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North Carolina House of Representatives
District 117



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Passage of the House Budget Meets the Crossover Deadline

Despite a relatively slow pace during most of this legislative session, the House suddenly sprung to action pushing to pass its budget within days of the “crossover deadline” for passing most bills. During my time in the legislature, I’ve never experienced the juxtaposition of those two events. I hope I never do again.

The budget, [H 966 \[2019 Appropriations Act\]](#), passed along partisan lines by a vote of 61-51 on Friday afternoon. I missed the vote on Third Reading due to a family commitment, although I voted for it on Second Reading.

The process now sends the bill to the Senate. The expectation is the Senate’s work will be complete before the end of the month and the House and Senate will move quickly to resolve the differences between their respective budgets. The assumption is Governor Cooper will veto any budget that doesn’t include an expansion of Medicaid and, even if all Republican Members and a few Democrats support it, there are not enough votes to override a veto in the House. By early June, the budget should be on the Governor’s desk. When he vetoes it, negotiations will begin in earnest.

Everyone has watched the fight between the President and Congress over a funding bill that closed some federal agencies and departments. If we don’t pass a budget, that is not what would occur in North Carolina. North Carolina law provides that, in the absence of an adopted budget, last year’s budget will continue in place with respect to “recurring funds.” That means teachers will continue to be paid, as will almost all state employees including prison guards, Highway Patrol officers, state foresters and park

rangers. Programs that rely on recurring funding will continue; Most programs and almost all salaries have recurring funding.

In last year's budget, there were "non-recurring funds" that funded a range of things, and such non-recurring funding will not continue until a budget is ultimately adopted. For example, the western North Carolina medical school receives a little over \$4 million dollars in non-recurring funds in addition to its recurring funds. Those non-recurring funds were appropriated in 2018 and allocated again in the House's 2019 budget.

However, without an adopted budget, the \$4 million will not be available for the western North Carolina medical school. Another example is funding for a local nonprofit, Muddy Sneakers, which received \$400,000 in last year's budget and would receive \$500,000 in the 2019 House budget, using non-recurring funds. If a budget isn't adopted, Muddy Sneakers gets no funding until a new budget is adopted.

Normally, when the House has taken up the budget bill, most other legislative activity in the House stops. Just the opposite happened this year. As the budget writers were completing work on the budget, the activity in the House on other bills became frenetic. Hundreds of bills that had languished in various committees suddenly started moving---which means they got hearings in one or more committees before coming to the floor for votes. The House worked into the late evenings, and committee meetings suddenly occurred sometimes without a lot of notice.

Often, bills with serial referrals to more than one committee suddenly had the serial referrals stricken so the bills could move more quickly. The Rules Committee sometimes met more than once a day simply to clear bills that had only been reviewed in one other committee. For lobbyists and others, it is difficult to follow bills of interest. I knew if I was having a hard time keeping track of bills it was nearly impossible for others. Public comment on bills in committee was often limited.

Since the session started in late January, the House has filed 1014 bills and has passed 304 bills. Of those, only 97 bills passed between the end of January and last full week of April. In the last two weeks, the House passed 207 bills, with the majority of them passing in the last week.

Aside from working on the budget, my priorities were simple. First, a few of my bills were subject to the crossover deadline, and needed to pass the

House to remain viable. Second, the bills that had referrals to the Finance Committee and were not subject to the crossover deadline, needed to be ready for consideration when we start back to work next week.

For a change, I had only two bills I needed to move that were subject to the crossover deadline. [H 299 \[Henderson Cty/Build Community College\]](#), a bill to authorize speedy construction at Blue Ridge Community College by eliminating some red tape, passed in mid-April. [H 374 \[Sex Offender/Expand Res. Restriction\]](#), a bill to restrict pedophiles from living close to residential youth camps, passed on a vote of 110-3 last week. Both having made it safely over to the Senate, I expect Senator Edwards will carry those bills in the Senate.

Many of my bills include referrals to the Finance Committee which means they don't have to meet the crossover deadline. Those bills are:

[H 91 \[ABC Modernization/PED Study\]](#)
[H 536 \[ABC Omnibus Regulatory Reform\]](#)
[H 671 \[Behavior Analyst Licensure\]](#)
[H 758 \[MSD Expansion & Governance\]](#)
[H 971 \[Modern Licensure Model for Alcohol Control\]](#)
[H 995 \[Hard Cider/Revise Excise Tax Rate\]](#)

Proposed constitutional amendments don't have to meet the crossover deadline so [H 140 \[The FAIR Act\]](#), a proposed constitutional amendment dealing with nonpartisan redistricting, will wait to see action if and when legislative leaders decide if we'll take up various nonpartisan redistricting proposals.

Another group of my bills are companion bills to Senate bills---meaning the same bill was filed in both the House and the Senate. Often the respective bill sponsors of companion bills decide whether the senator or the House member will run the bill. The companion bills to [H 378 \[Distiller Reg. Reform\]](#) and [H 570 \[Water/Wastewater Public Ent. Reform\]](#) will probably run in the Senate. A Senate bill similar to [H 14 \[Reconstitute Various Boards & Commissions\]](#) has already made it over to the House, and I'll handle that bill and probably make changes consistent with H 14 to the Senate bill.

One of my bills is in the budget: [H 373 \[Ag Disaster Fund/Excessive Rain\]](#), and parts of two agency bills, [H 245 \[DEQ/Policy Changes.-AB\]](#) and [H 246 \[DEQ/Fund & Fee Changes.-AB\]](#) are also in the budget.

Of course, some bills just don't make it. I haven't been able to get movement on [H 326 \[Hendersonville Local Opt. Sales Tax\]](#), and I wasn't able to secure money for a new lab at North Carolina State University for honey bee research, [H 334 \[NCSU Honey Bees Lab Funds\]](#). My bills to regulate zip lines and other high element challenge courses, [H 395 \[Regulate Challenge Courses\]](#), wasn't moved by a committee chair who had a bill of his own, [H 380 \[Aerial Adventure Courses/Sander's Law\]](#), which passed the House, but I opposed. While [H 759 \[Electronic Recycling Amendments\]](#) didn't move, the budget contains a provision to study the subject, and getting a further study of our electronic recycling law is probably a good predicate to passing a bill.

So what are my priorities for the rest of the session? As a budget chair, my first priority must be enacting a budget. That likely means working to get legislators and the Governor to agree to compromise on some set of issues. If they can't do that, then other options will have to be considered. After that, I'd like to see us pass a nonpartisan redistricting bill, whether [H 140](#) or [H 69 \[Nonpartisan Redistricting Commission\]](#) or some combination of those bills and other nonpartisan redistricting bills that have been filed. For local impact, I really want to put the dispute between Henderson County and its northern neighbors over treatment of sewage to rest by passing [H 758](#). Finally, I'd like to provide more treatment for autistic children, and that means passage of [H 671](#) in some form providing for licensure (or certification) of behavior analysts.

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Committees

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[LRC Committee to Study Rates & Transfers/Public Enterprises \(Chair\)](#)

[House Select Strategic Transportation Planning & Long Term Funding Solutions](#)

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