



North Carolina NOW Legislative Update—4 June 2018

BUDGET

The budget has been ratified and sent to the Governor, who probably will veto it. It passed with a mainly party-line vote. Both houses have veto-proof majorities that can override a governor's veto.

This budget is the most controversial in modern history—not for what it contains, but for the process it went through. Using a series of parliamentary moves, the Republican majority avoided introducing a budget bill and sending it through the normal process. Instead, the budget was sent to the floor of both houses as a committee report for an up or down vote with no amendments allowed. Senator Jeff Jackson's remarks on the Senate floor express Democratic outrage at the process: <https://www.youtube.com/watch?v=7lOqLWNscd8>

This budget grants more than 1.5 million dollars to fund religious agencies that offer no medical services but which pursue their religious objective of opposing abortion: Carolina Pregnancy Care Fellowship received \$1,000,000; The Human Coalition received \$300,000; Mountain Area Pregnancy Center received \$250,000. In addition, the budget includes an appropriation of \$250,000 to a Christian outdoors group that combines hunting and Bible study designed to lead youth to Jesus Christ.

The budget did not expand Medicaid coverage or provide adequate funding for education, including supplies and teacher salaries. No money was allocated to begin testing and tracking the backlog of untested rape kits, even though Attorney General Josh Stein requested \$2,000,000 for this purpose. For an overview of the budget, see: <http://www.ncpolicywatch.com/2018/05/31/the-secretly-negotiated-2018-budget-whats-in-it-why-wont-legislative-leaders-allow-real-debate/>

ERA

On 5/30/2018 Illinois ratified the Equal Rights Amendment (ERA) becoming the 37th state to do so. Only one more state ratification is needed to amend the U. S. Constitution; however, before that can happen, Congress must pass legislation to rescind the time limit for ratification.

The day after Illinois ratified, two new ERA bills (H1072 and S782) were introduced into this short session, replacing long session bills H102 and S85. The lead sponsors of the new ERA bills are Representative Carla Cunningham and Senator Floyd

McKissick. The new short session bills include an appropriation provision of \$10,000 from the General Fund to the Department of Labor to educate the public about the ERA.

TAKE ACTION FOR THE ERA

Advocates are encouraged to contact the Rules Chairs in both chambers to lobby for a hearing on the ERA bills:

House Committee on Rules, Calendar and Operations Chair, Rep. David R. Lewis
919-715-3015 David.Lewis@ncleg.net
N.C. House of Representatives
16 W Jones Street, Room 2301
Raleigh, NC 27601-1096

Senate Committee on Rules and Operations Chair, Sen. Bill Rabon 919-773-5963 Bill.Rabon@ncleg.net
N.C. Senate
16 W Jones Street, Room 2010
Raleigh, NC 27601-2808

OTHER BILLS OF INTEREST

A bill has been filed (H1044) to reform policies on reporting sexual harassment and other workplace discrimination at the General Assembly. So far, the bill has only Democratic sponsors, including all the women lawmakers in the NCGA Joint Legislative Democratic Women's Caucus. The bill has been sent to a committee for a possible hearing. For more information, including background information, see: <http://www.newsobserver.com/news/politics-government/article212255974.html>

Another bill (H1038) has been filed that would prohibit shackling pregnant women prisoners, including during labor and delivery, except in exceptional circumstances. Ending this inhumane practice is long overdue. A Medicaid expansion bill (S767) has also been introduced.

HOUSE BILLS

H945/S727: Rape Evidence Kit Tracking Act

A bill to create a statewide tracking system for sexual assault evidence kits and to require testing of untested sexual assault evidence collection kits as recommended by the Joint Legislative Oversight Committee on Public Safety; however, no funds are appropriated in this bill to conduct testing.

05/17/2018 House Rules Committee

H976 (identical to S734): Extreme Risk Protection Orders

A bill that would authorize the issuance of an order of extreme risk protection to restrict temporarily a person's access to firearms if there is evidence that the person poses a danger of physical harm to self or others.

5/22/2018 House Rules Committee

5/24/2018 Senate Rules Committee

H1038 (identical to S786) : Healthy Mother and Child/Shackling Prohibition

Prohibits the use of restraints on a prisoner known to be pregnant including transport to a medical facility, delivery, and postpartum recovery, unless the corrections official makes an individualized determination that the prisoner or detainee presents an extraordinary circumstance.

05/31/2018 House Judiciary Committee I; if favorable, Appropriations

05/31/2018 Senate Rules

H1044: (identical to S789) General Assembly/Prevent Workplace Harassment

Requires the General Assembly to develop and implement mandatory ethics training to prevent workplace harassment and other forms of discrimination in the workplace, to adopt clear sanctions policies for workplace harassment, and to implement a complaint filing process that is confidential, and to appropriate funds.

05/31/2018 House Committee on State and Local Government; if favorable, Appropriations

05/31/2018 Senate Rules

SENATE BILLS

S99: Appropriations Act of 2018 (BUDGET)

S99 began last session as a bill dealing with auto insurance. It passed both houses in different versions, and a conference committee was appointed. But the session adjourned before the conference committee could present its report. At the beginning of this session the old conference committee was dismissed and a new conference committee was appointed. The new conference committee stripped out the text of the old bill and substituted the text of the Republican budget. As a conference committee report instead of a bill, the budget went directly to the floor for an up or down vote, bypassing the usual budget committees where the budget is debated and citizens and experts may testify, answer questions, and provide information. No amendments were allowed.

06/01/2018: RATIFIED; Presented to Governor

S727 (identical to H945): Rape Evidence Kit Tracking Act

A bill to create a statewide tracking system for sexual assault evidence kits and to require testing of untested sexual assault evidence collection kits as recommended by the Joint Legislative Oversight Committee on Public Safety; however, no funds are appropriated to conduct testing.

05/23/2018 Senate Rules

05/17/2018 House Judiciary II

S734 (identical to H976): Extreme Risk Protection Orders

A bill to authorize the issuance of an extreme risk protection order to restrict temporarily access to firearms if there is evidence that a person poses a danger of physical harm to self or others.

05/24/2018 Senate Rules

05/22/2018 House Judiciary I, if favorable, Appropriations

S767: Medicaid Expansion/Healthcare Jobs Initiative

A bill to expand eligibility for the Medicaid program to include all people under age 65 who have incomes equal to or below 133 percent of the federal poverty level.

05/30/2018 Senate Rules

S783: North Carolina Equal Pay Act/Funds

A bill to prohibit discrimination in the payment of wages on the basis of the gender of the employee and to appropriate funds to the Department of Labor to educate the public concerning the provisions of this act.

05/31/2018 Senate Rules

S794: Hate Crimes Prevention Act

A bill to increase the scope and punishment of hate crimes; to require the State Bureau of Investigation to create and maintain a hate crimes statistics database; and other provisions for funding and training.

06/01/2018 Senate Rules

S798: Establish Birth Center Licensure Act

A bill to establish licensing requirements for birth centers.

06/01/2018 Senate Rules

S801: Revoke Consent/Intercourse and Sexual Acts

A bill to provide that a person who continues to engage in sexual intercourse or a sex act after consent has been withdrawn is deemed to have committed the act of intercourse or sexual act by force and against the will of the other person.

06/01/2018 Senate Rules