



Agenda	
10:05	Local Government Potpourri
10:20	Environment and Natural Resources
10:45	Land Use and Planning
11:05	Elections Administration, Redistricting, and H 2 Update
11:50	Public Health
12:00	Animal Services and Social Services
12:25	General Assembly Schedule
12:30	Conclude

Materials

Summaries posted online:
<https://lrs.sog.unc.edu/lrs/legsumms/2017>

FREE Module: How to Read a Bill?

WHAT ARE THE COMPONENTS OF A BILL?
UNDERSTANDING BILL COMPONENTS

Click on each of the bill components for an explanation. You must click on all of the components to continue.

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015

HOUSE BILL 1015

House Title: County Y Facilities
Author: Representative McCall, Glenn, B. Brown, and J. Bell (House) (Sponsors)

Referenced:

A BILL TO BE ENTITLED
TO AMEND THE GENERAL STATUTES OF NORTH CAROLINA
RELATIVE TO THE GENERAL ASSEMBLY OF NORTH CAROLINA, SESSION 2015

Now Available from SOG
<https://lrs.sog.unc.edu/lrs/exploring-north-carolinas-legislative-process>

UNC SCHOOL OF GOVERNMENT
 Local Government Legislative Update

Local Government Potpourri

Frayda Bluestein
 Norma Houston

Overview

Public
Records

Sunday
Brunch

Contracting

Online Access to Public Records

Amendments to G.S. 132-6 (Records Generally)

- A public agency or custodian may satisfy its obligation to provide access to records by "making public records available online in a format that allows a person to view the public record and print or save the public record to obtain a copy."
- If the public agency or custodian maintains public records online in a format that allows a person to view and print or save the public records to obtain a copy, the public agency or custodian is not required to provide copies to these public records in any other way.

[S.L. 2017-10, § 2.9 \(S 131\)](#)



Local Government Legislative Update

Online Access to Public Records

Amendments to G.S. 132-6.1 (Databases)

- A public agency may satisfy its obligation to provide access to public records in computer databases by "making public records in computer databases individually available online in a format that allows a person to view the public record and print or save the public record to obtain a copy."
- A public agency that provides access to public records under this subsection is not required to provide access to the public records in the computer database in any other way;
- A public agency that provides access to public records in computer databases shall also allow inspection of any of such public records that the public agency also maintains in a nondigital medium.

[S.L. 2017-10, § 2.9 \(S 131\)](#)



Local Government Legislative Update

Records on Websites

Archived Meeting Materials

Prior to 2008 | 2016 | 2015 | 2014 | 2013 | 2012 | 2011 | 2010 | 2009 | 2008 | 2007 | 2006

Name	Date	Duration	Documents...	Video	MP4 Video
Special Meeting	Jul 10, 2017	00h 12m	Documents...	Video	MP4 Video
Business Meeting	Jun 26, 2017	04h 33m	Documents...	Video	MP4 Video
Public Hearing	Jun 19, 2017	04h 07m	Documents...	Video	MP4 Video
Business Meeting	Jun 12, 2017	03h 36m	Documents...	Video	MP4 Video
Budget Work Session	Jun 5, 2017	00h 00m	Documents...	Video	MP3 Audio
Business Meeting	May 22, 2017	03h 15m	Documents...	Video	MP4 Video
Budget Work Session	May 17, 2017	00h 00m	Documents...	Video	MP3 Audio
Public Hearing	May 15, 2017	02h 35m	Documents...	Video	MP4 Video
Business Meeting	May 8, 2017	02h 11m	Documents...	Video	MP4 Video
Business Meeting	Apr 24, 2017	03h 30m	Documents...	Video	MP4 Video
Public Hearing	Apr 17, 2017	03h 40m	Documents...	Video	MP4 Video
Work Session	Apr 12, 2017	00h 00m	Documents...	Video	MP3 Audio
Business Meeting	Apr 5, 2017	02h 35m	Documents...	Video	MP4 Video
Business Meeting	Mar 20, 2017	01h 51m	Documents...	Video	MP4 Video
Public Hearing	Mar 13, 2017	04h 48m	Documents...	Video	MP4 Video
Work Session	Mar 8, 2017	00h 00m	Documents...	Video	MP3 Audio



Local Government Legislative Update

Online Access to Public Records

- Does not require posting of documents
- Downloadable version must not contain formatting that limits its use, such as watermark or "copy" across the document.
- See: [Form, Format, and Medium: How Must Electronic Records Be Provided?](#) (Coates' Canons, 3/7/12)
- Effective July 1, 2017



Local Government Legislative Update

Sunday Brunch Ordinance

- Cities and counties may adopt an ordinance allowing the sale of alcoholic beverages on licensed premises beginning at **10:00am Sunday morning**
- General rules for adopting ordinances apply
 - *No special public notice of or public hearing on the ordinance required*
- Ordinance applies *only* within the jurisdiction that adopted it (city council may extend county ordinance into the city by resolution)
- Resources:
 - Model ordinances available from [NCACC](#) and [NCLM](#)
 - [Sunday Brunch Ordinances – Cheers!](#)
– Coates' Canons, 7/8/17



[S.L. 2017-87 \(S155\)](#)



Local Government Legislative Update

Israel Boycott Contracting Prohibition

- Prohibits state agencies and local governments from contracting with a **company that boycotts Israel**
- Prohibition applies to **ALL** local governments and **ALL** types of contracts
- Only one **exemption** – contracts costing **\$1,000 or less**
- **NO** certification or affidavit required
- Treasurer's Office will develop list of restricted companies; compliance triggered when list is published
- Blog post coming soon: Companies that Boycott Israel – New Contracting Limitation But No Action Required Yet! ([Coates' Canons](#))

[S.L. 2017-__ \(H.161\)](#)



Local Government Legislative Update

New Rules for Legal Notices?

- Vetoed by Governor (7/17/17)
- Caps what newspapers may charge when notices must be published more than once
- Modifies criteria newspapers must usually satisfy to publish legal notices
 - Smaller jurisdictions may see newspapers headquartered in other counties competing to publish their notices
- Requires any newspaper with an online edition to post each notice online on the same date it appears in the print edition
- Pilot Program for Guilford County
- If enacted, notice provisions effective 10/1/17

S.L. 2017-__ (H 205)



Local Government Legislative Update

Questions?



Evaluation: https://unc.az1.qualtrics.com/jfe/form/SV_9GK49B14M9bhmOp



Local Government Legislative Update

Environment & Natural Resources

Richard Whisnant



Local Government Legislative Update

Overview



Night of the Living Dead, direction and cinematography both by George A. Romero (1968-2017), is in the public domain.
http://commons.wikimedia.org/wiki/File:night_of_the_living_dead.jpg

- 6 key bills passed and signed, 1 of which is omnibus (many provisions)
- Around 8 bills, with ~80 provisions, close to passage or veto override, eligible in Aug-Sept
- Hence "Year of the Undead" for environmental legislation

Air and Energy

- Reduction of vehicle emissions inspection and maintenance



Air and Energy, II

- Renewable energy reform (S.L. 2017-___, [H 589](#))
 - Wind energy moratorium
 - Solar regulation
- Guaranteed Energy Savings Contract tweaks ([S 469](#))

Water

- DOT stormwater standards apply to privately built state roads
- DEQ to study local riparian buffer widths
- More limits on state stormwater permits
- Landscaping materials declared not part of "built upon area"
- No stream mitigation for loss of 300' or less of streams
- Streamline dam removal (S.L. 2017-____, [S107](#))
- Changes in wastewater spill reporting ([H 56](#))
- Law enforcement power to override riparian buffer requirements due to risks to public safety; exemptions for trails in Catawba basin ([H 56](#))

Water II (coastal)

- Repeal of coastal temporary erosion control structure rules
- Beach nourishment material quality exemption
- Push for shellfish and aquaculture in federally protected areas
- Shellfish Aquaculture Enterprise Areas ([S 469](#))

Solid Waste

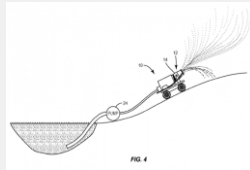
- Landfill franchise conformance to life-of-facility permits
- Landfill franchise 60 year cap
- Liability shield for hazardous waste recyclers
- Slow pre-regulatory landfill cleanups

Agriculture and Forestry

- No swine zoning
- Hog "lagoon" closure without P.E.s
- Odor protection
- Liability caps
- Sedimentation and erosion from forestry operations
- Agri-tourism study and definition
- Wine sales at farmers' markets ok

Solid Waste, II

- C&D waste ok for MSW landfills ([S 469](#))
- Repeal the plastic bag ban on coast ([H 56](#))
- Coal ash changes ([H 374](#))
- Reduced cleanup rules &c. ([H 56](#))
- Aerosolization at landfills ([H 576](#))



Miscellaneous/Administrative procedures

- Permit reform ([H 794](#))
- Rulemaking changes ([H 162](#))

Environmental Finance

- Lots of interesting matters
- Stay tuned...
 - Upcoming **FREE** webinar
 - System Development Fee legislation (i.e., impact fee)
 - August 17



Local Government Legislative Update

Questions?



Evaluation: https://unc.az1.qualtrics.com/jfe/form/SV_9GK49B14M9bhmOp



Local Government Legislative Update

Land Use & Planning

David Owens



Local Government Legislative Update

Enacted Legislation



Local Government Legislative Update

S.L. 2017-10 (S 131)

Revise requirements for plan consistency statements when zoning is amended

Governing board approves one of three statements:

1. Amendment approved, consistent with plan
2. Amendment rejected, inconsistent with plan
3. Amendment approved, inconsistent with plan

[S.L. 2017-10 \(S 131\)](#)



Local Government Legislative Update

S.L. 2017-10 (S 131)

If amendment approved and is inconsistent with plan:

1. Plan deemed amended
2. May not require any additional application for plan amendment
3. Must also approve explanation of the change in conditions to meet development needs of community that justified the amendment

Blog post: [A Statutory Modification for Plan Consistency Standards](#) (Coates' Canons, 6/20/17)

[S.L. 2017-10 \(S 131\)](#)



Local Government Legislative Update

S.L. 2017-10 (S 131)

Two new statute of limitations for enforcement actions

Five years

Runs from when facts of violation become known to local government or can be determined from public records

[S.L. 2017-10 \(S 131\)](#)



Local Government Legislative Update

S.L. 2017-10 (S 131)Seven years

Runs from when violation is apparent from a public right of way or is in plain view from a place the public is invited

[S.L. 2017-10 \(S 131\)](#)



Local Government Legislative Update

S.L. 2017-108 (S 615)2017 Farm Bill

USDA Farm number no longer evidence property is a farm

Adds requirements for agritourism to be exempt from county zoning as a farm use

[S.L. 2017-108 \(S 615\)](#)



Local Government Legislative Update

S.L. 2017-108 (§ 615)Agritourism

Farm must be held by person with

1. Qualifying farmer sales tax exemption
2. Enrolled in present use value property tax program

Must remain in qualifying status for three years after agritourism starts

[S.L. 2017-108 \(§ 615\)](#)



Local Government Legislative Update

S.L. 2017-108 (§ 615)Agritourism

Allows visitors to view or enjoy rural activities

Can include building or structure for weddings, receptions, meetings, meals taking place there "because of its farm or rural setting"

[S.L. 2017-108 \(§ 615\)](#)



Local Government Legislative Update

S.L. 2017-108 (§ 615)

County zoning no longer applicable to large scale hog farms (600,000 pounds of pig)

Exception from the exemption from county zoning repealed

[S.L. 2017-108 \(§ 615\)](#)



Local Government Legislative Update

S.L. 2017-10 (S 131)

Definition of Subdivision

- New (old) exemption:
 - "The division of a tract into parcels in accordance with the terms of a probated will or in accordance with intestate succession under Chapter 29 of the General Statutes."
- New Expedited Review
- Blog Post: [Subdivision Legislation: An Old Exemption and a New Expedited Review](#) (Coates' Canons, 6/13/17)

[S.L. 2017-10 \(S 131\)](#)



Local Government Legislative Update

Expedited Review: Qualifying Subdivision

1. property must be greater than five acres
2. must not be exempt as a Ten-Acre Exemption
3. must have been at least ten years since the property was subdivided with this expedited review
4. subdivision must result in no more than three lots
5. resulting lots must meet applicable lot dimension requirements
6. resulting lots must have a permanent means of ingress and egress designated on the recorded plat
7. use of the resulting lots must comply with applicable zoning requirements



Local Government Legislative Update

Expedited Review Process

- Final plat only
- Still reviewed: officer must determine if the plat meets the standards to be a qualifying subdivision
- Dimensional standards (unlikely that other subdivision standards may be imposed)
- Fees?



Local Government Legislative Update

S.L. 2017-40 (H 158)Performance Guarantees

Amends G.S. 160A-372 -- only the following may claim rights under a subdivision performance guarantee:

1. The local government to whom such performance guarantee is provided.
2. The developer at whose request or for whose benefit such performance guarantee is given.
3. The person or entity issuing or providing such performance guarantee at the request of or for the benefit of the developer.

[S.L. 2017-40 \(H 158\)](#)



Local Government Legislative Update

S.L. 2017-27 (H 454)Plat Requirements

- Eliminate use of control corners in favor of grid control
- Clarify surveyors certifications
- Clarify prominence of and info for title of plat (firm, dates of revisions)
- Tweak qualities and dimensions of plats
 - Border requirements
 - Allow black line on white paper instead of transparent and archival

[S.L. 2017-27 \(H 454\)](#)



Local Government Legislative Update

S.L. 2017-109 (H 530)

Counties granted same authority previously given to cities to demolish and remove vacant and abandoned buildings in community development areas

[S.L. 2017-109 \(H 530\)](#)



Local Government Legislative Update

Pending Legislation



Local Government Legislative Update

Wireless Telecommunication (H 310)

- Facilitate next generation wireless
- Focus on "small wireless facilities"
 - 6 cubic feet
 - 28 cubic feet for ground support
- Only administrative review if in city ROW or on property that is not single-family residential

S.L. 2017-___ ([H 310](#))



Local Government Legislative Update

Wireless Telecommunication (H 310)

- Application deemed complete unless deficiencies identified in writing within 30 days and deemed approved if no action in 45 days
- May submit combined application for up to 25 facilities
- Limits on application fees and consulting fees

S.L. 2017-___ ([H 310](#))



Local Government Legislative Update

Wireless Telecommunication (H 310)

- Can only deny if:
 - Violates building code
 - Violates objective design standards, nondiscriminatory stealth requirements, reasonable spacing or screening and landscaping requirements for ground structures, public safety standards
 - Historic preservation requirements

S.L. 2017-___ ([H 310](#))



Local Government Legislative Update

Wireless Telecommunication (H 310)

- If denied, must provide documentation of reasons
- Application can modify and resubmit application without charge within 30 days and city has 30 days to review
- Includes standards requiring permission to use ROW and to provide access to city poles

S.L. 2017-___ ([H 310](#))



Local Government Legislative Update

Code Enforcement (H 252)

- Requires each inspection department to establish program for informal internal review of inspection decisions
- Must list supervisor, contact info, and notice of review process on each permit
- Must do annual report of reviews conducted

S.L. 2017-___ ([H 252](#))



Local Government Legislative Update

Potential Legislation in 2018

Pending for 2018

- [H 507](#) – Various zoning changes
- [H 668](#) – Political signs in ROW
- [S 419](#) – 160D proposal
 - See [SOG website](#) for details
 - <https://www.sog.unc.edu/resources/microsites/planning-and-development-regulation/proposed-ch-160d-2017>

Questions?



Evaluation: https://unc.az1.qualtrics.com/jfe/form/SV_9GK49B14M9bhmOp

Elections Administration, Redistricting & HB2 Update

Bob Joyce



Local Government Legislative Update

Elections Administration



Local Government Legislative Update

Revamp of Elections Administration

[S.L. 2017-6 \(S 68\)](#)

- State Board of Elections replaced by Bipartisan State Board of Elections and Ethics Enforcement
- 8 members 4 and 4 instead of 5 members 3 and 2
- 5 votes to take an action
- elections administration with ethics function and with lobbying function
- county boards of elections 2 and 2 instead of 2 and 1
- 3 votes required to take an action



Local Government Legislative Update

Revamp of Elections Administration

- Original, similar revamp enacted just before Cooper became Governor
- He sued, claiming violation of separation of powers
- Three-judge court blocked the revamp
- The General Assembly revised the revamp in S.L. 2017-6 (S 68)
- Three-judge court allowed the revised revamp
- The Court of Appeals did, too
- The matter is now before the North Carolina Supreme Court
- Meanwhile, we have neither the old boards nor the new boards

Local Elections—Cities to Even Years

- Troy [S.L. 2017-12 \(S 19\)](#)
- Star [S.L. 2017-12 \(S 19\)](#)
- Jonesville [S.L. 2017-56 \(H 498\)](#)
- Boonville [S.L. 2017-56 \(H 498\)](#)
- East Bend [S.L. 2017-56 \(H 498\)](#)
- Lincolnton [S.L. 2017-62 \(H 504\)](#)

Local Elections—Change to Partisan Elections

- Union County Board of Education
 - [S.L. 2017-63 \(H 520\)](#)
- Beaufort County Board of Education
 - [S.L. 2017-78 \(S 253\)](#)
- Carteret County Board of Education
 - [S.L. 2017-78 \(S 253\)](#)
- Cleveland County Board of Education
 - [S.L. 2017-78 \(S 253\)](#)
- Dare County Board of Education
 - [S.L. 2017-78 \(S 253\)](#)

Judicial Elections

[S.L. 2017-3 \(H 100\)](#)

- Superior and district court judge elections are returned to partisan

Redistricting

Redistricting

2010

- Federal census
- One-person-one-vote requires redistricting at all levels

Redistricting

2011

- General Assembly enacts new **Congressional** districts
- Also enacts new state **House** districts
- Also enacts new state **Senate** districts

Redistricting

Lawsuits follow alleging *racial* gerrymanders in all three plans

Redistricting

2016

- Federal district court holds the **Congressional** districts unconstitutional as *racial* gerrymanders
- General Assembly redraws the districts; new maps are used in 2016 election
- Appeal is made to the US Supreme Court

Redistricting

Also in 2016

- Federal district court holds the state **House** and **Senate** districts unconstitutional as *racial* gerrymanders
- Order to draw new maps is blocked
- Appeal is made to the US Supreme Court

Redistricting

So all three plans end up in US Supreme Court

- Congressional
- State House
- State Senate

Redistricting

2017

- The US Supreme Court affirms that the **Congressional** plans are unconstitutional *racial* gerrymanders
- And it affirms that the state **House** and **Senate** plans are unconstitutional *racial* gerrymanders

Redistricting

Also 2017 a change of subject

- The redrawn **Congressional** maps are challenged as *partisan* gerrymanders
- They are challenged both in the original suit and in a new suit
- The original suit is back before the US Supreme Court; the new suit is awaiting trial in Greensboro

Redistricting

Where we stand—**Congressional** districts

- The redrawn **Congressional** districts are the current districts, but are under two challenges as partisan gerrymanders

Redistricting

Where we stand—state **House** and **Senate** districts

- The old, unconstitutional state **House** and **Senate** districts are still in place
- The General Assembly has announced an intent to come back in session to redraw the districts, in time for the 2018 elections
- The federal court will soon issue an order. Will it require the General Assembly to act faster and to have a special election in the fall of 2017?

Discrimination in Public Accommodations

Discrimination in Public Accommodations

Federal Civil Rights Act of 1964

- Employment discrimination:
race, color, religion, national origin, sex
- "Public accommodations discrimination"
race, color, religion, national origin

Discrimination in Public Accommodations

- So, no federal statute on discrimination on the basis of sex in public accommodations
- And, no North Carolina state statute
- 2016, Charlotte enacts a city ordinance banning discrimination on the basis of sex in public accommodations that includes discrimination on the basis of sexual orientation and gender identity
- 2016, the General Assembly enacts House Bill 2

Discrimination in Public Accommodations

S.L. 2016-3 (H 2)

- Bathrooms in government buildings to be used only on the basis of "biological sex"
- New state law banning discrimination in public accommodations on the basis of sex, limited to "biological sex"



Local Government Legislative Update

Discrimination in Public Accommodations

[S.L. 2017-4 \(H 142\)](#)

- H 2 repealed
- Bathroom rules are gone
- New state law on public accommodations is gone



Local Government Legislative Update

Discrimination in Public Accommodations

Three prohibitions are in place:

- No unit of government may engage in the "regulation of access to multiple occupancy restrooms"
- No unit of government may enact or amend an ordinance "regulating private employment practices"—through 2020
- No unit of government may enact or amend an ordinance "regulating public accommodations"—through 2020



Local Government Legislative Update

Discrimination in Public Accommodations

Where we stand

- 27 other states also have no state statute banning discrimination on the basis of sex in public accommodations
- Only 3 of those 27 prohibit local ordinances—Arkansas, Tennessee, and North Carolina (and North Carolina's ban is set to expire in 2020)
- So North Carolina is back in the mainstream, for the most part



Local Government Legislative Update

Questions?



Evaluation: https://unc.az1.qualtrics.com/jfe/form/SV_9GK49B14M9bhmOp



Local Government Legislative Update

Public Health

Jill Moore



Local Government Legislative Update

Opioids

Opioids include:

- Prescription painkillers, such as oxycodone, hydrocodone, codeine, morphine
- Medications that treat opioid addiction, such as methadone or buprenorphine
- Illicit drugs such as heroin

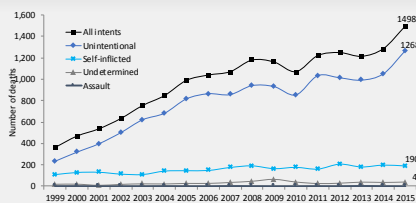
Opioid antagonist: medication that reverses overdose, such as naloxone



Local Government Legislative Update

Medication or Drug Overdose Deaths by Intent

NC Residents, 1999 - 2015



Source: N.C. State Center for Health Statistics, Vital Statistics Deaths, 1999-2015; Analysis by Injury Epidemiology and Surveillance, Medication or Drug Overdose, XJG-044, 2016; Data: N 10-174, ASD. The data presented here are part of the VSD Registry, System of the State Center for Health Statistics and have been used to historically track and monitor the drug overdose burden in NC using ICD10 codes. The detailed data on deaths come from the NC Office of the Chief Medical Examiner (OCME). For the most recent data and data on specific drugs, please contact the OCME at ocme@ocme.state.nc.us

Analysis by Injury Epidemiology and Surveillance Unit

North Carolina
Injury & Violence
PREVENTION Branch



Local Government Legislative Update

Legislative Responses

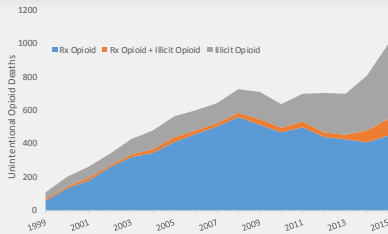
- 2005: Controlled Substances Reporting System (CSRS)
- 2013: "Good Samaritan" protections
 - Increased availability of naloxone to reverse overdoses
 - Limited immunity from prosecution for those who seek emergency assistance for an overdose
- 2016: Syringe exchange
 - Bloodborne disease (HIV, hepatitis) associated with injecting drugs
- 2016 and 2017: Funding for CSRS, naloxone, treatment
- 2017: Strengthen Opioid Misuse Prevention (STOP) Act



Local Government Legislative Update

Unintentional Rx and Illicit Opioid Deaths

NC Residents, 1999 - 2015



Local Government Legislative Update

STOP Act – S.L. 2017-74 (H 243)

New term: "Targeted controlled substance"

- Controlled substances listed in G.S. 90-90(1) or (2), or G.S. 90-91(d)
- Essentially Schedule II and III opioids

[S.L. 2017-74 \(H 243\)](#)



Local Government Legislative Update

STOP Act – S.L. 2017-74 (H 243)

Provisions Affecting Prescribing

- Limits quantity of targeted CS that may be prescribed for acute pain (eff. 1-1-18)
- Requires providers to check CSRS before initial prescriptions of targeted CS, every 90 days thereafter if prescription continues (eff. TBD: not effective until CSRS improvements achieved)
- Requires electronic prescribing of targeted CS (eff. 1-1-20)
- PAs and NPs must personally consult with supervising physician before prescribing targeted CS if use will exceed 30 days (eff. 7-1-17)

Provisions Affecting Dispensers

- Dispensers of Schedule II, III, IV controlled substances must register with CSRS (eff. TBD)
- Dispensers of targeted CS must consult CSRS if suspect illicit drug-seeking (opioid dispensers) and contact prescriber in certain instances (eff. TBD)
- Pharmacies must report prescriptions to CSRS by close of business day (eff. 9-1-17)
- Potential for monetary penalties for pharmacies who do not report correct data after being informed data is missing or incomplete (eff. 9-1-17)



Local Government Legislative Update

STOP Act – S.L. 2017-74 (H 243)

Other provisions (eff. 7-1-17)

- Community distribution of naloxone by entities with standing order
 - Governmental & non-governmental entities and their agents, including health departments, law enforcement agencies, others
 - Must include basic instruction and information about how to administer
- Amends prohibition on use of public funds to purchase needles, syringes, other injection supplies for syringe exchange programs: local funds may be used (state funds may not)
- In-home hospice providers must educate families about proper disposal of medications



Local Government Legislative Update

Other Public Health

Budget

- Funding provided for CSRS improvements, tobacco cessation and prevention, state public health lab, communicable disease testing, Carolina Pregnancy Care Fellowship
- Non-funding provisions:
 - NC Health Information Exchange: LHD connection date now June 1, 2018
 - School nurses: local maintenance of effort; school nurse duties specified
 - Children's blood lead levels: conform state law to federal
- [S.L. 2017-57, S 257](#)

Other

- Outdoor grills at food establishments
 - [S.L. 2017-38 \(S 24\)](#)
 - NC DPH guidance issued July 12
- Regulatory reform
 - [S.L. 2017-10 \(S 131\)](#)
 - Drinking water well permits, § 1.3.(a)
- Student health
 - Study student health
 - [S.L. 2017-__ \(H 155\)](#)
 - Health education curriculum
 - [S.L. 2017-__ \(H 135\)](#)
- Telemedicine study
 - [S.L. 2017-__ \(H 283\)](#)



Local Government Legislative Update

Animal Services

Aimee Wall



Local Government Legislative Update

Rabies

Old law

- Dog, cat, or ferret exposed to rabies would be destroyed or quarantined for up to 6 months

New law

- Dog, cat, or ferret exposed to rabies shall be managed according to guidelines from National Association of State Public Health Veterinarians (eff. 10/1/17)

Context

- Blog Post: [Rabies Prevention and Control: Integrating Recent Research into North Carolina's Legal Framework](#), Coates' Canons (7/25/16)

[S.L. 2017-106 \(S 74\)](#)

Livestock

Current law: At-large or stray livestock

- Blog post: [Find a Pig? Local Government Responsibilities Related to Found Livestock](#), Coates' Canons (2/16/2016)

New law: Abandoned livestock

- "Abandoned" if:
 - Placed in custody of another for treatment, boarding or care;
 - Owner does not retake custody within 2 months of last payment; and
 - Custodian made reasonable efforts to collect during 2 months.
- If abandoned, custodian may sell, transfer, or humanely dispose of the animal

[S.L. 2017-108 \(S 615\)](#)

Social Services

Overview

Supervision and Administration

- Social Services Working Group
- Reform Plan
- Contracts/Corrective Action
- Regional Departments

Child Welfare

- Appeals
- Rylan's Law
- Driver's License Pilot

Miscellaneous

Supervision and Administration

[S.L. 2017-41](#) ([H 630](#))

Social Services Working Group

Stage One

- Regional supervision by state
- Role of Boards of County Commissioners
- April 15, 2018

Stage Two

- Improve collaboration between counties
- Vision for transitioning to a regionally-administered system
- February 1, 2019

Reform Plan

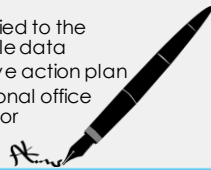
- State contract with outside organization
 - System reform
 - Evaluate the role of the state
 - New strategic direction for social services system
 - Child welfare reform
 - Specific requirement for more detailed reform plan
 - Dashboard
 - Report card
 - NCFast data



Local Government Legislative Update

Contracts/Corrective Action

- Contract between counties and state
 - Will address performance requirements and administrative responsibilities
 - May withhold state or federal funds for noncompliance
- After FY 2020-21
 - Performance requirements tied to the Dashboard and other reliable data
 - Failure to comply = corrective action plan
 - If fail to complete plan, regional office must temporarily assume all or part of the administration



Local Government Legislative Update

Regional Departments

- After March 2019...
- Multi-county social services agencies allowed
 - Public authorities
 - May be limited to certain services
 - Counties must contribute financially to district; contributions to be specified in rule adopted by Social Services Commission



Local Government Legislative Update

Child Welfare



Local Government Legislative Update

Appeals

- Direct appeal to the NC Supreme Court if:
 - An order granting or denying a termination of parental rights (TPR)
 - An order eliminating reunification as concurrent permanent plan when a TPR has been filed within 65 days (see G.S. 7B-906.2)
- Effective for appeals filed on or after **January 1, 2019**



[S.L. 2017-41 \(H 630\)](#), amending G.S. 7B-1001



Local Government Legislative Update

Rylan's Law

- DSS must observe and provide documentation of at least two visits between the child and the removal parent, guardian, custodian, or caretaker before recommending to the court that physical custody of the child be returned to that person
- Effective June 21, 2017

[S.L. 2017-41 \(H 630\)](#), amending G.S. 7B-903.1(c)



Local Government Legislative Update

Driver's License Pilot

- Requires NC DHHS to establish a two-year pilot program to reimburse costs associated with foster youth obtaining a driver's license
- Expenses include driver's education, driver's license fees, and automobile insurance
- DHHS reports due to legislature by March 1, 2018.
- Effective July 1, 2017



[S.L. 2017-41 \(H 630\)](#)

Miscellaneous

Child care subsidy – [S.L. 2017-57 \(S 257, §11B.7\)](#)

- Demonstration project in 3-6 counties mandating subsidy recipients to cooperate with child support

Guardianship – S.L. 2017-___ ([H 236](#))

- GAL may seek appointment of interim
- Clerk may appoint interim during adjudication
- Clerk has contempt powers

ACH dispute resolution – S.L. 2017-___ ([H 657](#))

- Requires counties, jointly with DHSR, to offer Adult Care Homes (ACH) an opportunity for informal dispute resolution when home cited for certain violations.

Adjourned June 30?

August 3

- Veto overrides
- Bills pending concurrence
- Adoption of conference reports if conferees appointed
- Revenue (limited)
- Responding to litigation
- Impeachment
- Appointments/nominations

September 6

- Veto overrides
- Revising judicial districts
- Revising other election districts (city/county)
- Constitutional amendments
- Responding to litigation
- Impeachment
- Appointments/nominations

November?

Possible for legislative, judicial, and local government redistricting

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Local Government Legislative Update

Evaluation

Thanks for joining us today.

Please take a moment to complete our short evaluation. Your feedback is invaluable.

Evaluation:

https://unc.qz1.qualtrics.com/jfe/form/SV_9GK49BI4M9bhmOp



Local Government Legislative Update