

North Carolina General Assembly Legislation with Potential Impact on the City of Asheville Budget - 2015 Regular Session - Updated 3/20/15

Advocacy Principle: *Municipal Authority*

Like all municipalities in North Carolina, Asheville has unique economic, environmental, and cultural interests. Maintaining municipal authority to promote, regulate, and celebrate these interests is essential to enable local officials to best address local needs.

Policy Issue	Bills	Monitor	Bill Notes	Legislative Agenda	Status
Eminent Domain	H3/ S74 Eminent Domain.		This act amends the Constitution to include prohibition of condemnation of private property except for a public use, to provide for the payment of just compensation with right of trial by jury in all condemnation cases, and to make similar statutory changes.		(House) 1/14/15 Filed; 1/28/15 Passed 1st Reading; 2/5/15 Passed 2nd Reading; 2/10/15 Passed 3rd Reading; (Senate) 2/11/15 Passed 1st Reading; 2/11/15 Ref To Com On Rules and Operations of the Senate
Stomwater Management to Private Property	H141 Stormwater/Flood Control Activities.				(House) 3/4/15 Passed 1st Reading; Ref to the Com on Environment, if favorable, Local Government
Bicycle Safety	H232 Study/Update Bicycle Safety Laws.		This bill directs the Department of Transportation to perform a study on the bicycle safety laws in North Carolina and provide recommendations as to how the laws may be revised to better ensure the safety of bicyclists and motorists on the roadways.		(House) 3/12/15 Filed; 3/16/15 Passed 1st Reading; 3/16/15 Ref To Com On Transportation
Regulation of Bee Hives	S225 The Birds and the Bees Act.				(Senate) 3/10/15 Filed; 3/11/15 Passed 1st Reading; Ref To Com On Rules and Operations of the Senate
Drones	H4 Clarify Unmanned Aircraft System Law.		This law gives agencies and agents of the state or a political subdivision of the state the authority to use unmanned aircraft systems upon the approval of the state Chief Information Officer.		(House) 1/29/15 Passed 1st Reading; Ref to the Com on Local Government, if favorable, Judiciary I

North Carolina General Assembly Legislation with Potential Impact on the City of Asheville Budget - 2015 Regular Session - Updated 3/20/15

Advocacy Principle: *Municipal Revenue*

The fiscal health and responsibility of municipalities require stable revenue sources that are proportionate to the need for local services. Responsible fiscal management requires the protection of revenue sources both under, and outside of, municipal control.

Policy Issue	Bills	Monitor	Bill Notes	Legislative Agenda	Status
Transportation Funding	S20/ H40 IRC Update/Motor Fuel Tax Changes		The bill will very quickly cut the state motor fuels tax by 2.5 cents per gallon, but subsequently create a new, higher floor for the tax which should provide stability for the transportation revenue stream going forward. Cities and towns maintain the majority of road miles within their borders, and roughly one quarter of the money spent for this purpose comes from state Powell Bill funds. If the gas tax remains unchanged, it is expected to fall by as much as 6 to 8 cents per gallon.		(Senate) 2/4/15 Passed 1st Reading; 2/11/15 Passed 2nd Reading; 2/12/15 Passed 3rd Reading; Engrossed; (House) 2/18/15 Passed 1st Reading; 3/4/15 Passed 2nd Reading; 3/5/15 Passed 3rd Reading; 3/5/15 Engrossed; 3/10/15 Senate Conf Com Appointed; 3/11/15 House Conf Com Appointed
	H203 Phase-out of Fuel Tax.		This bill replaces the motor fuels tax with a transportation usage fee.		3/10/15 Filed; 3/12/15 Passed 1st Reading; Ref to the Com on Transportation, if favorable, Finance
Local Debt	H128 Referendum for Certain Local Debt.		H128 would allow voters to force a referendum on debt secured by local issuances of certificates of participation (COPs) and other non-general obligation bond indebtedness. H128 would require a referendum on all borrowing for local government capital projects when 5 percent of that local government's voters sign a petition requesting a vote. In 1991, the North Carolina Supreme Court upheld local governments' use of certificates of participation and other "special indebtedness" that does not require a voter referendum. Since then, both local governments and the state have extensively used this form of borrowing, with the state having last put a bond referendum before voters in 2000. The General Assembly in 2013 placed limits on the state's use of state special indebtedness going forward.		(House) 3/3/15 Filed; 3/4/15 Passed 1st Reading; 3/4/15 Ref to the Com on Local Government, if favorable, Finance, if favorable, Elections
Tax Value for Property Improvements	H168/ S321 Exempt Builders' Inventory.		H168 would exclude from builders' property taxes any increase in property value attributable to subdivision or other improvements made to the property until the builder sold the property. H168 would limit the amount of time a builder could exclude the improved property value from taxation to five years.		(House) 3/5/15 Filed; 3/9/15 Passed 1st Reading; 3/9/15 Ref To Com On Finance; (Senate) 3/17/15 Filed; 3/18/15 Passed 1st Reading; Ref To Com On Rules and Operations of the Senate
Legal Notices	H156/ S129 Legal Notices/Require Internet Publication.		This bill requires Internet Web site publication of legal notices. Legislators in both chambers filed companion electronic notice bills Wednesday that failed to allow municipalities the option to publish their own electronic legal public notices in lieu of publication in a newspaper. Instead of granting that authority to local governments, H156/ S129 Legal Notices/Require Internet Publication would continue a monopoly for the press regarding electronic notice while providing little or no financial relief for taxpayers. H156/S 129 would require newspapers to publish legal notices online at no additional charge, when a governmental entity had paid for the statutorily-required print notice.		(House) 3/4/15 Filed; 3/5/15 Passed 1st Reading; Ref To Com On Judiciary III; (Senate) 2/25/15 Filed; 2/27/15 Passed 1st Reading; Ref To Com On Rules and Operations of the Senate
	S210 Notice Publication by Counties and Cities.			✓	(Senate) 3/10/15 Filed; 3/11/15 Passed 1st Reading; Ref To Com On Rules and Operations of the Senate
Site Development Loans	H108 Site and Building Development Fund		This bill provides a fund to provide loans to local government units to develop sites and buildings.		(House) 2/24/15 Filed; 2/27/15 Passed 1st Reading; Ref to the Com on Commerce and Job Development, if favorable, Appropriations; 3/18/15 Reptd Fav Com Substitute; Re-ref Com On Appropriations

Advocacy Principle: *Mandates*

Unfunded and burdensome legislative and regulatory mandates undermine the efficiency, effectiveness and success of municipal programs and services.

North Carolina General Assembly Legislation with Potential Impact on the City of Asheville Budget - 2015 Regular Session - Updated 3/20/15

Policy Issue	Bills	Monitor	Bill Notes	Legislative Agenda	Status
E-Verify	H318 Protect North Carolina Workers Act.				(House) 3/19/15 Filed

North Carolina General Assembly Legislation with Potential Impact on the City of Asheville Budget - 2015 Regular Session - Updated 3/20/15

Advocacy Principle: Economic Vitality

An economically vital community enables Asheville to provide for opportunity, mobility, and a high quality of life for its residents.

Policy Issue	Bills	Monitor	Bill Notes	Legislative Agenda	Status	
Economic Development Programs	H89 Omnibus Economic Development Improvements.		This bill restores various tax credits and incentives for economic development.	✓	(House) 2/16/15 Passed 1st Reading; 2/16/15 Ref to the Com on Commerce and Job Development, if favorable, Finance, if favorable, Appropriations; 3/4/15 Withdrawn From Com; Re-ref to the Com on Finance, if favorable, Appropriations	
	H117 NC Competes Act.		H117 NC Competes Act would double an existing cap on funding for the state's key jobs recruitment program, the Jobs Development Investment Grant program. It also would restore money for an infrastructure grant program.		(House) 2/24/15 Filed; 2/27/15 Passed 1st Reading; 3/4/15 Passed 2nd Reading; 3/5/15 Passed 3rd Reading; Engrossed; (Senate) 3/9/15 Passed 1st Reading; 3/9/15 Ref To Com On Rules and Operations of the Senate	
	S326 Increase JDIG Program Funding.					(Senate) 3/18/15 Filed; 3/19/15 Passed 1st Reading; Ref to Commerce. If fav, re-ref to Finance. If fav, re-ref to Appropriations/Base Budget
	S342 Econ. Dev./JDIG Extension.					(Senate) 3/19/15 Filed
	S338 Economic Development/Tax Modifications.					(Senate) 3/18/15 Filed; 3/19/15 Passed 1st Reading; Ref To Com On Rules and Operations of the Senate
	S340 Econ. Dev./Job Catalyst Fund.					(Senate) 3/19/15 Filed
Historic Preservation Tax Credits	H152/ S287 New Historic Preservation Tax Credit.		H152 would create an historic tax credit of 10 to 20 percent of expenses, depending on the size of the renovation project and where it occurred. In poorer, Tier 1 and Tier 2 counties and for projects under \$10 million, the higher percentage would apply. A previous state historic tax credit, worth up to 30 percent of a project's value, expired on Dec. 31.	✓	(House) 3/4/15 Filed; 3/5/15 Passed 1st Reading; Ref To Com On Finance; (Senate) 3/12/15 Filed; 3/16/15 Passed 1st Reading; 3/16/15 Ref To Com On Rules and Operations of the Senate	
	S202 Reenact Preservation Rehab Tax Credits.				(Senate) 3/9/15 Filed; 3/10/15 Passed 1st Reading; Ref To Com On Rules and Operations of the Senate; 3/18/15 Withdrawn From Com; Re-ref Com On Finance	
Film Grant Fund	H171/ S193 Modify Film Grant Fund.		H171/ S193 would put \$66 million toward the state's film incentive grants established last year in lieu of a film and TV production tax credit. That program has \$10 million currently appropriated to it.	✓	(House) 3/5/15 Filed; 3/9/15 Passed 1st Reading; Ref To Com On Finance; (Senate) 3/5/15 Filed; 3/9/15 Passed 1st Reading; 3/9/15 Ref To Com On Rules and Operations of the Senate; 3/18/15 Withdrawn From Com; Re-ref to Commerce. If fav, re-ref to Appropriations/Base Budget	

North Carolina General Assembly Legislation with Potential Impact on the City of Asheville Budget - 2015 Regular Session - Updated 3/20/15

	S202 Reenact Film Credit.				(Senate) 3/9/15 Filed; 3/10/15 Passed 1st Reading; Ref To Com On Rules and Operations of the Senate; 3/18/15 Withdrawn From Com; Re-ref Com On Finance
Renewable Energy Credit	S329 Econ. Dev./Renewable Energy Credit.				(Senate) 3/18/15 Filed; 3/19/15 Passed 1st Reading; Ref To Com On Rules and Operations of the Senate
Medical Cannabis	H78 Enact Medical Cannabis Act.				(House) 2/11/15 Filed; 2/16/15 Passed 1st Reading; Ref to the Com on Judiciary I, if favorable, Health, if favorable, Regulatory Reform; 3/9/15 Serial Referral To Finance Added; Serial Referral To Appropriations Added
	H317 Medical Marijuana for Terminally Ill Patients.				(House) 03/19/15 Filed
Brewery Limits	H278 Increase Small Brewery Limits.				(house) 3/18/15 Filed; 3/19/15 Passed 1st Reading; Ref To Com On Alcoholic Beverage Control
Liquor Sales	S171/ S236 Spirituous Liquor Tastings/ABC Stores.				(Senate) 3/4/15 Filed; 3/5/15 Held As Filed; (Senate) 3/10/15 Senate Filed; 3/11/15 Senate Passed 1st Reading; Ref To Com On Rules and Operations of the Senate
	H107/ S24 Liquor Sales - Permitted Distilleries.		This bill provides distillery permit holders with the authority to sell spirituous liquor distilled on premises to visitors of the distillery for consumption off the premises and to expand the list of places at which free spirituous liquor tastings may be held.		(House) 2/24/15 Filed; 2/27/15 Passed 1st Reading; Ref to the Com on Alcoholic Beverage Control, if favorable, Finance; (Senate) 2/3/15 Filed; 2/4/15 Passed 1st Reading; Ref To Com On Rules and Operations of the Senate

North Carolina General Assembly Legislation with Potential Impact on the City of Asheville Budget - 2015 Regular Session - Updated 3/20/15

Advocacy Principle: *City Services*

The City of Asheville, which provides high quality services to meet the dynamic needs of its residents, requires adequate authority and flexibility to finance, operate, and manage these services.

Policy Issue	Bills	Monitor	Bill Notes	Legislative Agenda	Status
Parking Meters	H43/ S8 Winston-Salem/Parking Meters.		This bill allows parking meters in Winston-Salem to be activated by coins, tokens, cash, credit cards, debit cards, or electronic means. The Asheville City Council requested similar state-wide authority through its Legislative Agenda.	✓	(House) 2/3/15 Filed; 2/5/15 Passed 1st Reading; 3/10/15 Passed 2nd Reading; Passed 3rd Reading; (Senate) 3/11/15 Passed 1st Reading; Ref To Com On Rules and Operations of the Senate
	S52 Cities/Mean For Activating Parking Meters.		This bill allows parking meters to be activated by coins, tokens, cash, credit cards, debit cards, or electronic means. The Asheville City Council requested this state-wide authority through its Legislative Agenda.	✓	(Senate) 2/11/15 Passed 1st Reading; Ref To Com On Rules and Operations of the Senate; Withdrawn From Com; Re-ref Com On State and Local Government

North Carolina General Assembly Legislation with Potential Impact on the City of Asheville Budget - 2015 Regular Session - Updated 3/20/15

Advocacy Principle: Community Standards

Asheville, the largest city in Western North Carolina, is nationally known for its natural beauty, rich architectural legacy, and entrepreneurial energy. In order to promote economic vitality in a manner that maintains the unique features that make our community a desirable place to live, work, and play, municipalities and local officials need to be enabled with the tools and authority to make local decisions.

Policy Issue	Bills	Monitor	Bill Notes	Legislative Agenda	Status
Local Planning and Development Regulation	160D		This is a rewrite of zoning, subdivision, land use and permitting statutes which is expected to be introduced this session. It would replace several significant sections of 160A and 153A.		Not yet introduced
Building Code Reg. Reform.	H255/ S324 Building Code Reg. Reform.				(House) 3/17/15 Filed; 3/18/15 Passed 1st Reading; Ref To Com On Regulatory Reform; (Senate) 3/18/15 Filed; 3/19/15 Passed 1st Reading; Ref To Com On Rules and Operations of the Senate
Protest Petitions	S285 Zoning/Protest Petition Changes.				(Senate) 3/12/15 Filed; 3/16/15 Passed 1st Reading; Ref To Com On Rules and Operations of the Senate
	S300 Zoning Changes/Majority Rule.				(Senate) 3/17/15 Filed; 3/18/15 Passed 1st Reading; Ref To Com On Rules and Operations of the Senate
Bill Boards	H304/ S320 Revisions to Outdoor Advertising Laws.		An Act to Increase Permit Fees for Outdoor Advertising, to Establish a Reasonable Timeframe for Making Agency Decisions Regarding Permits and Appeals, to Clarify the Standards for Determining Just Compensation in State and Local Government Eminent Domain Actions that Cause the Removal of Lawfully Erected Outdoor Advertising, to Clarify Provisions of the Outdoor Advertising Control Act, and to Promote Uniformity of Regulation and Modernization of Outdoor Advertising.		(House) 3/18/15 Filed; 3/19/15 Passed 1st Reading; 3/19/15 Ref to the Com on Commerce and Job Development, if favorable, Finance; (Senate) 3/17/15 Filed; 3/18/15 Passed 1st Reading; Ref To Com On Rules and Operations of the Senate
Zoning Changes/ Citizen Input	H201 Zoning Changes/Citizen Input.		This bill amends the process by which the city councils receive citizen input in zoning ordinance amendments.		(House) 3/10/15 Filed; 3/11/15 Passed 1st Reading; Ref To Com On Local Government; 3/19/15 Reptd Fav Com Substitute H201-PCS10134-ST-8; Cal Pursuant Rule 36(b); Placed On Cal For 3/23/15
Design and Aesthetic Controls	H36/ S25 Zoning/Design and Aesthetic Controls.		This legislation would prevent municipalities from imposing design and aesthetic controls on certain family dwellings, including exterior color, roof style, location of windows and doors, etc. Historic districts are exempted from this bill.	✓	(House) 2/4/15 Passed 1st Reading; Ref To Com On Local Government; (Senate) 2/4/15 Passed 1st Reading; Ref To Com On Rules and Operations of the Senate
Overgrown Vegetation Notice	H44/ S53 Cities/Overgrown Vegetation Notice.		This bill authorizes cities to provide annual notice to chronic violators of overgrown vegetation ordinances by regular mail and posting.		(House) 2/3/15 Filed; 2/5/15 Passed 1st Reading; Ref to the Com on Local Government, if favorable, Regulatory Reform; 3/9/15 Reptd Fav; Re-ref Com On Regulatory Reform; (Senate) 2/10/15 Filed; 2/11/15 Passed 1st Reading; 3/11/15 Passed 2nd Reading; Passed 3rd Reading; 3/12/2015 Regular Message Sent To House; (House) 3/12/15 Regular Message Received From Senate; 3/16/15 Passed 1st Reading; Ref to the Com on Local Government, if favorable, Regulatory Reform

North Carolina General Assembly Legislation with Potential Impact on the City of Asheville Budget - 2015 Regular Session - Updated 3/20/15

Advocacy Principle: *Environmental Stewardship*

As a community committed to sustainability and environmental stewardship, Asheville needs adequate regulatory authority in order to maximize its partnership in environmental protection with state and federal agencies. As a city with a proud mountain heritage and identified as a destination for ecotourism and "green" industry, the Blue Ridge mountain region's natural beauty is recognized as a great benefit to the community. Environmental protection is essential to a high quality of life, cultural heritage, and economic development.

Policy Issue	Bills	Monitor	Bill Notes	Legislative Agenda	Status
Hydraulic Fracturing	H76/ S72 Disapprove MEC Oil and Gas Rules.	  	This bill disapproves a rule adopted by the Mining and Energy Commission providing for management of oil or gas exploration and development.		(House) 2/12/15 Passed 1st Reading; Ref to the Com on Commerce and Job Development, if favorable, Regulatory Reform, if favorable, Environment, if favorable, Rules, Calendar, and Operations of the House; (Senate) 2/11/15 Filed; 2/12/15 Passed 1st Reading; Ref To Com On Rules and Operations of the Senate; 3/9/15 Withdrawn From Com; Re-ref to Commerce. If fav, re-ref to Agriculture/Environment/Natural Resources
	H172 Fracking-Protecting the Public.	  	This bill requires the Environmental Management Commission, while working with the Mining and Energy Commission, to adopt rules establishing technical requirements and best management practices to minimize leaks and other unpermitted releases of air pollutants from activities and infrastructure associated with gas exploration, development, production, processing, and compression infrastructure.		(House) 3/9/15 Filed; 3/10/15 Passed 1st Reading; Ref to the Com on Environment, if favorable, Rules, Calendar, and Operations of the House

-  = Consistent with City of Asheville Interests
-  = Monitor
-  = Potentially Inconsistent with City of Asheville Interests

-  = Consistent with the Asheville City Council's Legislative Agenda
-  = Inconsistent with the Asheville City Council's Legislative Agenda