



INTRODUCTION

This week saw quite a bit of action at the General Assembly as both chambers passed a number of non-controversial (or previously controversial but watered-down) pieces of legislation. It looked to be the annual “desk-clearing” that usually precedes the final budget negotiation process. This year however the negotiations are expected to drag out over the coming weeks at least, and there is little hope that a deal will be struck by the current deadline (set for August 14th). While the House and Senate Finance Chairs have met to discuss the tax portion of the budget plan, the Appropriations Chairs have not, a full month after the State budget was technically due. The two major issues of contention in the budget process – Medicaid reform and tax reform – will need to be settled before budget writers can know how much revenue they have to complete the budget. Once those numbers are set the Chairs of each respective budget subcommittee can negotiate their part of the budget, with other issues being left to the “big Chairs” (main budget writers) from each chamber and the House and Senate leadership.

Rumors of an impending deal on Medicaid reform seem to be unfounded, while the House Appropriations Committee continues to hold hearings during which speaker after speaker lists their objections to the Senate budget. This led Senate Rules Chairman Tom Apodaca to complain publicly that the House is “too busy going over our budget to sit down with us and discuss the differences – I guess they haven’t found those out yet – and negotiate and move forward.” Rep. Chuck McGrady – a House “big Chair” – responded that “we really can’t go down the budget road until we go down the finance road.” How long those roads will eventually become has yet to be determined, and what is soon to be the longest session in a decade will likely stretch well into the fall.

With limited news coming from the legislature itself, other developments became the stories of the day. State Department of Transportation Sen. Tony Tata abruptly resigned on Tuesday, saying he wanted to spend more time with his family as speculation about a Congressional run swirled. Some sitting members of the General Assembly have expressed interest in the job, including Rep. Charles Jeter, a member of House Republican leadership. With many leading



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Democrats having taken themselves out of consideration for a challenge to U.S. Senator Richard Burr, State Rep. Duane Hall of Wake County announced he is considering the possibility. In Washington, U.S. Rep. Mark Meadows of Cashiers filed a resolution to oust House Speaker John Boehner, a long shot that immediately set off speculation about potential primary challengers for Meadows' seat.

Next week, many members will be out of town for the annual National Conference of State Legislatures' meeting, and with Senate policy committees already shut down action is expected to be very slow. The House will likely continue reviewing the Senate budget and negotiators work toward resolution on the big stumbling blocks of the session. We will continue to work to move good legislation and help ensure bad provisions do not slip through as House committees work through their calendars, and will keep you posted as things progress.

BILL UPDATES

HOUSE BILL 13, Amend School Health Assessment Requirement, was amended on the Senate floor to require:

- the notice of deficiency sent to a child's parent/guardian that the health assessment transmittal form has not been presented to include information that: (1) the health assessment transmittal form must be submitted to the principal within 30 calendar days of the child's first day of attendance or the child will not be permitted to attend school until the form is submitted; and (2) an explanation for how the child may make up work missed; and
- students subject to absences due to non-submittal of a health assessment form to be given the opportunity to take textbooks and school-furnished digital devices home for the duration of the absence.

The bill as amended was approved by the Senate and was sent back to the House to consider the changes made by the Senate. The House did not agree to the changes made by the Senate, and a conference committee of House and Senate members will be appointed to work out the differences between the two versions of the bill.

HOUSE BILL 562, Amend Firearm Laws. **This bill to amend various provisions of the State's firearms laws was approved (unchanged from the version passed by the House) by the Senate and sent to the Governor, who is expected to sign it into law next week.**

HOUSE BILL 774, Restoring Proper Justice Act. This legislation to amend the law requiring the presence of a licensed physician at the execution of a death sentence was approved by the House and Senate and has been sent to the Governor for his signature. This legislation will require, at an execution, either a licensed physician, or a medical professional other than a physician, to monitor the injection of the required lethal substances and certify the fact of the execution. If the licensed physician is not present at the execution, then s/he must be present on the premises and available to examine the body after the execution and pronounce the person dead. A "medical professional other than a physician" is defined as a physician assistant, nurse practitioner, registered nurse, emergency medical technician, or emergency medical technician-paramedic who is licensed or credentialed by the licensing board, agency, or organization responsible for licensing or credentialing that profession. The legislation requires the warden and the licensed physician who was present on the premises to pronounce death (was, the surgeon or physician of the penitentiary) to certify the fact of the execution and file the certification with the clerk of court. In addition, the legislation adds to the list of information considered confidential and not a

public record information that reveals the name, address, qualifications, and other identifying information of a person or entity that manufactures, compounds, prepares, prescribes, dispenses, supplies, or administers the drugs or supplies obtained for any purpose authorized by GS Chapter 15 Article 19 (Executions). **The bill has been sent to the Governor for his signature.**

SENATE BILL 446, Dealer Loaners/Unmanned Aircraft/Brunswick Co. The provisions of this bill were removed in the House Transportation Committee and replaced with a new bill that would clarify the authority of State and local government agencies to procure and operate unmanned aircraft systems upon approval of the State Chief Information Officer, and modify the regulation of unmanned aircraft systems to conform to FAA guidelines. The bill would eliminate the skills test and require only a knowledge test to ensure that the operator of an unmanned aircraft system is knowledgeable of the State statutes and regulations regarding the operation of unmanned aircraft systems. In addition, the bill would replace the term “license” with “permit,” and lower the age at which a person may receive a permit to operate an unmanned aircraft system from 18 to 17 years of age. **The bill as amended was approved by the House Transportation Committee and will next be considered by the House Finance Committee.**

LEGISLATION ENACTED

HOUSE BILL 341, Controlled Substances/NBOME & Other Drugs, adds NBOME compounds and other substances to the controlled substances schedules, including Acetyl Fentanyl and Methoxetamine to the list of Schedule I controlled substances and several synthetic cannabinoids to the list of Schedule VI controlled substances. The legislation was signed into law by the Governor on July 17, 2015. **Effective: December 1, 2015, and applies to offenses committed on or after that date.**

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