



## Legislation Text

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**File #:** 16-077, **Version:** 1

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**TITLE:**

A Discussion of Legislative Issues for the 2016 Short Session of the General Assembly

**PURPOSE:** The purpose of this item is to facilitate a discussion of legislative issues to present to our local delegation at the breakfast. The delegation may be able to pursue some of the issues presented during the upcoming session of the NC General Assembly.

**DEPARTMENT:** Town Clerk

**CONTACT INFORMATION:** Cathy Wilson

**INFORMATION:** The 2015 Regular Session of the 2015 General Assembly adjourned September 30, 2015. The adjournment resolutions provide that the Senate and House of Representatives stand adjourned to reconvene on Monday, April 25, 2016 at 7:00 P.M. The second session held during the even year of the biennium is referred to as the "Short Session."

The adjournment resolution specifies what may be considered during the Short Session. Per a 12-3-2015 memo from Cathy L. Martin the Legislative Librarian to the Members of the General Assembly, those matters include:

1. **Budget bills.** Bills directly and primarily affecting the State budget, including the budget of an occupational licensing board, for fiscal year 2016-2017, provided that the bill must be submitted to the Bill Drafting Division of the Legislative Services Office no later than 4:00 P.M. Wednesday, April 27, 2016, and must be introduced in the House of Representatives or filed for introduction in the Senate no later than 4:00 P.M. Tuesday, May 10, 2016.
2. **Bills amending the Constitution of North Carolina.**
3. **Crossover bills.** Bills and resolutions meeting the crossover deadline but not ratified or defeated in the receiving chamber as follows:
  - a) Senate bills and resolutions introduced in 2015 that passed third reading in the Senate by April 30th, 2015 and
  - b) House bills and resolutions introduced in 2015 that passed third reading in the House by April 30th, 2015.
  - c) However, any bill otherwise meeting these deadlines is not eligible for consideration if it:
    - i. Violates the rules of the receiving chamber; or
    - ii. Is disposed of in the other house by tabling, unfavorable committee report, indefinite postponement, or failure to pass any reading.

4. **Study committee bills.** Bills and resolutions implementing the recommendations of:
  - a) Study commissions, authorities, and statutory commissions authorized or directed to report to the 2016 Regular Session;
  - b) The General Statutes Commission, the Courts Commission, or any commission created under Chapter 120 of the General Statutes that is authorized or directed to report to the General Assembly;
  - c) The House Ethics Committee;
  - d) Select committees; or
  - e) The Joint Legislative Ethics Committee or its Advisory Subcommittee.
  - f) A bill authorized by this subdivision must be submitted to the Bill Drafting Division of the Legislative Services Office no later than 4:00 P.M. Tuesday, April 26, 2016, and must be filed for introduction in the Senate or introduced in the House of Representatives no later than 4:00 P.M. Tuesday, May 10, 2016.
5. **Local bills.** Any local bill that has been submitted to the Bill Drafting Division of the Legislative Services Office by 4:00 P.M. Tuesday, May 3, 2016, is introduced in the House of Representatives or filed for introduction in the Senate by 4:00 P.M. Thursday, May 19, 2016, and is accompanied by a certificate signed by the principal sponsor stating that no public hearing will be required or asked for by a member on the bill, the bill is noncontroversial, and that the bill is approved for introduction by each member of the House of Representatives and the Senate whose district includes the area to which the bill applies.
6. **Appointment bills.** Selection, appointment, or confirmation as required by law, including the filling of vacancies in positions for which the appointees were elected by the General Assembly upon recommendation of the Speaker of the House of Representatives, President of the Senate, or President Pro Tempore of the Senate.
7. **Bills authorized by a joint resolution that passed by a two-thirds vote.** Any matter authorized by joint resolution passed by a two-thirds majority of the members of the House of Representatives present and voting and by a two-thirds majority of the members of the Senate present and voting. A bill or resolution filed in either house under the provisions of this subdivision shall have a copy of the ratified enabling resolution attached to the jacket before filing for introduction in the Senate or introduction in the House of Representatives.
8. **Joint resolutions authorizing introduction of a bill.** A joint resolution authorizing the introduction of a bill pursuant to subdivision (7) of this section.
9. **Pension or retirement bills.** Any bills primarily affecting any State or local pension or retirement system, provided that the bill has been submitted to the Bill Drafting Division of the Legislative Services Office no later than 4:00 P.M. Tuesday, May 3, 2016, and is introduced in the House of Representatives or filed for introduction in the Senate no later than 4:00 P.M. Thursday, May 19, 2016.
10. **Joint resolutions, House resolutions, and Senate resolutions** authorized for introduction under Senate Rule 40(b) or House Rule 31.

**11. Redistricting bills:**

- a) Revising the Senate districts and the apportionment of senators among those districts.
- b) Revising the Representative districts and the apportionment of representatives among those districts.
- c) Revising the districts for the election of members of the House of Representatives of the Congress of the United States and the apportionment of representatives among those districts.
- d) Bills responding to actions related to the Voting Rights Act of 1965.
- e) Bills responding to actions related to litigation concerning Congressional, State House, or State Senate districts.

**12. Vetoed bills.** Bills returned by the Governor with objections under Section 22 of Article II of the North Carolina Constitution, but solely for the purpose of considering overriding of the veto upon reconsideration of the bill.

**13. Election law bills.** Any bills relating to election laws.

**14. Bills disapproving rules.** Bills to disapprove rules under [G.S. 150B-21.3](#).

**15. Adjournment resolutions.** A joint resolution adjourning the 2015 Regular Session, sine die.

In previous years, the Board of Aldermen has developed a package of legislative issues to discuss with the delegation. Occasionally, this package has included a piece of local legislation that the Board of Aldermen would like to get passed.

**2016 Potential Bills/Issues of Interest**

- **Carrboro/Housing Discrimination** - filed on March 4, 2015 and referred to the Committee on Rules and Operations of the Senate on March 5, 2015. This bill would amend the Town's Charter to add sexual orientation, gender identification, or gender expression to the list for protection against housing discrimination. This bill did not make crossover but is a local bill that could be reintroduced and considered in the short session. The bill is attached to this agenda item.
- **Carrboro Building Codes** - SB 179/H 219 filed on March 4, 2015 and referred to the Committee on Rules and Operations of the Senate on March 5, 2015. This act would allow the Town of Carrboro to adopt and enforce the 2012 Energy Conservation Code and the 2012 Residential Code specifically the "additional voluntary criteria for Increasing Energy Efficiency (High Efficiency Residential Option)." This bill did not make crossover but is a local bill that could be reintroduced and considered in the short session. The bill is attached to this agenda item.
- **Billboards** - HB 304/SB320 Under the proposal, an existing billboard could be moved from its current location to any other non-residential zone in a city, regardless of a local community's restrictions on location. Further, those relocated billboards could be enlarged, made taller, or converted to digital displays, even if a municipality's ordinance state otherwise.
- **Study of MPO/RPO Oversight** - HB 74 calls for the creation of a 10 member study committee

on Metropolitan Planning Organizations and Rural Transportation Planning Organizations to examine the structure and role of these organizations.

- **Rental Registration** - HB 530/SB 442 intended to restrict a cities' ability to operate rental inspections and rental registration programs. (Usually used to force absentee landlords to address repeated criminal and housing violations on their properties.) The Energy and Climate Action Task Force has recommended that the Town consider a rental registry for the energy performance of rental housing. The Affordable Housing Task Force has a goal of reducing erosion of rental housing quality and affordability via a voluntary rental registry model. Staff does not anticipate that this bill will affect a voluntary model.
- **Study of Municipal Elections in Even Years** - HB 402 would study whether municipal elections should be held in even numbered years rather than odd numbered years, as most municipalities currently hold their elections.

Staff continues to monitor legislation in the General Assembly and will report to the Board as topics arise. Legislative monitoring will continue throughout the short session by using sources including, but not limited to:

1. General Assembly Website
2. UNC School of Government monitoring and reporting service
3. NCLM legislative monitoring and reporting service
4. The NC Metro Mayors Coalition

The 2016 Legislative Breakfast will take place on Monday, March 14, 2016. As in the past, the breakfast will take place at Town Hall and begin at 7:30 a.m.

**FISCAL & STAFF IMPACT:** The cost of the annual breakfast is a budgeted expense in the 2015-16 Annual Budget.

**RECOMMENDATION:** Town staff recommends that the Board discuss the item and establish a list of legislative issues/priorities to share with our local delegation and, where appropriate, to propose local legislation in the upcoming session of the General Assembly.