



Legislative Update

Week of April 29, 2019

Roy Cooper, Governor

Erik A. Hooks, Secretary

Coming off a slower than usual week due to both chambers being on spring break, last week at the General Assembly was filled with plenty of action. The highlight of the bustling week was the release of the House version of the proposed \$23.9 million budget. The full House Appropriations committee met for much of Wednesday to debate proposed amendments. Further amendments were considered during both Thursday and Friday House sessions. Following these lengthy deliberations, House Bill 966, *2019 Appropriations Act*, passed second reading Thursday by a vote of 61-55. On Friday the House budget passed its third reading 61-51 and now goes to the Senate for its consideration. Detailed information on Department-related budget expansion items is provided below.

While much of this week's attention was on the House, the Senate returned from break and held numerous committee meetings in preparation for the May 9th crossover deadline. Crossover is the date by which bills without appropriations or fees must pass out of the chamber in which they were introduced in order to remain eligible for consideration for the remainder of the regular session. Next week is anticipated to be a busy one due to this deadline.

On a final note, the Senate Select Committee on Prison Safety met to hear three presentations related to mental health of correctional officers and the importance of continuing to invest in mental health for offenders.

If you have any questions or comments, please contact Susanna Davis at 919-825-2717 or susanna.davis@ncdps.gov.

Highlights of the Proposed House Budget (FY 2019-21)

Department-wide

- *Compensation Increase for Employees:* Salary increase of 1% or \$500, whichever is greater, effective January 1, 2020. (Does not include State Highway Patrol members compensated pursuant to prescribed payment structure, or employees of the Division of Adult Correction eligible to receive the 5% increase.)
- *Annual Leave:* Additional five days credited on July 1, 2019. Days do not have cash value, but can be carried forward annually prior to separation or retirement.

Adult Correction

- *Compensation Increase for Certified Correctional Personnel:* Salary increase of 5% for certified correctional personnel, effective January 1, 2020. (Non-certified correctional personnel will receive a 1% increase.)

- *Nursing Positions*: \$645,000 in recurring funds for FY 2020-21 to support eight Registered Nurse positions to address the medical staffing needs of prison inmates.
- *In-Prison Substance Abuse Services*: \$740,530 in total funding across the biennium to support five positions and create 32 intermediate inmate substance abuse treatment slots, effective October 1, 2019.
- *Reentry Programs*: Provides almost \$325,000 and \$835,000 in recurring funds in FY 2019-20 and 2020-21 respectively, to support positions and case management software to support reentry services to help reintegrate offenders back into the community. In FY 2019-20, funding will support two Licensed Clinical Social Workers (LCSWs) and two Reentry Probation Parole Officers (PPOs). In FY 2020-21, funding will support two additional LCSWs, two additional PPOs, and three Community Development Specialists.
- *Long-Term Care Facility at Central Prison*: \$3.5M in recurring funds for FY 2020-21 to support 35 medical and custody positions for long-term care facility operation at Central Prison. This 16-bed facility will free up medical beds within Central Prison Medical Health Center and provide appropriate long-term medical needs of inmates.
- *Alcoholism & Chemical Dependency Program*: Provides \$1M for modular classrooms at Black Mountain.
- *Entrance Processing Stations*: Allocates \$3M for Adult Correction Entrance Processing Stations.

Juvenile Justice

- *Raise the Age – Administrative Support*: \$1.7M recurring and \$200,000 non-recurring in FY 2019-20, and \$2.1M recurring in FY 2020-21, to support increased staffing and workload requirements associated with the implementation of Raise the Age. These positions have a starting date of October 1, 2019.
- *Raise the Age – Facility Administration*: \$500,000 in recurring and \$40,000 in non-recurring FY 2019-20 funding and \$500,000 in recurring FY 2020-21 funding to support a facility management position and 6 field support specialist positions which will support operations at the Juvenile Detention Centers, Youth Development Centers, and other Division of Juvenile Justice facilities throughout the State.
- *Raise the Age – Juvenile Detention Center Capacity*: \$11.2 million in recurring funding across the biennium to increase bed capacity at Juvenile Detention Centers. These facilities provide temporary secure custody for juveniles deemed to require it as they move through the juvenile justice system.
- *Raise the Age – Transportation*: \$2.9 million in funding across the biennium to support the new transportation requirements by adding 15 new transportation positions and the purchase of 29 vans. The Juvenile Justice Reinvestment Act requires DJJ to provide transportation to and from secure custody for all juveniles in the system (previously, these services were often provided by law enforcement). These positions have a starting date of October 1, 2019.
- *Raise the Age – CA Dillon Operations*: Provides over \$4.1M in funding over the biennium to support 38 positions and operating expenses for the CA Dillon Youth Development Center campus in Butner. This facility is currently under renovation and, when reopened, will serve

as both a Youth Development Center and a Juvenile Detention Center, as needed. The funding provided will allow the facility to open as early as November 1, 2019.

- *Raise the Age – Educational/Vocational Positions*: \$500,000 recurring in each of FY 2019-20 and FY 2020-21 to support four new school counselor positions to provide re-entry and placement services, career planning, vocational training, and other services for juveniles who are preparing to exit secure custody. These positions have a starting date of October 1, 2019.
- *Raise the Age – Level II Contracts*: \$6.5 million recurring and \$350,000 non-recurring in FY 2019-20, and \$11.1 million recurring in FY 2020-21, to support increased funding for contracts for Level II community-based and residential programs for juveniles who have been adjudicated delinquent. This funding also supports the creation of one contract management position with a starting date of December 1, 2019.
- *Raise the Age – Juvenile Crime Prevention Councils (JCPCs)*: \$4.25 million recurring in FY 2019-20 and \$8.8 million recurring in FY2020-21 to provide additional funding to be allocated to the county-level JCPCs. These statutorily defined councils identify and recommend programs that serve Level I delinquent juveniles, diverted juveniles, and at-risk juveniles.
- *Raise the Age – JCPC Administrative Support*: \$250,000 recurring and \$80,000 non-recurring in FY 2019-20, and \$400,000 recurring in FY 2020-21, support the creation of five positions in the Community Programs section to provide administrative support, technical assistance, and to monitor programmatic quality and fiscal accountability for JCPC programs. These positions have a starting date of November 1, 2019.
- *Raise the Age – Juvenile Court Counselors*: \$3.1 million recurring and \$2 million non-recurring in FY 2019-20, and \$8.7M recurring in FY 2020-21, funding for 97 new Juvenile Court Counselor positions, phased in over the course of the first fiscal year, with the first positions to be filled starting November 1, 2019. These positions are the primary point of contact for all juveniles and their families as they move through the juvenile justice system.
- *Raise the Age Renovations* – Provides \$1.7M in funding for the Perquimans YDC and \$1M in funding for the Richmond YDC.
- *Stonewall Jackson YDC*– Provides \$677,000 for capital improvements to classrooms and the kennels.

Emergency Management

- *Emergency Management Positions*: \$215,625 recurring in FY 2019-20, and \$503,125 recurring in FY 2020-21, to fund additional positions to support management of federal grants and other Division operations (three FTEs in FY 2019-20 and seven FTEs in FY 2020-21).
- *Disaster Recovery*: \$2,500,000 to be used to support the State Search and Rescue program.
- *Disaster Recovery*: \$10,000,000 for the Florence Housing Recovery Program to repair, reconstruct, and purchase 100 residences ineligible for FEMA/CDBG-DR.
- *Disaster Recovery*: \$10,000,000 be used for mitigation programs serving homeowners and communities outside the HUD-designated "most impacted/distressed" counties.
- *Disaster Recovery*: \$13,000,000 to the State Acquisition and Relocation Fund (SARF) for GAP assistance payments for 214 FEMA expedited HMGP acquisitions.
- *Disaster Recovery*: \$2,000,000 for a flood insurance pilot program.

- *Disaster Recovery*: \$2,000,000 for Voluntary Organizations Active in Disasters (VOAD), a grant program for voluntary organizations that provide disaster recovery services using volunteer labor.
- *Disaster Recovery*: \$13,000,000 to provide grants and loans to local governments in disaster areas with immediate cash flow issues during disaster recovery.
- *NC 2-1-1*: Provides \$250,000 recurring in each of the biennium years to fund the United Way of North Carolina to support operations of the NC 2-1-1 program. This program operates a hotline that connects emergency/disaster survivors with needed resources, including Federal Emergency Management Agency (FEMA) grant programs, State-operated support programs, and other forms of aid.

Law Enforcement

- *State Capitol Police*: Allows the State Capitol Police to contract with State agencies for the creation of receipt-supported positions to provide security services to the buildings occupied by those agencies.
- *Behavioral Threat Assessment Positions*: \$2.4 million in funding over the FY 2019-21 biennium for eight sworn SBI agents to support the Behavioral Threat Assessment (BETA) program. These specialized agents work to identify potential threats to schools and houses of worship.
- *ALE Sworn Positions*: \$233,000 in recurring funding for two additional ALE sworn law enforcement positions.
- *ALE Administrative Positions*: Provides ALE with eight additional positions for administrative support and \$427,276 recurring in FY2020-21.
- *ALE Office Space*: \$300,000 to assist ALE with leasing office space after transfer from SBI to DPS.
- *SBI Sworn Positions*: \$533,000 in FY 2019-20 and \$800,000 recurring in FY 2020-21 to support additional SBI sworn law enforcement positions (six FTEs in FY 2019-20 and nine FTEs in FY 2020-21).
- *SBI Lease Expenses*: Provides an additional \$211,206 in recurring funding for the SBI's existing leased office space expenses.
- *State Highway Patrol*: Provides \$2.1M to Renovate Troop B Headquarters in Elizabethton.

NC National Guard

- *Tarheel ChalleNGe Positions*: Provides a net appropriation of \$945,010 over FY2019-21 for the National Guard Tarheel ChalleNGe Academies to support 31 new positions. This program provides educational and skill-building programming for at-risk 16-18-year-olds who have dropped out of high school. These positions are needed to bring the State into compliance with federal staffing regulations.
- *STARBASE*: Provides \$500,00 in funding for capital improvements.

Other Provisions

- *VIPER Service Contract:* \$1.5 million in recurring funding for the VIPER Service Upgrade Assurance contract, which provides the VIPER network with regular software upgrades and maintenance support.
- *Samarcond:* Provides \$167,674 recurring funding for four administrative and operational staff positions in FY2019-20, as well as \$281,221 in non-recurring funding for the equipment to operate the cafeteria. In FY2020-21, \$247,011 is allocated as recurring funding for 6 administrative operational support positions.

DPS Bills with Action this Week

(Note: Click on the bill title to view the most current version of the bill)

Division(s) Impacted	Sponsor(s)	Bill #	Short Title	Action
Admin	Boles, Belk, C. Smith, and Richardson	H 29	Standing Up for Rape Victims Act of 2019	5/2/2019 House Passed 3rd Reading
AC/Law Enforcement	Lambeth and Conrad	H 41	Allison's Law/GPS Tracking Pilot/DV/Funds	5/1/2019 House Re-ref Com On Rules, Calendar, and Operations of the House
Admin	McNeill and Boles	H 99	Transfer ALE	5/2/2019 House Passed 3rd Reading
ACJJ	Horn and Lucas	H 108	PED/Safekeeper Health Care Cost Recov. Pract.	5/2/2019 Senate Ref To Com On Rules and Operations of the Senate
ALE	Boles, Lucas, Saine, and Floyd	H 130	Allow Game Nights	5/1/2019 Pres. To Gov. 5/1/2019
Admin	Cleveland, Presnell, Speciale, and Brody	H 135	Government Immigration Compliance	5/2/2019 House Re-ref Com On Education - Universities

AC	Shepard, McNeill, C. Smith, and Cleveland	H 138	Damage Jail & Prison Fire Sprinkler/Penalty.	5/3/2019 House Placed On Cal For 05/06/2019
Law Enforcement	Corbin, Torbett, Hardister, and Pierce	H 144	Hands Free NC	5/3/2019 House Re-ref Com On Rules, Calendar, and Operations of the House
Law Enforcement/EM	Ball, McNeill, Reives, and C. Smith	H 296	Respect for Families-LEOs/Firefighters/EMS	5/2/2019 Senate Ref To Com On Rules and Operations of the Senate
JJ	Morey, Horn, McGrady, and Harrison	H 347	No Delinquent/Undisciplined Under 10 Yrs Old	5/3/2019 House Re-ref Com On Rules, Calendar, and Operations of the House
JJ	Beasley, Adams, Adcock, and Boles	H 393	Modernizing Sexual Assault Laws	4/30/2019 Senate Ref To Com On Rules and Operations of the Senate
Law Enforcement	Faircloth, McNeill, Ross, and Boles	H 425	Increase and Expand Assault on/Resist of LEO	4/29/2019 Senate Ref To Com On Rules and Operations of the Senate
NCNG	Grange, Szoka, and Goodwin	H 511	NC National Guard/Courts-Martial	4/29/2019 Senate Ref To Com On Rules and Operations of the Senate
ABC	McGrady, Boles, Fisher, and Hardister	H 536	ABC Omnibus Regulatory Reform	5/1/2019 House Re-ref Com On Finance

SBI	McNeill and Hurley	H 608	SBI Emergency Pen Register/Trap and Trace	5/2/2019 House Passed 3rd Reading
Law Enforcement/EM/Admin	Grange, Saine, R. Turner, and Dobson	H 622	Provide WC for PTSD in First Responders	5/2/2019 House Passed 3rd Reading
PPSB	McNeill, Hardister, and Faircloth	H 630	Private Protective Services Changes	5/1/2019 House Re-ref to the Com on Finance, if favorable, Rules, Calendar, and Operations of the House
All	Boles, Pierce, Speciale, and R. Turner	H 641	Modifications to Various DPS Provisions	5/3/2019 House Placed On Cal For 05/06/2019
JJ	R. Turner, Jarvis, and Pierce	H 702	Modify Juvenile Crime Prevention Councils	5/2/2019 Senate Ref To Com On Rules and Operations of the Senate
SHP	McNeill, Faircloth, Floyd, and C. Smith	H 747	NC Missing Person Information Sharing	5/2/2019 Senate Ref To Com On Rules and Operations of the Senate
Law Enforcement	Stevens	H 802	Prohibit Towing Out-of-State	5/2/2019 House Passed 3rd Reading
All	Johnson, Lambeth, Saine, and McGrady	H 966	2019 Appropriations Act	5/3/2019 House Passed 3rd Reading

ALE	Bell, Hardister, Humphrey, and Saine	H 1011	Felonious Gaming Machines	4/29/2019 House Ref To Com On Rules, Calendar, and Operations of the House
ACJJ	B. Jackson, Krawiec, and Ballard	S 118	PED/Safekeeper Health Care Cost Recov. Pract.	5/2/2019 Senate Placed on Cal for 5/6/2019
ACJJ	Steinburg, Daniel, and Britt	S 404	North Carolina First Step Act	5/1/2019 Senate Re-ref Com On Rules and Operations of the Senate
JJ	D. Davis, Daniel, and Sanderson	S 413	Raise the Age Modifications.	5/2/2019 Senate Passed 3rd Reading
NCNG	Britt and Daniel	S 420	NC Servicemembers Civil Relief Act	5/2/2019 Senate Passed 3rd Reading
JJ	Britt	S 490	Various Family Law Changes	5/2/2019 Senate Re-ref Com On Rules and Operations of the Senate
JJ	Britt, Daniel, and McKissick	S 562	The Second Chance Act	5/2/2019 Senate Re-ref Com On Rules and Operations of the Senate

Crossover Deadline: Thursday, May 9

Bills eligible to file in 2019 with no deadlines:

- (1) Redistricting bills for House, Senate, Congress, or local entities.
- (2) Ratification of amendments to the Constitution of the United States.
- (3) Adjournment resolutions.
- (4) Bills introduced on the report of the House Committees on Appropriations, Finance, or Rules.