
Coates' Canons Blog: Gearing Up For The 2015-16 Legislative Session

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It's that time of year again. The newly-elected legislators are settling into their offices, committee chairs are being appointed and committees are being assigned, lobbyists are bustling about Jones Street, and policy priorities are beginning to take shape or emerge. While the North Carolina General Assembly officially returned to work on January 14 for an "organizing session," the body quickly adjourned with a plan to return this coming Wednesday, January 28. Typically, the legislative activity in the early weeks of the biennium's long session is a little slow but the speed often begins to pick up in late February.

Interested in a preview of a few of the new faces at the General Assembly? Or of some of the bills in the pipeline that may be of interest to local government? Or information about how to renew your subscription to the School's Legislative Reporting Service (LRS)? Or do you simply want a sneak peek at the LRS summary of the new eminent domain bill? If your answer to any of these questions is yes, please read on...

New Faces

At the beginning of each biennium, the School of Government hosts an orientation program for newly elected legislators. We invited 33 "new" members this year, 19 of whom are actually new faces around the General Assembly. The others were either appointed to fill a vacancy last legislative session, served in the legislature in the recent past, or shifted from one chamber to the other.

Six of the 19 newest members are attorneys and quite a few have backgrounds that include local government experience. For example:

- Several served as county commissioners, including Rep. Dan Bishop (Mecklenburg), Rep. Howard Hunter (Hertford), Rep. Gary Pendleton (Wake), Rep. Sam Watford (Davidson), Rep. Larry Yarborough (Person), and Rep. Shelly Willingham (Edgecombe).
- A few served as mayor or on town councils, including Rep. Gale Adcock (Wake), Rep. John Bradford (Mecklenburg), and Rep. Lee Zachary (Yadkin).
- Several have experience in land use, planning, and/or zoning, including Sen. Michael Lee (New Hanover), Rep. Jay Adams (Catawba), Rep. Ralph Johnson (Guilford), and Rep. Sam Watford (Davidson).

In addition, there are new members with experience in agriculture, transportation, elections, public health, and education.

Interim Ideas

During the months when the legislature is not in session, there are often committees meeting to discuss specific topics of interest. These may be short-term study committees created by legislation or they may be standing or oversight committees that continue their work for an extended period. These committees often issue reports and sometimes the reports include draft legislation.

After the 2014 short session ended, there were multiple committees that met and some have already circulated reports that include draft legislation. A handful may be of interest to local governments, such as:

- **Flexibility for school calendars:** The House Study Committee on Education Innovation released a report that includes three draft bills, including one that would allow the State Board of Education to waive the required opening

and closing dates for schools for an “educational purpose.”

- **Medicaid:** A subcommittee of the Joint Legislative Program Evaluation Oversight Committee (JLPEOC) approved a draft bill that would create a new Health Benefits Authority charged with administering the state’s Medicaid and Health Choice programs. The full committee has not voted on the bill draft but the idea has still generated a lot of discussion in the media. For more details, see the bill summary prepared by the legislative staff.
- **LMEs/MCOs:** The JLPEOC also approved a draft bill that would integrate state-operated substance abuse centers into the services that are managed by local management entities/managed care organizations (LME/MCOs). For more details, see the report from the Program Evaluation Division or the bill summary prepared by legislative staff.
- **Child support incentive payments:** The JLPEOC approved a draft bill that would, among other things, revise the methodology for distributing child support incentive payments to counties. For more details, see the original report from the Program Evaluation Division and the subcommittee’s minutes describing the proposed changes.

These bills, or bills that offer variations on these ideas, will probably be introduced in the coming weeks (along with hundreds of other, of course).

Keeping Track

One substantive bill, H 3, was filed at the General Assembly’s organizing session on January 14 and it is almost certainly of interest to local governments because it relates to eminent domain. The summary of the bill prepared by attorneys with the School’s Legislative Reporting Service (LRS) described the substance of the bill as follows:

- Subject to approval by the voters ... amends Article I of the North Carolina Constitution by adding a new Sec. 19.1 to prohibit the taking by eminent domain of private property except for a public use. Directs that just compensation be paid to the private property owner and provides that either party may request that the amount of just compensation be determined by a jury....
- Amends GS 40A-3(a) and (b1) to restrict private condemnors and local public condemnors to exercising the power of eminent domain for a public use (was, for a public use or benefit). Amends the list of private condemnors permitted to exercise the power of eminent domain to include communication facilities (was, specified telegraphs and telephones), facilities related to the distribution of natural gas, and pipelines or mains originating in North Carolina for the transportation of natural gas. Also amends subsection (c) to limit takings by public entities (other public condemnors) to the exercise of eminent domain for the public use (was, public use or benefit).
- Enacts a new subsection (d) to GS 40A-3 to provide that private condemnors, local public condemnors, and other public condemnors ... possess the power of eminent domain and may acquire any property for the connection of any customer(s) via purchase, gift, or condemnation.

This summary is a good example of the succinct, neutral information available to LRS subscribers. The LRS staff prepares similar bill summaries for every bill that is introduced, with the exception of early drafts of the budget bill because of time constraints. LRS also summarizes all amendments, committee substitutes, and conference reports. In addition to being a source for summaries, the website offers dynamic tools that allow subscribers to keep a folder of “My Bills” where they can track bills of interest to them, establish “monitors” to save complex searches, and view The Daily Bulletin, which contains all of the legislative day’s bills and activities in one document.

State and local government officials may subscribe for **free** and nonprofits are eligible for a significantly discounted rate. Contact the SOG’s Bookstore Manager to obtain the discount codes before subscribing online. Please note that if you subscribed last year or two years ago, you will need to renew your subscription for this session.

And if you still just can’t get enough information about the legislative process, you should also check out the LRS Twitter feed!

This post is a collaboration with Christine Wunsche, the Director of the School of Government’s Legislative Reporting Service, and David Brown, the Director of the School’s Applied Public Policy Initiative.

Links

- ncleg.net/gascripts/Committees/Committees.asp



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- www.citizen-times.com/story/news/local/2015/01/25/legislature-debate-teacher-pay-medicaid-road-money/22324715/
 - lrs.sog.unc.edu/
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 - www.ncleg.net/PED/Reports/2014/InpatientTreatment.html
 - www.ncleg.net/DocumentSites/committees/JLPEOC/Minutes%20and%20Handouts/2015/01-21-2015/Publicly%20Funded%20Substance%20Abuse%20Svc%20Bill%20Draft%20Summary.pdf
 - www.ncleg.net/DocumentSites/committees/JLPEOC/Minutes%20and%20Handouts/2015/01-21-2015/Federal%20Child%20Support%20Incentive%20Payments%20Bill%20Draft.pdf
 - www.ncleg.net/PED/Reports/2014/ChildSupport.html
 - www.ncleg.net/DocumentSites/committees/JLPEOC/Minutes%20and%20Handouts/2014/11-19-2014/Child%20Support%20Subcommittee%20Final%20Report.pdf
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