Relief and Mitigation Fund (Fund). Now includes State agencies in the entities that can apply to the Division for grant funds from the Fund to be used for specified disaster relief and flood mitigation projects. Transfers any remaining State matching funds appropriated in specified sections of five identified session laws from the State Emergency Response and Disaster Relief Fund to the Fund to be used for the described grant program. Makes technical changes.

Section 2.3

Moves the content of previous Section 2 to Section 2.3, establishing the Transportation Infrastructure Fund (Fund). Specifies that the funds can be used for activities consistent with the three previously specified activities and projects. Makes technical changes.

Section 2.4

Moves the content of previous Section 7 to Section 2.4, appropriating funds to the Division to support NC 2-1-1 activities. Specifies that the appropriations are for 2021-22.

Part III.

Section 3.1

Moves the content of previous Section 5 to Section 3.1, appropriating funds to the Department of Natural and Cultural Resources (DNCR)'s Land and Water Fund and amending GS 143B-135.244 to include in the annual report by the Clean Water Management Trust Fund Board of Trustees, beginning in 2024, a review of all projects funded by the Clean Water Management Trust Fund over time pursuant to GS 143B-135.234(c)(12) and the extent to which each project reduced flooding during flooding events. Makes a technical change to the proposed changes to GS 143B-135.244.

Part VI.

Section 4.1

Moves the content of previous Section 6 to Section 4.1, appropriating funds to the Department of Environmental Quality (DEQ) to staff the Resilient Coastal Communities Program and for coastal planning and management grants.

Section 4.2

Moves the content of previous Section 7.1, revising the content as follows. Now appropriates \$30 million (was, \$20 million) from the General Fund to DEQ for 2021-22 for allocation to the Coastal Storm Damage Mitigation Fund (Fund; correcting Fund name). Authorizes up to \$2 million of the funds to be allocated to the NC Coastal Federation to provide grants for living shorelines, oyster reefs, and marsh restoration in order to protect other coastal communities in order to protect other coastal communities that are vulnerable to storm surge and tidal flooding. Specifies that any unexpended funds must remain available to implement the Section.

Section 4.3

Moves the content of previous Section 8 to Section 4.3, appropriating funds to DEQ's Division of Mitigation Services and amending GS 143-214.11A. Specifies that any unexpended funds must remain available to implement the Section.

Eliminates previous Section 11, which proposed to reenact GS 105-130.34 and GS 105-151.12 (proposed to be recodified it as GS 105-153.11), and amending the tax credit allowed for real property donations by C corporations or individuals and pass-through entities set forth in each statute.

Part V.

Section 5.1

Moves the content of previous Section 12, amending Section 3.9 of SL 2020-97, revising one of the authorized uses of unencumbered funds appropriated to the NC Forest Service under Section 4.1 of SL 2016-124 by the Department of Agriculture and Consumer Services.

Part VI.

Adds the following new content. Amends Article 12Q of GS Chapter 120, renaming the Joint Legislative Emergency Management Oversight Committee as the Joint Legislative Emergency Management, Disaster Recovery, and Resiliency Activities Oversight Committee (Committee). Changes the charge of the Committee to now include continually examining issues related to emergency management, disaster recovery, and resiliency activities in the State (was, to continually examine issues related to emergency management in order to make ongoing recommendations to the NCGA on ways to promote effective emergency preparedness, management, response, and recovery). Makes the previously authorized examination areas mandatory and revises the subject areas as follows. Now includes, among others unchanged by the act: (1) examining the extent to which the design, location, and construction of buildings help reduce or eliminate damages caused by natural disasters in the Committee's examination of whether the State building code sufficiently addresses issues related to commercial and residential construction in hurricane and flood prone areas; (2) hurricanes and other natural disaster preparedness, evacuation, response and recovery (was, hurricane preparedness, evacuation and response); and (3) flood mapping, prevention, mitigation, preparedness, and response (was, flood and natural disaster preparation and response). Now allows for the President Pro Tempore and the Speaker of the House to designate one or more cochairs (was, one cochair). Revises the qualifications of appointed members to include considering members who have knowledge and expertise relating to areas that are most often impacted by natural disasters and most frequently the focus of a declaration of a state of emergency (was, relating to areas most impacted by disasters and emergencies).

Part VII.

Section 7.1

Maintains the act's effective date of July 1, 2021, unless otherwise provided.

Changes the act's long title.

Intro. by Bell, B. Jones, McElraft, Miller.

APPROP, UNCODIFIED, GS 143, GS 143B

Agriculture, Environment, Environment/Natural Resources, Government, Budget/Appropriations, Public Safety and Emergency Management, State Agencies, Department of Agriculture and Consumer Services, Department of Natural and Cultural Resources (formerly Dept. of Cultural Resources), Department of Environmental Quality (formerly DENR), Department of Public Safety, Local Government, Military and Veteran's Affairs, Nonprofits

[View summary](#)

PUBLIC/SENATE BILLS

S 257 (2021) [MEDICATION COST TRANSPARENCY ACT](#). Filed Mar 11 2021, *AN ACT TO PROMOTE PRICING TRANSPARENCY FOR PATIENTS AND TO ESTABLISH STANDARDS AND CRITERIA FOR THE REGULATION AND LICENSURE OF PHARMACY BENEFITS MANAGERS PROVIDING SERVICES FOR HEALTH BENEFIT PLANS IN NORTH CAROLINA.*

Senate amendment amends the second edition of the bill by expanding the definition of “covered entity” to include entities defined under 42 U.S.C. §256b(a)(4)(C), 42 U.S.C. §256b(a)(4)(I), 42 U.S.C. §256b(a)(4)(J), and 42 U.S.C. §256b(a)(4)(K).

Intro. by Perry, Britt, Johnson.

GS 58

[View summary](#)

Government, State Agencies, Department of Insurance, Health and Human Services, Health, Health Insurance

S 720 (2021) [CONFIRM JIM WEAVER, STATE CIO](#). Filed May 3 2021, *A SENATE RESOLUTION CONFIRMING JAMES "JIM" WEAVER AS THE STATE CHIEF INFORMATION OFFICER AND SECRETARY OF THE DEPARTMENT OF INFORMATION*

TECHNOLOGY.

Senate amendment amends the 1st edition as follows. Deletes the act's whereas clauses. Revises the act to confirm James "Jim" Weaver as the State Chief Information Officer and Secretary of the Department of Information Technology. Makes conforming changes to the long title.

Intro. by Rabon.

UNCODIFIED

[View summary](#)**Government, State Agencies, Department of Information Technology****ACTIONS ON BILLS****PUBLIC BILLS****H 96: ALLOW PHARMACISTS TO ADMIN. INJECTABLE DRUGS.***Senate: Withdrawn From Com**Senate: Re-ref to Health Care. If fav, re-ref to Commerce and Insurance. If fav, re-ref to Rules and Operations of the Senate***H 128: AN ACT TO REEMPLOY NC'S WORKFORCE. (NEW)***Senate: Amend Tabled A1**Senate: Amend Tabled A2**Senate: Passed 2nd Reading**Senate: Passed 3rd Reading***H 163: TREASURY ADMINISTRATIVE CHANGES.-AB***Senate: Withdrawn From Com**Senate: Re-ref to Pensions and Retirement and Aging. If fav, re-ref to Rules and Operations of the Senate***H 224: OCCUPATIONAL THERAPY INTERSTATE COMPACT.***Senate: Reptd Fav**Senate: Placed On Cal For 06/03/2021***H 272: REVISE HEALTH STANDARD FOR LEAD.***Senate: Withdrawn From Com**Senate: Re-ref to Health Care. If fav, re-ref to Rules and Operations of the Senate***H 278: SUNSET ABC BOARD PARTICIPATION IN LGERS.***Senate: Withdrawn From Com**Senate: Re-ref to Pensions and Retirement and Aging. If fav, re-ref to Rules and Operations of the Senate***H 500: DISASTER RELIEF AND MITIGATION ACT OF 2021.***House: Reptd Fav Com Substitute**House: Re-ref Com On Appropriations***H 629: PHYSICIAN ASST/NURSE PRACTIT./STOP ACT CLAR.***Senate: Withdrawn From Com**Senate: Re-ref to Health Care. If fav, re-ref to Rules and Operations of the Senate***H 642: DOWN SYNDROME ORGAN TRANS. NONDISCRIM. ACT.***Senate: Withdrawn From Com*

Senate: Re-ref to Health Care. If fav, re-ref to Judiciary. If fav, re-ref to Rules and Operations of the Senate

S 116: LET THEM PLAY AND LET US WATCH.

House: Withdrawn From Com

House: Re-ref to the Com on Finance, if favorable, Rules, Calendar, and Operations of the House

S 241: MODIFIED UTILITY VEHICLE DEF/USE OF FUNDS. (NEW)

Senate: Withdrawn From Com

Senate: Placed on Today's Calendar

Senate: Failed Concur In H Com Sub

Senate: Conf Com Appointed

S 257: MEDICATION COST TRANSPARENCY ACT.

Senate: Amend Adopted AI

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

Senate: Engrossed

S 544: 2021 WATER SAFETY ACT.

Senate: Withdrawn From Com

Senate: Re-ref to Agriculture, Energy, and Environment. If fav, re-ref to Appropriations/Base Budget. If fav, re-ref to Rules and Operations of the Senate

S 719: CONFIRM DIONNE DELLI-GATTI/SEC. OF DEQ.

Senate: Withdrawn From Com

Senate: Re-ref to Agriculture, Energy, and Environment. If fav, re-ref to Select Committee on Nominations

S 720: CONFIRM JIM WEAVER, STATE CIO.

Senate: Amend Adopted AI

Senate: Adopted

S 722: REVISE MUNICIPAL REDISTRICTING/CENSUS.

Senate: Reptd Fav

Senate: Placed On Cal For 06/03/2021

S 723: CONFIRM PAMELA CASHWELL, SECRETARY OF DOA.

Senate: Reptd Fav

Senate: Re-ref Com On Select Committee on Nominations

LOCAL BILLS

H 282: MOUNT AIRY/EVEN-YEAR ELECTIONS.

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

Senate: Ordered Enrolled

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