



## INTRODUCTION

Legislators returned to Raleigh on January 27th to officially get started with the 2021 "long" session. Wednesday marked the first day bills were allowed to be filed in either chambers, and thus far a total of 35 bills have been filed in the House and 28 in the Senate. During the previous biennium session, the chambers saw 1,236 and 873 bills filed, respectively. This session's bills are beginning to be referred to policy committees as well, another sign things are truly getting underway. Despite the uptick in action, don't expect too many floor votes on bills just yet. Speaker Moore doesn't expect to hold any voting sessions until Wednesday and Thursday of next week. On those days, leadership anticipates mostly taking up time-sensitive, priority legislation, such as a COVID-19 technical funding bill.

The House and Senate Republican and Democratic caucuses carried on with their usual fundraisers on the eve of session, only it was Zooms and prerecorded videos from special guests in place of the usual in-person affairs. During this year's events, Republican leadership shed some light on what we can expect going into session. Senate leader Phil Berger said another COVID-19 bill will be the first order of business. Other priorities will be access to health care and regulatory reform. Later on, Senate leader Berger also mentioned energy as "something we need to be talking about all the time." Sen. Berger followed by saying that we should be looking at technical issues with energy and options for nuclear energy. He would like to see our state at the forefront of the next generation of technology.

The budget will also be high on the priority list. According to Sen. Berger, the chambers have had good discussions with the Governor and are optimistic about settling on a budget for this biennium. The budget has been the subject of quite a lot of contention between the Republican-led legislature and the Democratic Governor's office, with no new budget passed into law since 2018.

After the General Assembly passes a budget this summer, Sen. Berger suspects that the legislature will adjourn for a bit and then return to take up redistricting in the fall. The legislature wants to wait until we receive up-to-date information from the



## NORTH CAROLINA COLLEGE OF EMERGENCY PHYSICIANS



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U.S. Census Bureau before moving forward on new legislative and congressional maps. Due to COVID-19 complications, the U.S. Census Bureau is requiring more time to process and release the necessary data. Republican Senator Todd Johnson has his eye on redistricting and the 2022 midterms. Speaking at the Republican caucuses' fundraiser, Sen. Johnson said he hopes to see Republicans take back a supermajority in the midterms, the first midterm election with President Biden in office.

Speaker Tim Moore agrees with Senate leadership that COVID-19 funding should be the first priority this session. Speaker Moore noted that they will be running a funding technical bill to extend deadlines from the previous COVID-19 bill first, with a bill to appropriate additional federal funding up next. Speaker Moore also said he hopes to provide relief to North Carolina businesses, especially restaurants, which he said has borne the brunt of the fiscal impact from the pandemic. The Speaker mentioned looking into fully-funded summer schools to help children catch up on their curriculum, too.

The House of Representatives released their full committee assignments earlier this week. You can see those assignments below:

### **Agriculture**

Representative Dixon; Senior Chair; Representative McNeely; Chair; Representatives Brisson, Strickland, Wray; Vice Chairs; Representatives Ager, Alexander, Bell, Brody, Elmore, Everitt, Gillespie, Goodwin, Graham, K. Hall, Humphrey, Hunter, B. Jones, Kidwell, Lofton, Majeed, Penny, Reives, Sasser, K. Smith, Watford, Yarborough.

### **Alcoholic Beverage Control**

Representative Moffitt; Chair; Representatives Boles, Hardister, Willingham; Vice Chairs; Representatives Alexander, Bell, Bradford, Dahle, Fisher, Hurley, Meyer, Saine, Turner, Zachary.

### **Appropriations**

Representatives Arp, Lambeth, Saine; Senior Chairs; Representatives Brisson, Bumgardner, Elmore, Faircloth, K. Hall, Strickland; Chairs; Representatives K. Baker, Boles, Cleveland, Dixon, Goodwin, Hardister, Hastings, Hurley, Iler, Johnson, B. Jones, McElraft, McNeill, Potts, Riddell, Sasser, Shepard, C. Smith, Torbett, White; Vice Chairs; Representatives Adams, Adcock, Ager, Alston, Autry, A. Baker, Ball, Belk, Blackwell, Brockman, Brody, Brown, Carter, Clampitt, Cooper-Suggs, Cunningham, Dahle, Davis, Farkas, Fisher, Gailliard, Garrison, Gill, Gillespie, Graham, Greene, Hanig, Harrison, Hawkins, Humphrey, Hunt, Hurtado, Insko, John, A. Jones, Logan, Lucas, Majeed, Martin, McNeely, Meyer, Miller, Mills, Morey, Moss, Paré, Penny, Pickett, Pierce, Pittman, Pless, Quick, Reives, Richardson, Roberson, Rogers, Stevens, Terry, Turner, von Haefen, Wheatley, Willingham, Willis, Yarborough.

### **Appropriations, Agriculture and Natural and Economic Resources**

Representative Dixon; Senior Chair; Representatives Goodwin, McElraft; Chairs; Representatives K. Hall, Strickland; Vice Chairs; Representatives Ager, Brown, Clampitt, Harrison, Humphrey, McNeely, Quick, Roberson, Turner, Yarborough.

### **Appropriations, Capital**

Representative Hastings; Chair; Representative Arp; Vice Chair; Representatives A. Baker, Gailliard, Hurtado, Pickett, Stevens.

**Appropriations, Education**

Representatives Hardister, Hurley, Torbett; Chairs; Representative Elmore; Vice Chair; Representatives Adams, Ball, Brockman, Brody, Fisher, Garrison, Gill, Gillespie, Hanig, Hawkins, Hunt, Lucas, Miller, Wheatley, Willis.

**Appropriations, General Government**

Representatives Cleveland, Riddell; Chairs; Representative Brisson; Vice Chair; Representatives Dahle, Farkas, Logan, Majeed, Paré, Penny, Pittman, von Haefen.

**Appropriations, Health and Human Services**

Representatives K. Baker, Potts, Sasser, White; Chairs; Representative Lambeth; Vice Chair; Representatives Adcock, Alston, Blackwell, Cooper-Suggs, Cunningham, Insko, Mills, Pless, Terry.

**Appropriations, Information Technology**

Representative Johnson; Chair; Representative K. Hall; Vice Chair; Representatives Autry, B. Jones, Meyer, Saine.

**Appropriations, Justice and Public Safety**

Representative Boles; Senior Chair; Representatives McNeill, C. Smith; Chairs; Representatives Faircloth, Rogers; Vice Chairs; Representatives Carter, Davis, Graham, Greene, John, A. Jones, Morey, Pierce, Reives, Richardson.

**Appropriations, Transportation**

Representative B. Jones; Senior Chair; Representatives Iler, Shepard; Chairs; Representative Bumgardner; Vice Chair; Representatives Belk, Martin, Moss, Willingham.

**Banking**

Representative Kidwell; Chair; Representatives Carney, Howard; Vice Chairs; Representatives Bradford, Butler, Everitt, Szoka, Zenger.

**Commerce**

Representative Sauls; Chair; Representatives Johnson, Pierce, Tyson; Vice Chairs; Representatives Adams, Adcock, Autry, Butler, Clemmons, Cunningham, Everitt, Farkas, Garrison, K. Hall, Howard, Iler, Kidwell, Lofton, Moss, Shepard, Strickland, Terry, Winslow.

**Education – Community Colleges**

Representative Hurley; Chair; Representatives Brody, Hunt, Sauls; Vice Chairs; Representatives Adams, Blackwell, Clemmons, Elmore, Farkas, Gailliard, Hanig, Pittman, R. Smith, Turner, Tyson, Zachary.

**Education – K-12**

Representatives Blackwell, Torbett; Chairs; Representatives Brockman, Fisher, Wheatley, Willis; Vice Chairs; Representatives K. Baker, Ball, Bradford, Clemmons, Elmore, Gailliard, Gill, Graham, Hunt, Iler, Johnson, Lambeth, Lucas, McNeely, Meyer, Miller, Potts, Riddell, K. Smith, Strickland, White.

### **Education – Universities**

Representative Hardister; Chair; Representatives Hastings, Pickett, Terry; Vice Chairs; Representatives Alexander, K. Baker, Carney, Clampitt, Davis, Harris, Howard, Insko, Lambeth, Martin, Mills, Morey, K. Smith, Zachary.

### **Election Law and Campaign Finance Reform**

Representative Mills; Chair; Representatives Dahle, Szoka, Warren; Vice Chairs; Representatives Ball, Blackwell, Brockman, Davis, Faircloth, Fisher, Hanig, Harrison, Iler, Insko, McNeill, Riddell, Rogers, K. Smith, Willingham, Willis, Zenger.

### **Energy and Public Utilities**

Representatives Arp, Szoka; Chairs; Representatives Miller, Paré, Watford; Vice Chairs; Representatives Alexander, Bell, Brisson, Brockman, Brown, Carney, Cunningham, Dixon, Graham, D. Hall, Harrison, Hastings, Hawkins, Howard, Humphrey, B. Jones, Pierce, Richardson, Riddell, Saine, Sauls, Setzer, Strickland, Winslow, Wray.

### **Environment**

Representatives McElraft, Yarborough; Chairs; Representatives K. Hall, Harrison, Iler; Vice Chairs; Representatives Ager, Alexander, Davis, Dixon, Goodwin, Hurtado, Insko, Kidwell, Pittman, Quick, Terry, Turner, Wheatley, White.

### **Ethics**

Representatives Sauls, Wray; Chairs; Representative Setzer; Vice Chair; Representatives Carney, Dahle, Hunter, Insko, Saine, Yarborough, Zachary.

### **Families Children and Aging Policy**

Representatives Carter, Hunter; Chairs; Representative Hurley; Vice Chair; Representatives K. Baker, A. Baker, Cooper-Suggs, Greene, Hunt, John, Morey, Pickett, Sasser, Warren, White.

### **Federal Relations and American Indian Affairs**

Representatives Clampitt, Graham; Chairs; Representatives Gillespie, B. Jones, Pless; Vice Chairs; Representatives Alston, Hastings, Logan, Riddell, R. Smith.

### **Finance**

Representatives Bradford, Howard, Setzer, Szoka; Senior Chairs; Representatives Kidwell, Wray; Chairs; Representatives Tyson, Warren, Zenger; Vice Chairs; Representatives Alexander, Bell, Butler, Carney, Clemmons, Everitt, D. Hall, Harris, Hunter, Lofton, Moffitt, Sauls, K. Smith, R. Smith, Watford, Winslow, Zachary.

### **Health**

Representatives K. Baker, Lambeth, Potts, Sasser, White; Chairs; Representatives Cunningham, Insko; Vice Chairs; Representatives Adcock, Ball, Blackwell, Brisson, Brockman, Carney, Carter, Cooper-Suggs, Dixon, Gailliard, Howard, Humphrey, Hunter, Lucas, McElraft, Moffitt, Pierce, Setzer, Shepard, K. Smith, Szoka, Tyson, Watford, Wray.

### **Homeland Security, Military, and Veterans Affairs**

Representative Goodwin; Chair; Representatives Cleveland, Martin; Vice Chairs; Representatives Arp, Autry, Boles, Carter, Hanig, Johnson, Logan, Majeed, Meyer, Paré, Pierce, Pless, Potts, Shepard, R. Smith, von Haefen, Winslow.

## **Insurance**

Representatives Humphrey, Setzer; Chairs; Representatives Bumgardner, Lucas, Sasser, Willingham; Vice Chairs; Representatives K. Baker, Cleveland, Garrison, Gill, Graham, K. Hall, Howard, Lambeth, McElraft, Pierce, Potts, Roberson, Tyson, Warren, Wray.

## **Judiciary 1**

Representative Davis; Chair; Representative Mills; Vice Chair; Representatives Carter, Gill, Harrison, Hunt, A. Jones, Potts, Saine, Sauls.

## **Judiciary 2**

Representatives Richardson, Stevens; Chairs; Representatives Greene, McNeill; Vice Chairs; Representatives Bradford, Hardister, John, Morey, Reives, C. Smith.

## **Judiciary 3**

Representatives Rogers, Zachary; Chairs; Representative Miller; Vice Chair; Representatives Arp, Brown, Butler, Clampitt, Faircloth, Harris, Martin.

## **Judiciary 4**

Representative Blackwell; Chair; Representative Adams; Vice Chair; Representatives Alston, Belk, Everitt, Howard, Kidwell, Lofton, McNeely, Zenger.

## **Land Use**

Representative Brody; Chair; Representatives Carter, Warren, Winslow; Vice Chairs; Representatives Adams, Ball, Bradford, Cunningham, Dahle, Fisher, Greene, Hurtado, Moffitt.

## **Local Government**

Representatives Hanig, Watford; Chairs; Representative Moss; Vice Chair; Representatives Ager, Autry, Boles, Faircloth, Lofton, Sasser, Setzer, R. Smith, von Haefen, Winslow.

## **Marine Resources and Aqua Culture**

Representative Hanig; Chair; Representative Cleveland; Vice Chair; Representatives Clemmons, Goodwin, Harris, Harrison, Hawkins, Iler, Kidwell, Rogers, Yarborough.

## **Pensions and Retirement**

Representative McNeill; Chair; Representatives Gill, C. Smith; Vice Chairs; Representatives Elmore, Hurley, Lambeth, Martin, Quick, Roberson.

## **Redistricting**

Representative D. Hall; Chair; Representatives Richardson, Saine, Torbett; Vice Chairs; Representatives Brockman, Carney, Cooper-Suggs, Dixon, Hardister, Harrison, Hastings, Hawkins, Mills, Reives, Rogers, Sauls, Szoka, Zachary.

## **Regulatory Reform**

Representative Riddell; Chair; Representatives Bradford, Moffitt, Yarborough; Vice Chairs; Representatives Adcock, Ager, A. Baker, Belk, Brody, Brown, Johnson, A. Jones, Kidwell, McElraft, Meyer, Paré, Stevens, Zenger.

## **Rules, Calendar, and Operations of the House**

Representative D. Hall; Chair; Representatives Hastings, B. Jones, Szoka, Torbett; Vice Chairs; Representatives Adcock, Bell, Boles, Brisson, Bumgardner, Carney, Cunningham, Davis, Dixon, Hardister, Hunter, Mills, Paré, Quick, Reives, Richardson, Saine, Willingham, Wray.

### **State Government**

Representative Torbett; Chair; Representatives Boles, Cleveland, Watford; Vice Chairs; Representatives A. Baker, Quick, von Haefen, Warren, Wheatley.

### **State Personnel**

Representative Warren; Chair; Representatives Greene, Penny; Vice Chairs; Representatives Goodwin, Logan, Roberson, Willingham, Zenger.

### **Transportation**

Representatives Iler, B. Jones, Shepard; Chairs; Representatives Cleveland, Moss, Pickett; Vice Chairs; Representatives Adams, Alston, Arp, Belk, Blackwell, Boles, Bumgardner, Butler, Carney, Faircloth, Farkas, Goodwin, Harris, Hawkins, Hunter, John, Martin, McNeill, Miller, Moffitt, Morey, Pless, Richardson, Tyson, Warren, Watford, Willis.

### **UNC BOG Nominations**

Representative Hastings; Chair; Representatives Davis, Hardister; Vice Chairs; Representatives K. Baker, A. Jones, Lambeth, Majeed, Richardson, Sauls, Setzer, Torbett, Turner.

### **Wildlife Resources**

Representatives Adams, Yarborough; Chairs; Representatives Clampitt, Gillespie, Turner; Vice Chairs; Representatives Ager, Brody, Cunningham, Garrison, Hurtado, Johnson, A. Jones, Lucas, Penny, Pittman, Pless, Rogers, C. Smith.

## **BILLS OF INTEREST**

HOUSE BILL 6, ECU Brody School of Medicine Funds, would transfer \$15 million and \$13 million in nonrecurring funds from the General Fund for the planning and construction of a new Brody School of Medicine at ECU. The bill would also set the total amount authorized for the project at \$215 million. **Introduced by Representatives Bell, Moore, Humphrey, and Goodwin and referred to the House Appropriations Committee.**

HOUSE BILL 7, Protect City Employees From Retaliation, would require a city council that does not have a binding personnel policy, code of conduct, or other procedure protecting employees from retaliation to adopt rules and regulations or ordinances that encourage city employees to report to their immediate supervisor, department head, or other appropriate authority evidence of any of the following: (i) violations of federal, State, or city laws, rules, or regulations, (ii) fraud, (iii) misappropriation of State or city government resources, (iv) any activity that poses a substantial or specific danger to public health and safety, and (v) gross mismanagement, including the gross waste of public monies or the gross abuse of authority. The bill would require the city council to prohibit, by binding policy, any employee from taking action against another employee who reported any of these activities, including retaliation against that employee, discharging the employee, threatening the employee in any way, or otherwise discriminating against the employee regarding the employee's compensation or the employee's terms, conditions, or privileges of employment. The council would also have to publish notice to keep city employees informed of

their rights and responsibilities. **Introduced by Representatives Hanig, Bradford, and Hardister and referred to the House Local Government Committee.**

HOUSE BILL 8, NC Adopt ERA, would ratify the Equal Rights Amendment to the US Constitution and require the Governor to forward certified copies of the act and its preamble to the Administrator of General Services, the President of the Senate, and the Speaker of the House of the US Congress. The bill also would provide \$10,000 to the Department of Labor to educate the public about the Act. **Introduced by Representatives von Haefen, Cunningham, Fisher, and Terry and referred to the House Rules Committee.**

HOUSE BILL 9, ECU Brody School of Medicine Funds, is identical to House Bill 6, summarized above in this Legislative Report. **Introduced by Representatives Kandie Smith and Farkas and referred to the House Appropriations Committee.**

HOUSE BILL 11, Regulate Alcohol Consumables, would:

- modify the statutes regulating alcohol sales to define alcohol consumables as packaged ice cream, ice pop and gelatin-based food product containing at least 0.5% alcohol by volume as an alcoholic beverage;
- add alcohol consumables to the definitions of alcoholic beverage as well as the definitions of fortified wine, malt beverage, spirituous liquor or liquor, and unfortified wine;
- allow the ABC Commission to set standards and adopt rules for alcoholic beverages, including alcohol consumables; and
- change the statute for setting the sale price of spirituous liquor to account for alcohol consumables.

**Introduced by Representatives Boles, Moffitt, Hurley, and Willingham and referred to the House Alcoholic Beverage Control Committee.**

HOUSE BILL 17, Pilot Project to Treat Opioid Overdose, would continue development of the Quick Response Team Pilot Project by the Department of Public Safety (DPS) and the City of Wilmington to address the follow up treatment needs of opiate and heroin overdose victims. The bill would appropriate \$500,000 in nonrecurring funds for the 2021-22 fiscal year and \$250,000 in nonrecurring funds for 2022-23 for the Project. **Introduced by Representative Davis and referred to the House Appropriations Committee.**

HOUSE BILL 31, Detected Heartbeat/Prohibit Abortion, would prohibit, unless there is a medical emergency, an abortion from being performed after an unborn child is determined to have a detectable human heartbeat. The bill would:

- deem advising, procuring, or causing a miscarriage or abortion prior to a determination by a qualified physician licensed in the State that the unborn child has a detectable human heartbeat not unlawful if performed by a qualified physician licensed in the State or clinic certified by the Department of Health and Human Services to be a suitable facility (previously, deemed not unlawful during the first 20 weeks of a woman's pregnancy);
- define *detectable human heartbeat* as embryonic or fetal cardiac activity or the steady and repetitive rhythmic contraction of the heart within the gestational sac;
- make conforming changes to provide that such acts are not unlawful after the described determination if there is a medical emergency; and
- make the provisions applicable to miscarriages or abortions caused or procured on or after December 1, 2021.

**Introduced by Representative Kidwell and has not yet been referred to a Senate committee.**

SENATE BILL 15, NC Adopt ERA, is identical to House Bill 8, summarized above in this Legislative Report. **Introduced by Senators Foushee, Marcus, and Murdock and referred to the Senate Rules Committee.**

SENATE BILL 18, ECU Brody School of Medicine Funds, is identical to House Bill 6, summarized above in this Legislative Report. **Introduced by Senators Davis and Perry and referred to the Senate Rules Committee.**

SENATE BILL 20, Hands Free NC, would prohibit a person from operating a motor vehicle under any of the following circumstances:

- with a wireless communication device in the person's hand;
- while physically holding or supporting a wireless communication device with the person's body; provided this subdivision does not prohibit wearable technology that may be in contact with the person's body but does not require any physical exertion to support;
- while watching a video or movie or communicating by video on a wireless communication device; and
- while texting on a wireless communication device.

The bill would prohibit persons under 18 from operating a motor vehicle while using a wireless communication device unless for following the recommended route by an electronic navigation system or communicating in an emergency situation, as specified.

Exceptions would be provided for:

- the use of a wireless communication device to communicate an emergency situation to any of the following: an emergency response operator; a publicly or privately-owned ambulance company or service; a hospital; a fire department; or a law enforcement agency;
- the use of a wireless communication device by any of the following while in the performance of official duties: a law enforcement officer; a member of a fire department; the operator of a public or private ambulance; or a first responder responsible for the protection and preservation of life, property, evidence, or the environment; the operator of a vehicle registered to a public utility or communications service provider when the operator is an employee of the public utility or communications service provider using the device to carry out official duties; or an amateur radio operator responding to an emergency situation.

The bill would not prohibit the use, while operating a motor vehicle, of manufacturer-installed or aftermarket equipment that is integrated into the vehicle.

Violations would be as follows:

- first offense - a person with no prior offense, or no offense in the prior 36 months, would be guilty of an infraction, a fine of \$100, and no insurance points;
- second offense – a person guilty of a first offense occurring within the previous 36 months would be guilty of an infraction, a fine of \$150, and one insurance point under the Safe Driver Incentive Plan;
- third and subsequent offenses – a person guilty of two or more offenses occurring within the previous 36 months would be guilty of an infraction, a fine \$200, and two insurance points;



- A person who violates this section while operating a school bus would be subject to the penalties provided above but is guilty of a Class 2 misdemeanor for any violation instead of an infraction.

The bill would prohibit local governments from passing an ordinance regulating the use of a wireless communication device while operating a motor vehicle and would direct the Commissioner of Motor Vehicles and the Department of Public Instruction to incorporate in driver education programs and driver licensing programs instructions designed to encourage compliance with this section as an important means of reducing motor vehicle accidents and on the requirements and penalties specified. **Introduced by Senators Burgin, Corbin, and Woodard and referred to the Senate Rules Committee.**

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