



INTRODUCTION

Governor Cooper signed his first bill into law last Friday, shrinking the size of the UNC Board of Governors elected each regular session from sixteen members to twelve. This week, two new bills make their way to his desk, House Bills 100 and 119. House Bill 119 establishes a procedure for filling vacancies on the county board of commissioners and had bipartisan support in both chambers. The more controversial House Bill 100 would make elections for superior and district courts partisan and has been largely criticized by House and Senate Democrats. All eyes will be on the Governor next week to see if this will be his first veto.

Legislators continued to debate a House Bill 2 fix this week. At a press conference in Texas, Lt. Gov. Dan Forest spoke in favor of a similar bill that has been filed there. Forest stated that North Carolina's economy has been minimally impacted by HB2 with only .1% loss in GDP. Additionally, the Trump administration could drop the federal lawsuit brought on by the Obama administration that challenged the legality of HB2. While this may be true, ACC Commissioner John Swofford said on Tuesday that time is running out for North Carolina to repeal the bill before the 2019 and 2020 tournament games are removed from the state.

There has yet to be a ruling on the constitutionality of the NC law that subjects Governor Cooper's cabinet to Senate confirmation and hearings have continued to be scheduled. On Monday, Secretary of Military and Veterans Affairs Larry Hall was officially confirmed. Subpoenas have been issued for Transportation Secretary Jim Trogdon, Cultural Resources Secretary Susi Hamilton, Department of Public Safety Secretary Erik Hooks and Department of Environmental Quality Secretary Michael Regan to appear next week for confirmation hearings.



NORTH CAROLINA COLLEGE OF EMERGENCY PHYSICIANS



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BILLS OF INTEREST

HOUSE BILL 258, Amend Medical Malpractice Health Care Provider Definition, would amend the definition of “health care provider” to include paramedics. **Introduced by Representatives Riddell, Fraley, Bert Jones, and Clappitt and referred to the House Health Committee.**

HOUSE BILL 270, The Haley Hayes Newborn Screening Bill, is identical to Senate Bill 190, summarized below in this Legislative Report. **Introduced by Representatives Lambeth, Adcock, Murphy, and White and referred to the House Health Committee.**

HOUSE BILL 276, Strengthen Youth Tobacco Use Prevention/Funds, would:

- establish a new Tobacco Use Prevention fund as a restricted reserve in the Department of Health and Human Services, Division of Public Health, Chronic Disease and Injury Section, for the purpose of preventing the use of new and emerging tobacco products, especially among youth and people of childbearing age;
- authorize DHHS to use money in the fund for specific purposes, including the creation of regional tobacco use prevention programs and education campaigns on the health risks of tobacco use;
- authorize DHHS to appropriate 25% of the amount appropriated to the fund to administer the fund, and to disburse funds to any local health department or other organization with an interest in preventing tobacco use; and
- appropriate \$17 million each for 2017-2018 and 2018-2019.

Introduced by Representatives Lambeth, Adcock, Dobson, and Watford and referred to the House Health Committee.

HOUSE BILL 279, Fantasy Sports Regulation, would prohibit the offering of any fantasy sports contest in this State unless the operator has registered with the Secretary of State. **Introduced by Representatives Saine, Hardister, Hanes, and Duane Hall and referred to the House Regulatory Reform Committee.**

HOUSE BILL 283, Telehealth Fairness Act, would:

- require health benefit plans to provide the same coverage for a health care service regardless of whether it is provided in a face-to-face consultation, in-person delivery of services, or through telemedicine;
- prohibit health care providers from being required to document reasons for delivering services by telemedicine over an in-person visit;
- prohibit an insurer from limiting the type of setting where services can be provided to the patient or by the health care provider for purposes of coverage for services provided by telemedicine;
- require coverage of services by telemedicine to be at a rate no less than the applicable rate for health care services provided in an in-person consultation or delivery of services; and
- allow for a health benefit plan to include a deductible, copayment or coinsurance requirement for services provided by telemedicine so long as it does not exceed the same applicable to an in-person consultation or delivery of services.

Introduced by Representatives Lambeth, Insko, Murphy, and Dobson and referred to the House Health Committee.

HOUSE BILL 285, Suicide Prevention/Awareness School Personnel, would require a training program on youth suicide awareness, prevention, and a risk referral protocol for school personnel by adding new sections to education statutes that would:

- require the State Board of Education, in consultation with the Department of Health and Human Services, Division of Public Health, to develop such a training program and risk referral protocol for local school systems and charter schools for a wide range of school personnel working with students in grades K-12;
- require at least 2 hours of training for specified school personnel;
- permit a local school system to use the state-developed training program or to develop its own local plan that meets certain criteria;
- require each school system and each charter school to annually report to the Department of Public Instruction on the required training and prevention requirements; and
- grant qualified civil immunity to public school personnel and board members, designees, etc., relating to the training program, protocol and implementation.

Introduced by Representatives Murphy, Hardister, Dollar and Dobson, and referred to House Health Committee, and if favorable, House Education K-12 Committee.

HOUSE BILL 289, Living Wage By 2022, is identical to Senate Bill 210, summarized below in this Legislative Report. **Introduced by Representatives Fisher, Farmer-Butterfield, Harrison, and Jackson and referred to the House Rules Committee.**

HOUSE BILL 295, Health Care Sharing Expenses Deduction, would change the calculation of the income tax deduction for medical and dental expenses so that it is equal to the sum of (1) medical and dental expenses used for the calculation under section 213 of the IRS Code, and (2) qualified health care sharing expenses for being a member of a health care sharing organization during the taxable year, to the extent that the sum exceeds 10% of a taxpayer's adjusted gross income for that taxable year. **Introduced by Representatives Martin and Dobson and referred to the House Insurance Committee.**

HOUSE BILL 303, Voter Freedom Act, would amend the statutes regarding the required proof sufficient to challenge a person's eligibility to vote. The bill would include provisions to:

- allow any registered voter of the precinct (currently, county) to challenge the right of any person to register, remain registered or vote in such precinct;
- provide that, in the absence of affirmative proof, evidence of a returned mailing, on its own, is not sufficient to sustain the required burden of proof in either a preliminary hearing or a challenge hearing;
- prohibit a challenge from being sustained on the basis of a change of residency, except by (1) written confirmation of the registrant of a change that renders the registrant ineligible to vote in the county, (2) notification from another county or state that the registrant has registered to vote in that county or state, or (3) exhaustion of the notice provisions required by the National Voter Registration Act;
- provide that, if the challenged registrant refuses to take the tendered oath, or submit to the board the required affidavit, the challenge would be sustained only if the board determines from evidence at the hearing that the challenged registrant received actual notice of the challenge and the hearing. In the absence of such a determination, the board would review the registration of the voter for inclusion in the list maintenance processes;
- provide that challenges may not be made indiscriminately and may only be made if the challenger knows or reasonably believes such a person not to be qualified and entitled to vote. The challenger would have to demonstrate to the board of elections the basis upon

which the challenger knows or reasonably believes the person is not qualified and not entitled to vote; and

- provide that the name of an individual whose right to vote is being challenged may not be released and is not a public record until the challenger demonstrates to the board of elections the burden of proof required to establish the likelihood the challenge will be substantiated.

Introduced by Representative Pierce and has not yet been assigned to a House committee.

HOUSE BILL 312, Clarify Rules Review Commission Review, would clarify that the Rules Review Commission must determine whether a rule requested by a licensing board is clearly within the authority delegated to the agency by the General Assembly. **Introduced by Representatives Riddell, Bradford, Millis and has not yet been assigned to a House committee.**

HOUSE BILL 315, Kelsey Smith Act, would provide for warrantless access by law enforcement to telecommunications device location information under certain circumstances. The bill would:

- allow a wireless service provider, upon request of a law enforcement agency or a public safety answering point on behalf of a law enforcement agency, to provide call location data concerning the telecommunications device of a user to the requesting law enforcement agency or public safety answering point;
- allow a law enforcement agency or public safety answering point to request this data **only** in an emergency situation that involves an imminent risk of death or serious physical harm;
- define “imminent” with respect to a risk of death or serious physical harm as the length of time necessary to comply with otherwise applicable provisions of law pertaining to obtaining authorization for electronic surveillance would, in the professional judgment of the law enforcement agency based upon generally accepted surveillance and investigation protocols, significantly reduce the chance of preventing death or serious physical harm;
- define “call location data” as global positioning system, triangulation, and per-call measurement data indicating the location of a telecommunications device. Call location data would not include the contents of any communication made using a telecommunications device;
- allow a wireless service provider to establish procedures for voluntary disclosure of call location data;
- prohibit a civil action from being brought in any court against any wireless service provider or any other person for providing call location data if the provider acted in good faith reliance upon the representations of the law enforcement agency or public safety answering point as required;
- require all wireless service providers registered to do business in the State to submit emergency contact information to the State Bureau of Investigation each year in order to facilitate requests from law enforcement agencies for call location data; and
- require the State Bureau of Investigation to maintain a database containing emergency contact information for all wireless service providers registered to do business in the State and to make the information readily available upon request to all public safety answering points located in the State.

Introduced by Representatives Hurley, Faircloth, McNeill, and Williams and has not yet been assigned to a House committee.

HOUSE BILL 317, Surcharge Transparency, is identical to Senate Bill 137, summarized in the March 6, 2017, Legislative Report. **Introduced by Representatives Hardister, Ross, Corbin, and Goodman and has not yet been assigned to a House committee.**

SENATE BILL 190, The Haley Hayes Newborn Screening Bill, would direct the NC Commission for Public Health to adopt rules to add to the newborn screening program a screening test for Pompe disease, Mucopolysaccharidosis Type I (MPS I) and X-Linked Adrenoleukodystrophy (X-ALD). It would increase the fee for newborn screening tests from \$44 to \$55, and would appropriate \$2.7 million for 2017-18 to the NC Department of Health and Human Services, Division of Public Health, to purchase necessary equipment and upgrades at the State Laboratory of Public Health for newborn screening and other laboratory operations. **Introduced by Senators Davis, Barefoot and Krawiec, and referred to Senate Rules Committee.**

SENATE BILL 192, Consolidate State Offices/Digital Docs Req'd, would require: (1) the Department of Administration to consolidate office space used by State agencies; (2) the conversion of most existing public records into digital format; (3) future public records to be stored digitally; and (4) the sale or disposition of State-owned or State-leased real property that is no longer needed as a result of these actions. **Introduced by Senators Tarte, Brock, and Barefoot and referred to the Senate Rules Committee.**

SENATE BILL 204, Allow Concealed Carry on UNC & CC Campuses, is identical to House Bill 251, summarized in the March 6, 2017, Legislative Report. **Introduced by Representatives K. Hall, Burr, Presnell, and Destin Hall and referred to the House Judiciary IV Committee.**

SENATE BILL 208, Counties/Internet Infrastructure, would allow counties to provide infrastructure, including, but not limited to, conduit, fiber-optic cable, and fiber-optic wire, for the purpose of expanding high-speed Internet access service in unserved areas of the county to promote and encourage economic development. The county could lease the infrastructure to unaffiliated, qualified private providers of high-speed Internet access service, and could use only unrestricted general fund revenue to provide the infrastructure. The county would not be authorized to provide internet service. **Introduced by Senators J. Davis, Ballard, Foushee and referred to the Senate Rules Committee.**

SENATE BILL 209, Nonpartisan Redistricting Commission, is identical to House Bill 200, summarized in the March 6, 2017, Legislative Report. **Introduced by Senators J. Jackson, Woodard, and Chaudhuri and referred to the Senate Rules Committee.**

SENATE BILL 210, Living Wage By 2022, would increase the State's minimum wage in phases until 2022 when the wage would be adjusted automatically each year by increases in the cost of living as follows:

- effective January 1, 2018, \$8.80 per hour or the federal minimum wage, whichever is higher;
- effective January 1, 2019, \$10.35 per hour or the federal minimum wage, whichever is higher;
- effective January 1, 2020, \$12.00 per hour or the federal minimum wage, whichever is higher;
- effective January 1, 2021, \$13.50 per hour or the federal minimum wage, whichever is higher;

- effective January 1, 2022, \$15.00 per hour or the federal minimum wage, whichever is higher; and
- beginning September 30, 2022, and on each September 30 thereafter, the Commissioner of Labor would calculate an adjusted minimum wage rate using the Consumer Price Index. Each adjusted minimum wage rate calculated would be published on September 30 and take effect on the following January 1.

Introduced by Senators Bryant, Waddell, and McKissick and referred to the Senate Rules Committee.

SENATE BILL 222, Search & Rescue Name/Funds, is identical to House Bill 189, summarized in the February 27, 2017, Legislative Report. **Introduced by Senators Lee, Krawiec, and J. Davis and referred to the Senate Rules Committee.**

SENATE BILL 228, Voter Freedom Act, is identical to House Bill 303, summarized above in this Legislative Report. **Introduced by Senators Clark, Van Duyn, and Woodard and has not yet been assigned to a Senate committee.**

SENATE BILL 229, Protection for Former Government Officer, would

- provide protection for former executive, legislative, and court officers for a period of one year from either the date that the person's term expired, or the date that the person resigned from office; and
- direct the Secretary of Public Safety to assign a member of the State Highway Patrol on an occasional basis to the former governor for their security for one year after the former Governor leaves office.

Introduced by Senators Bishop and B. Jackson and has not yet been assigned to a Senate committee.

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