



**CITY MANAGER'S OFFICE  
M E M O R A N D U M**

July 19, 2013

**TO:** Ron Carlee, City Manager  
Ron Kimble, Deputy City Manager

**FROM:** Dana Fenton, Intergovernmental Relations Manager

**SUBJECT: Week 25 State Legislative Report**

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**HOT TOPICS**

Charlotte Regional Airport Authority Act (SB 81 – Rucho) transfers control of the Charlotte Douglas International Airport from the City of Charlotte to an independent Authority; City Council adopted resolution on 6/10 states that: (1) City supports airport governance structure that maintains CLTs best performing and lowest cost status, regardless of whether it is a city department, authority or some other model, (2) directs City Manager to fully evaluate and implement best practices for airport finances, contracts, procurement, human resources, and public safety, and to work with all stakeholders, including legislators, in undertaking these evaluations, and (3) unambiguously states that it would vigorously resist any outside, unilateral changes that threaten the airport's performance and cost status; passed Senate 3/13; passed House 7/16; concurred by Senate 7/18; ratified 7/18; City opposed SB 81 due to unilateral change it imposes

Tax Reform (HB 998 – Lewis): Senate-House conference report agreed to by both chambers on 7/17; authority to levy privilege license tax is preserved but would be studied by Revenue Laws Committee; measure is revenue neutral to local governments including City of Charlotte

State Budget (SB 402 – Brunstetter) for FY 2014 and FY 2015 passed Senate 5/23 and House on 6/13; conference process is ongoing

**DEVELOPING ISSUES**

Regulatory Reform Act of 2013 (HB 74 – Murry) is synthesis of HB 94 (Amends Environmental Laws), SB 112 (Create Jobs Through Regulatory Reform Act) and SB 612 (Regulatory Reform Act of 2013); HB 74 calls for study of the preemption of local ordinances, and does not repeal the protest petition method; reported out of Senate Rules

Mecklenburg Revaluation (SB 159 – Tarte) provides bases for correcting issues related to the recent Mecklenburg County revaluation; passed House 7/15; concurred by Senate 7/18; ratified and sent to Governor

Zoning/Design & Aesthetic Controls (HB 150 – Dollar) restricts use of design standards by counties and cities for any residential dwelling subject to the NC Residential Code for One and Two Family Dwellings; passed House and reported out of Senate Rules but was re-referred back to Committee from the floor; City opposes HB 150

Rental Property Ordinances (HB 773 – W. Brawley) repeals several provisions of legislation passed in 2011 that became basis for 2012 changes to Charlotte rental property ordinance; bill prohibits mandatory registration of all rental properties which makes it nearly impossible to notify property owners and landlords of crimes committed on their properties, which the bill also requires; there are at least ten other NC towns and cities that have rental program impacted by HB 773; passed House and referred to Senate Commerce; City opposes HB 773

**LEGISLATIVE AGENDA**

Public Transportation Buses (HB 375 – Jeter) allows buses owned and operated by the City of Charlotte that are 46 to 60 feet in length to be operated primarily on roadways with speed limits over 45 miles per hour; passed House 4/10; referred to Senate Rules

Infrastructure Improvements (SB 103 – Hartsell) extends sunset date of the Special Assessments for Critical Infrastructure Needs Act of 2008 by two years to July 1, 2015, which is needed for continued examination of Red Line Regional Rail project; passed Senate; reported out of House Government House Finance; reported out of House Finance 7/10, passed House 7/15; returned to Senate for concurrence

Film Production Tax Credit sunset date extension not addressed in tax reform

**BILL TRACKING REPORT**

The following report shows all bills being followed by City staff.

Bill #, Title and (Sponsors)	Summary of Major Provisions & Impacts Upon City	Bill Status	Staff Resource(s)
<b>City's Legislative Agenda</b>			
Film Production Tax Credit	Extension of sunset date <u>not addressed</u> in tax reform	--	N&BS
<a href="#">SB 103</a> Critical Infrastructure Act Extension (Hartsell)	Bill extends the sunset date of the Special Assessments for Critical Infrastructure Needs Act to July 1, 2015	Passed Senate; Passed House; Sent back to Senate for concurrence	CATS

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<a href="#">HB 375</a> Increase Allowed Size of Passenger Buses (Jeter)	Local bill; Buses must be operated primarily on routes with speed limits of 45 miles or greater	Passed House; Referred to Senate Rules	CATS
<b>Tax Reform</b>			
<a href="#">HB 998</a> Tax Simplification and Reduction Act (Lewis)	Tax Reform vehicle	Passed House; Passed Senate; Conference report adopted	Finance Budget
<b>General</b>			
<a href="#">HB 110</a> Public Contracts/ Project Labor (Goodman)	Prohibits contracts that requires a bidder or contractor to enter into an agreement with a labor organization as a term of a contract	Passed House; Passed Senate; Signed into law by Governor	E&PM
<a href="#">HB 632</a> Study Property Owners Protection Act (Moffitt)	Amended to study the advisability of establishing a Property Owners Protection Act that would favor the free use of land	Passed House; Referred to Senate Rules	Planning
<a href="#">HB 659</a> County and City Ethics (Moffitt)	Outlines additional ethics standards members of governing boards for cities, counties, education, unified governments, sanitary and consolidated city-county governments	Referred to House Appropriations	CMO
<a href="#">HB 677</a> Local Government Regulatory Reform (W. Brawley)	Regulatory reform legislation that prohibits municipalities from authorizing employers to withhold labor union dues from an employee's pay	Passed House; Referred to Senate State/LG	HR
<a href="#">HJ 708</a> Study Public Enterprise Funds (Moffitt)	Study Bill that will examine charges assessed against public sector enterprise funds for cost allocation, direct services, etc.	Passed House; Referred to Senate Rules	Finance Budget
<a href="#">HB 786</a> RECLAIM NC Act (Warren)	Comprehensive immigration reform; Prohibits local governments from entering into contracts with contractors and sub-contractors unless they comply with the requirements of Article 2 of Chapter 64 (E-Verify program)	Passed House; Sent to Senate	E&PM SS CATS Airport
<a href="#">HB 870</a> Record Closed Sessions of Public Bodies (Dixon)	Converted into local Duplin County redistricting bill; <b>Does not impact City of Charlotte</b>	Passed House; Passed Senate; Sent to House for concurrence	City Clerk CorpComm
<a href="#">SB 81</a> Charlotte Regional Airport Authority (Rucho)	Transfers City's control of the Charlotte Douglas International Airport to independent authority	Passed Senate; Passed House; Senate concurred	CMO
<a href="#">SB 159</a> Require Certain General Appraisals (Tarte)	Adjusts reappraisals that resulted in property values that do not comply with State requirements; Identical to <a href="#">HB 200</a>	Passed Senate; Passed House; Senate concurred	Finance
<a href="#">SB 287</a> Notice Publication by some local governments (Wade)	Allows some counties and their localities within, including Mecklenburg County to provide electronic notice instead of publishing notice in newspapers	Passed Senate; Referred to House Rules	CorpComm City Clerk

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<a href="#">SB 353</a> Health and Safety Laws (Harrington)	Enacts health care coverage mandate prohibiting local governments from offering abortion coverage in their health care plans greater than that provided in the state health care plan for teachers and state employees	Passed Senate; Passed House; Sent back to Senate for concurrence	HR
<a href="#">SB 402</a> Governor's Proposed Budget (Brunstetter)	Makes base budget appropriations for current operations of state departments, institutions, agencies and other purposes	House-Senate Conference	Finance Budget
<a href="#">SB 636</a> Eminent Domain (Newton)	Incorporates HB 8 which proposes that State Constitution be amended to prohibit condemnation except for a public use	Passed Senate; Passed House ; Sent to Senate for concurrence	E&PM
<b>Public Safety</b>			
<a href="#">HB 17</a> Gun Permits / Restaurants & Confidentiality (Burr)	Allows persons with concealed handgun permits to possess handguns in restaurants if allowed by establishment, and to preserve confidentiality of information concerning concealed handgun permits and pistol purchase permits	Passed House; Referred to Senate Judiciary I	CMPD
<a href="#">HB 59</a> Eliminate Safety Inspections (Howard)	Eliminates annual vehicle safety inspections as well as the requirement that window tinting inspections be conducted by a licensed safety inspector. Identical to <a href="#">SB 194</a>	HB 59 referred to House Transportation, then Finance; SB 194 referred to Senate Rules	CMPD
<a href="#">HB 186</a> Towns Enforce Ordinances on Lake Norman (Jeter)	Allows the towns of Cornelius, Davidson, Huntersville, Mooresville and Troutman to enforce town ordinances on the waters of Lake Norman	Passed House; Passed Senate; Sent back to House for concurrence	CMPD
<a href="#">HB 345</a> Increase Penalties for Misuse of 911 System (Faircloth)	Increase the criminal penalty for misuse of 911 from a Class 3 misdemeanor to Class 1 misdemeanor.	Passed House; Passed Senate; Sent to Governor	CMPD
<a href="#">HB 348</a> Public Safety Technology/State ROW (Faircloth)	Allows the NC Department of Transportation to enter into agreements with local governments to utilize public safety technology in the rights-of-way of state maintained roads	Passed House; Referred to Senate Transportation	CMPD
<a href="#">HB 773</a> Local Governments/ Buildings/Structures/Inspections (W. Brawley)	Prohibits requiring all residential rental property owners to register their properties with CMPD	Passed House; Referred to Senate Commerce	CMPD
<a href="#">HB 930</a> Dog Breeding Standards/Law Enforcement Tools (Saine)	Establishes standards of care for large commercial dog breeding facilities and provides law enforcement tools to enforce standards	Passed House; Referred to Senate Agriculture, then Judiciary II, then Finance	CMPD
<a href="#">HB 937</a> Amend Various Firearms Laws (Schaffer)	Omnibus bill to change firearms laws including guns locked in vehicles	House-Senate Conference	CMPD

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<a href="#">SB 659</a> MAP 21 Conforming Revisions (Shepard)	Conforms state motor vehicle law to the recently passed federal MAP-21	Passed Senate; Passed House; Ratified	CMPD
<b>Environment &amp; Planning</b>			
<a href="#">HB 74</a> Regulatory Reform (Murry)	Newest comprehensive regulatory reform, environmental laws amendments and rules reforms	Passed House; Reported out of Senate Rules	E&PM N&BS CMUD
<a href="#">HB 94</a> Amend Environmental Laws (McElraft)	Omnibus environmental amendments bill; Includes elements of regulatory reform bills	Passed House; Passed Senate; Sent to House for concurrence	CATS CMPD CFD Planning CDOT SS
<a href="#">SB 112</a> Create Jobs through Regulatory Reform (Jackson)	Contains billboard, protest petition and preemption language opposed by City; Includes study of Water & Sewer Service Districts	Passed Senate; Passed House; Senate referred to Rules	
<a href="#">SB 612</a> Regulatory Reform (Brown)	Original regulatory reform bill	Passed Senate; Referred to Regulatory Reform	
<a href="#">HB 150</a> Zoning/Design and Aesthetic Controls (W. Brawley)	Limits application of design building standards to structures located in certain areas	Passed House; Referred to Senate Rules	Planning E&PM
<a href="#">HB 192</a> Allow ROW Usage in CBDs (Shepard)	Permits local governments to enact sidewalk dining ordinances for use of State owned right of way	Passed House; Passed Senate; Signed by Governor	CDOT
<a href="#">HB 625</a> Zoning/Health Care Structure (Moffitt)	Allows for zoning of temporary health care structures which would be occupied by a caregiver.	Passed House; Reported out of Senate State/LG, now in Finance	Planning
<a href="#">HB 646</a> Airports Exempt from Local Tree Ordinances (Catlin)	Prohibits counties and cities from adopting or enforcing tree ordinances and regulations of trees on the property of airports owned by a municipality, county or authority	Passed House; Passed Senate; Sent to Governor	Planning E&PM
<a href="#">HB 769</a> Zoning/Limit Manufactured Home Restrictions (Ramsey)	Amends zoning laws to limit when counties can restrict placement of manufactured homes in areas zoned for single-family residential use	Passed House; Referred to Senate State/LG, then Commerce	Planning
<a href="#">HB 894</a> Allocation of Excess Stormwater (Catlin)	Authorizes cities to waive stormwater detention requirements for urban redevelopment projects if there exists excess capacity in its existing receiving stormwater system	Passed House; Referred to Senate Commerce	E&PM
<a href="#">HB 938</a> Improve Wetlands Mitigation Program (Lewis)	Directs NCDENR and NCDOT to petition the US Army Corps of Engineers for greater flexibility and opportunity for wetland mitigation	Passed House; Referred to Senate Agriculture	E&PM

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<a href="#">SB 105</a> Clarify Political Sign Ordinance Authority (Tillman)	Amends legislation passed in 2011 by allowing municipalities to enforce State law regulating and prohibiting placement of political signs along state highways that fall within a municipality's corporate limits	Passed Senate; Referred to House Transportation	N&BS
<a href="#">SB 328</a> Solid Waste Management Reform Act of 2013 (Wade)	Directs the Commission on Public Health and DENR to adopt and enforce a rule requiring solid waste vehicles and containers to be leak resistant instead of leak proof	Passed Senate; Referred to House Environment, then Finance	Solid Waste
<b>Infrastructure</b>			
<a href="#">HB 195</a> Cornelius/Extend Use of Design Build (Jeter)	Extends the Town of Cornelius' authority to use design build construction from 2013 to 2016	Passed House; Re-referred to Ways and Means	CMO
<a href="#">HB 267</a> Limit Tolling on Existing Interstates (Collins)	Establishes standards for how existing interstates can be tolled	Passed House; Referred to Senate Rules	CDOT Planning
<a href="#">HB 476</a> Underground Damage Prevention (Hager)	Makes comprehensive changes to Underground Damage Prevention Act	Passed House; Passed Senate; Sent to House for concurrence	CDOT CMUD
<a href="#">HB 857</a> Public Contracts/ Construction Methods/DB/PD (Arp)	Allows government entities to use design-build method to erect, construct, alter or repair public buildings as well as enter into public-private partnership construction contracts	Passed House; Passed 2 <sup>nd</sup> reading in Senate	E&PM
<a href="#">SB 341</a> Amend Interbasin Transfer Law (Rabon)	Limits transfer between basins with a certificate to an average of 2 million gallons per day not to exceed 5 million per day on any given day	Passed Senate; Passed House; Sent to Senate for concurrence	CMUD
<b>Economic Development</b>			
<a href="#">HJR 55</a> Reform Workforce Development (Howard)	Resolution to realign local workforce development areas with boundaries of councils of governments as recommended by the Joint Legislative Program Evaluation Oversight Committee;	Passed House; Referred to Senate Rules	N&BS