

Legislative Updates August 16, 2019

The North Carolina General Assembly convened for the long-session starting on January 30th. The legislature's "crossover deadline" was May 8, 2019. This date marked the day that most bills have to be voted out of at least one chamber in order to be considered by the General Assembly this session. Redistricting bills, bills introduced on the report of Appropriations, Finance, or Rules committees, adjournment resolutions and ratification of amendments to the Constitution of the United States are exempt from the crossover deadline. NCFA will continue to monitor the General Assembly as bills continue through the process.

S.B. 27 – EMINENT DOMAIN (House Bill 3)

Sponsors: Senators Brent Jackson; Danny Earl Britt; and Norman Sanderson

An Act to Amend the North Carolina Constitution to Prohibit Condemnation of Private Property Except for a Public Use, to Provide for the Payment of Just Compensation with Right of Trial by Jury in All Condemnation Cases, and to Make Similar Statutory Changes.

Current status: Passed the House, and was referred to the Committee on Rules and Operations of the Senate

Position: Support

H.B. 63 – Protect North Carolina Workers Act

Sponsors: Representatives Cleveland, Conrad, D. Hall, and Speciale

An act to increase the number of employers who are required to participate in the Federal E-Verify Program; to repeal the E-Verify Exemption for temporary employees; and to exclude farm workers from the definition of employee under Article 2 of Chapter 64 of the General Statutes.

Current status: Re-referred to Committee on Commerce

Position: Support

H.B. 366- Raising Wages for NC Workers

Sponsors: Representatives Fisher, Farmer-Butterfield, Black, and Harrison

An Act increasing the minimum wage to fifteen dollars per hour over five years and then adjusting the minimum wage automatically each year ending the subminimum wage for persons with disabilities; phasing out the subminimum wage for tipped employees over eight years; ending the exemption for agricultural and domestic workers.

Current Status: Referred to Committee on Finance

Position: Opposed

H.B. 387- Electric Co-Op Rural Broadband Services

Sponsors: Representatives Arp, Szoka, Lewis, and Hunter (Primary) An Act Removing Restrictions Prohibiting Electric Membership Corporations and Their Subsidiaries from Seeking Federal Grant Funds to Provide Telecommunications and Broadband Services, Authorizing such Corporations to Supply Telecommunications and Broadband Services, and Providing for the Manner in Which Claims Related to the Expanded use of Easements by Such Corporations Shall Be Resolved

Current Status: Signed by Governor Cooper on May 30, 2019. Session Law 2019-17.

Position: Support

H.B. 421- Promote North Carolina Sawmills

Sponsors: Representatives Sasser, Brody, Elmore, and Dixon

An Act to Promote Local Sawmills by Allowing the Use of Ungraded Lumber in Certain Circumstances

Current Status: Referred to the Committee on Finance

Position: Neutral

H.B. 431- FIBER NC Act

Sponsors: Representatives Dobson, Lewis, Szoka, and Corbin

An Act to Foster Infrastructure for Broadband Expansion and Resources in North Carolina by Authorizing Counties and Cities to Build and Lease Facilities and Equipment of Broadband Services to Increase Adequate Broadband Services to Attract Investment in Local Economies, Provide for Educational and Career Opportunities, Modernize Farming Technologies, and to Provide for Improved Health Care.

Current Status: Re-referred to the Committee on State and Local Government

Position: Support

S.B. 312- Transfer on Death Deeds

Sponsors: Senators Ford and Bishop

An Act to Enact the Uniform Real Property Transfer on Death Act.

Current Status: Referred to the Committee on Rules, Calendar and Operations of the House

Position: Support

S.B. 315- North Carolina Farm Act of 2019

Sponsors: Senators Jackson, Sanderson, Johnson, Bishop, Britt, Burgin, Clark, J. Davis, Edwards, Foushee, Gunn, Lowe, McInnis, Newton, Perry, Sawyer, Searcy, Steinburg, Waddell, Woodard

An act to make various changes to the agricultural laws.

Current Status: Re-referred Committee On Rules, Calendar, and Operations of the House

Position: Support

S.B. 327- Timber Larceny/ Strengthen Laws

Sponsors: Senators McInnis, Sawyer, and Burgin

An Act to Increase the Punishment for Committing Larceny of Timber

Current Status: Passed the Senate. Referred to the House Committee on Judiciary.

Position: Support

S.B 394- Changes to Estates and Trust Statutes

Sponsors: Senator Daniel

An Act to make various changes to the general statutes concerning estates, trusts and guardianships, as recommended by the North Carolina Bar Association.

Current Status: Passed both the Senate and the House. Amended in House.

Positon: Support

S.B. 353- Expand Cartway Path Law

Sponsors: McInnis, Gunn, Wells

An Act to allow the laying off of a cartway of up to thirty feet if good cause is demonstrated.

Current Status: Passed the House, had been sent to the Senate for concurrence.

Position: Support

S.B. 594- Register of Deed Updates

Sponsors: Senators Daniel and Marcus

An Act to clarify the standards and requirements for the registration of certain land records with the register of deeds, to make changes to the prohibition on filing false liens or encumbrances, and to provide suggested forms for the registration of assumed business names.

Current status: Passed both the Senate and the House. Amended in the House.

Position: Support

S.B. 590- Modify Continuing Ed for Real Estate Brokers

Sponsors: Senator Gunn

An Act to modify continuing education requirements for real estate brokers

Current status: Re-referred to the Committee on Finance

Position: Neutral

H.B. 592- Check-off Donation Land Trusts

Sponsors: Representatives Richardson, McGrady, Autry and Ager

An Act to provide space on the income tax return for individuals to make donations for the protection of land, water, and other natural resources

Current status: Passed the House. Referred to the Committee on Rules and Operations of the Senate

Position: Neutral

H.B. 551 (SB 616) – LRC Study-Require Paid Work Breaks

Sponsors: Representatives Dahle, Beasley, and Hawkins

An Act amending the wage and hour act to require employers to provide a twenty minute paid break to any employee working a shift of six hours or more.

Current status: Passed the House. Referred to the Committee on Rules and Operations of the

Senate

Position: Oppose

H.B. 542- Include Solar Property as Non-system Property

Sponsors: Representatives Dixon and Bell

An Act to include certain solar energy property as non-system property.

Current status: Re-referred to the committee on Rules, Calendar, and Operations of the House

Position: Neutral

H.B. 707 – Workers’ Compensation for Independent Truckers

Sponsors: Representatives Wray, Lewis, and Stevens

An act to amend the Workers’ Compensation Act concerning the status of truck drivers as employees or independent contractors.

Current status: Died in Committee

Position: Support with Committee Amendment

H.B. 713 – Unemployment Insurance Changes/ Restorations

Sponsors: Representatives Richardson, Gailliard, Insko, and Hawkins

An act amending the Employment Security Laws to eliminate multiple waiting weeks for benefits, the sliding scale duration of benefits, and the three-hundred-fifty-dollar week cap on benefits; to reestablish twenty-six weeks of eligibility and using the average of the highest two quarters for the benefits formula; and to restore benefits in cases where an individual leaves employment for spousal relocations or health reasons or due to an undue hardship.

Current status: Referred to the Committee on Rules, Calendar, and Operations of the House

Position: Opposed

S.B. 381 - Reconstitute & Clarify Environmental Boards

Sponsors: Senators Wells, Woodard, Edwards, Gunn, B. Jackson, and Sawyer

An act to Reconstitute the Clean Water Management Trust Fund Board of Trustees and the Parks and Recreation Authority which was held to have unconstitutionally appointed membership pursuant to McCrory V. Berger and Cooper V. Berger and to clarify the powers and duties of the Clean Water Management Trust Fund.

Current status: This bill was signed by the Governor on June 21, 2019.

Position: Support

S.B. 559 (H.B. 624) – Storm Securitization/Alternative Rates

Sponsors: Senators Rabon, Hise, & Blue

An act to permit financing for certain storm recovery costs and to authorize the utilities commission to fix rates for electric public utilities using “ Multiyear Rate Plan” and “Banding of Authorized Return” mechanisms.

Current status: Re-referred the Committee on Rules, Calendar and Operations of the House

Position: Oppose as currently drafted

H.B. 655 – NC Health Care for Working Families

Sponsors: Representatives Lambeth, Murphy, Dobson, and White (Primary)

An act to provide health coverage to residents of North Carolina under the NC Health Care for Working Families Program and to establish the North Carolina Rural Access to Healthcare Grant Program.

Current status: Referred to Committee on Health

Position: Neutral

S.B. 377- Military Base Protection Act

Sponsors: Senators Brown, Newton, & Sanderson

An act to prohibit the construction, operation, or expansion of wind energy facilities in areas of the state where impacts of vertical obstructions have been determined to be significantly high, with a high risk for degrading safety and the military's ability to perform aviation training.

Current Status: Passed the Senate on June 12, 2019. Referred to the House Committee on Rules, Calendar, and Operations of the House.

Position: Opposed

S.B 390- DuPont State Forest- Financial Study

Sponsors: Senator Edwards

An act to direct the department of agriculture and consumer services to create a plan for fees and charges to support financial sustainability and proper stewardship of dupont state recreational forest.

Current Status: Passed the Senate. Re-referred to House Committee Rules, Calendar and Operations.

Position: Support

H.B 903- Study NC ports/ Manufacturing Supply Chain

Sponsors: Representatives Grange, Goodwin, Torbett, and K. Hall

An act to provide funding to the Department of Commerce to conduct a study of ports and a supply chain analysis for offshore wind energy.

Current Status: Referred to the Committee on Appropriations, Agriculture and Natural and Economic Resources

Position: Support

H.B 897- Annual Review/ Broadband Service Competitive

Sponsors: Representatives Queen, Rogers, Sasser, and Yarborough

An act providing that the utilities commission shall annually determine whether broadband service in the state is sufficiently competitive.

Current Status: Referred to the Committee on Energy and Public Utilities

Position: Support

H.B 870- Civil Procedure/ Limitations/ Land Surveyors

Sponsors: Representatives Arp, Torbett, Brody, and Richardson

An act to clarify statutes of limitation and repose applicable to actions brought against professional land surveyors.

Current Status: Passed the House, Referred to the Committee on Rules and Operations of the Senate

Position: Support

We will be continually monitoring the proceedings in the state legislature, and keep our membership updated as relevant issues arise. For more information or for questions about the North Carolina Forestry Association's legislative involvement contact NCFA Executive Vice President Dr. John Hatcher at (803) 640-9125 or contact by email: jhatcher@ncforestry.org